

TUESDAY, 10 MAY 2011

IN THE CHAIR: JERZY BUZEK

President

1. Opening of the sitting

(The sitting was opened at 09:05)

2. Documents received: see Minutes

3. Debates on cases of breaches of human rights, democracy and the rule of law (announcement of motions for resolutions tabled): see Minutes

4. 2009 discharge (debate)

President. – The next item is the joint debate on the following reports:

- A7-0134/2011 by Jorgo Chatzimarkakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the general budget of the European Union for the financial year 2009, Section III – Commission and executive agencies (SEC(2010)0963 - C7-0211/2010 - 2010/2142(DEC));

- A7-0135/2011 by Jorgo Chatzimarkakis, on behalf of the Committee on Budgetary Control, on the Court of Auditors' special reports in the context of the 2009 Commission discharge (2010/2204(DEC));

- A7-0094/2011 by Ville Itälä, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section I – European Parliament (SEC(2010)0963 - C7-0212/2010 - 2010/2143(DEC));

- A7-0088/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section II – Council (SEC(2010)0963 - C7-0213/2010 - 2010/2144(DEC));

- A7-0137/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section IV – Court of Justice (SEC(2010)0963 - C7-0214/2010 - 2010/2145(DEC));

- A7-0138/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section V – Court of Auditors (SEC(2010)0963 - C7-0215/2010 - 2010/2146(DEC));

- A7-0136/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section VI – European Economic and Social Committee (SEC(2010)0963 - C7-0216/2010 - 2010/2147(DEC));

- A7-0139/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section VII – Committee of the Regions (SEC(2010)0963 - C7-0217/2010 - 2010/2148(DEC));
- A7-0116/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section VIII – European Ombudsman (SEC(2010)0963 - C7-0218/2010 - 2010/2149(DEC));
- A7-0117/2011 by Crescenzo Rivellini, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section IX – European Data Protection Supervisor (SEC(2010)0963 - C7-0219/2010 - 2010/2150(DEC));
- A7-0140/2011 by Bart Staes, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the Eighth, Ninth and Tenth European Development Funds for the financial year 2009 (COM(2010)0402 - C7-0220/2010 - 2010/2151(DEC));
- A7-0149/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on the 2009 discharge: performance, financial management and control of EU agencies (2010/2271(DEC));
- A7-0150/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Police College for the financial year 2009 (SEC(2010)0963 - C7-0241/2010 - 2010/2181(DEC));
- A7-0153/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Medicines Agency for the financial year 2009 (SEC(2010)0963 - C7-0233/2010 - 2010/2173(DEC));
- A7-0119/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the Translation Centre for the Bodies of the European Union for the financial year 2009 (SEC(2010)0963 - C7-0232/2010 - 2010/2172(DEC));
- A7-0106/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Centre for the Development of Vocational Training for the financial year 2009 (SEC(2010)0963 - C7-0226/2010 - 2010/2166(DEC));
- A7-0118/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the Community Fisheries Control Agency for the financial year 2009 (SEC(2010)0963 - C7-0244/2010 - 2010/2184(DEC));
- A7-0123/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Aviation Safety Agency for the financial year 2009 (SEC(2010)0963 - C7-0237/2010 - 2010/2177(DEC));

- A7-0107/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Centre for Disease Prevention and Control for the financial year 2009 (SEC(2010)0963 - C7-0239/2010 - 2010/2179(DEC));
- A7-0127/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2009 (SEC(2010)0963 - C7-0245/2010 - 2010/2185(DEC));
- A7-0122/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Environment Agency for the financial year 2009 (SEC(2010)0963 - C7-0230/2010 - 2010/2170(DEC));
- A7-0146/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Food Safety Authority for the financial year 2009 (SEC(2010)0963 - C7-0238/2010 - 2010/2178(DEC));
- A7-0120/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2009 (SEC(2010)0963 - C7-0229/2010 - 2010/2169(DEC));
- A7-0132/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Maritime Safety Agency for the financial year 2009 (SEC(2010)0963 - C7-0236/2010 - 2010/2176(DEC));
- A7-0105/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Network and Information Security Agency for the financial year 2009 (SEC(2010)0963 - C7-0252/2010 - 2010/2192(DEC));
- A7-0125/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Railway Agency for the financial year 2009 (SEC(2010)0963 - C7-0240/2010 - 2010/2180(DEC));
- A7-0109/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Training Foundation for the financial year 2009 (SEC(2010)0963 - C7-0235/2010 - 2010/2175(DEC));
- A7-0104/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work for the financial year 2009 (SEC(2010)0963 - C7-0231/2010 - 2010/2171(DEC));
- A7-0144/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the Euratom Supply Agency for the financial year 2009 (SEC(2010)0963 - C7-0246/2010 - 2010/2186(DEC));

- A7-0108/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2009 (SEC(2010)0963 - C7-0227/2010 - 2010/2167(DEC));
- A7-0133/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of Eurojust for the financial year 2009 (SEC(2010)0963 - C7-0234/2010 - 2010/2174(DEC));
- A7-0130/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Union Agency for Fundamental Rights for the financial year 2009 (SEC(2010)0963 - C7-0228/2010 - 2010/2168(DEC));
- A7-0145/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) for the financial year 2009 (SEC(2010)0963 - C7-0242/2010 - 2010/2182(DEC));
- A7-0103/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European GNSS Supervisory Authority for the financial year (SEC(2010)0963 - C7-0243/2010 - 2010/2183(DEC));
- A7-0126/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the ARTEMIS Joint Undertaking for the financial year 2009 (SEC(2010)0963 - C7-0250/2010 - 2010/2190(DEC));
- A7-0128/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the Clean Sky Joint Undertaking for the financial year 2009 (SEC(2010)0963 - C7-0249/2010 - 2010/2189(DEC));
- A7-0129/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the Joint Undertaking for the implementation of the Joint Technology Initiative on Innovative Medicines for the financial year 2009 (SEC(2010)0963 - C7-0251/2010 - 2010/2191(DEC));
- A7-0131/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the European Joint Undertaking for ITER and the Development of Fusion Energy for the financial year 2009 (SEC(2010)0963 - C7-0247/2010 - 2010/2187(DEC)), and
- A7-0124/2011 by Georgios Stavrakakis, on behalf of the Committee on Budgetary Control, on discharge in respect of the implementation of the budget of the SESAR Joint Undertaking for the financial year 2009 (SEC(2010)0963 - C7-0248/2010 - 2010/2188(DEC)).

Jorgo Chatzimarkakis, *rapporteur*. – (DE) Mr President, Commissioner Šemeta, ladies and gentlemen, the process we are dealing with today – that is, the discharge for the expenditure of the European Commission – is an essential process. In recent years it may perhaps have been taken rather lightly, but in fact granting discharge for all the expenditure

of the European Commission for the year 2009 is an essential task of the European Parliament.

We are aware that 80% of these funds were spent as a shared responsibility between the Commission and the Member States. Nonetheless, the overall responsibility for this process lies with the Commission. I would therefore like to address you quite directly, Commissioner Šemeta. Firstly, I would like to thank you. I would like to make that clear at the outset. I would like to include my fellow Members who have worked very well together and who have supported Parliament's position very strongly. However, the discussions that we had were very intense, Commissioner Šemeta. You have only shared responsibility for 2009, yet you have thrown yourself into it. In some cases we have had heated arguments and have gone into very great detail. I should like to emphasise, however, that you have put the discharge at the top of the agenda in the College, in the Commission. The President of the Commission, Mr Barroso, spent over an hour negotiating with us on the details. You yourself played a major part in changing the attitude of the Commission to the discharge and the attitude of the Commission officials to this whole process. I am grateful to you for having said quite openly that the pressure that Parliament has exerted this year will in the final event help you to improve transparency. You now have in your hands a means of exerting pressure not just on the Member States, but also on your own administration – which has until now been a little lax in dealing with these matters.

However, I also think that we need to utilise this momentum that we have created together, Commissioner Šemeta – and I would ask you to pass on our thanks to President Barroso – and this dynamism for the other discharge reports. For there is one thing that must be clear to us, which is that for the 16th time in succession the European Court of Auditors has not given a positive statement. That is not insignificant, as it means that you have not actually met the criteria for 16 years running. Nonetheless, we have set key criteria that I would like to mention briefly and that you have met. I am pleased to have Mr Fjellner, the forthcoming rapporteur on the budget discharge, at my side. I hope that he will continue the work with the same impetus.

The Commission has begun – and this is crucial, because we are after all talking about 80% shared responsibility here – quite clearly to state erroneous expenditure in the accounts of the European Union for 2009. It has listed these items openly. Building on this new transparency, therefore, we have set five key requirements. The first is a long-running issue – an old favourite – that Parliament has been dealing with for a long time, and that is the national management declarations. As a representative of the Group of the Alliance of Liberals and Democrats for Europe, I am also pleased to be able to point out that this has been brought about by Dutch members of the ALDE Group in particular. We are talking here about the confirmation by the finance ministers that EU funds have been spent correctly in their home countries.

We do not yet have these national management declarations, but we want to get them. In this respect I will be building on my cooperation with Mr Fjellner in the future. Commissioner, you have promised that we will look into whether stricter conditions can be introduced by the next financial perspective in 2014. It is important that you have drawn up guidelines – we are grateful to you for that – that you have shown which countries have actually provided national management declarations – it is not many: basically, only the Netherlands meets the requirements in full – and that you have instructed the Directorates General to show for the first time in the activity report for 2010 what

components will be present in a future national administrative declaration, even if this will only take place at working level.

The second key requirement is that the commissioners must also accept greater responsibility. You have proposed that the Directorates General be obliged to inform their commissioners of irregularities and I want to thank you for that.

The third, and essential, requirement was for the instrument of stopping or suspending payments to be used to a greater extent. You have listed clear criteria for when you will do that. You have shown us clearly how you have already done this in the last couple of years. Thank you for such openness and transparency, which helps us exert pressure on the Member States. Thank you also for the guidelines that will help the Member States. In addition, you promised that when evaluating the performance audit you will set clear standards; this is an obligation that you have anyway under the Treaty of Lisbon. Thank you also for involving us to a considerable extent in the performance audit process. You have also promised to make simplifications, because often the material is so complex that people hide behind the rules and indulge in abuse. Thank you also for having set very specific requirements for the next financial perspective.

I advocate that we continue along this path. I believe that Parliament can make a great contribution towards raising the Commission to another level. I wish Mr Fjellner all the best and would like to extend my warm thanks to my parliamentary staff, particularly Bent Adamsen and Dominykas Mordas.

Ville Itälä, *rapporteur*. – (FI) Mr President, Commissioner, ladies and gentlemen, firstly I wish to thank everyone with whom I have had the pleasure to work, in particular the shadow rapporteurs, whose cooperation was excellent. I would also like to thank the members of the Committee on Budgetary Control, as there was a clear majority on the Committee who were in favour of the report and the atmosphere was very positive indeed. My thanks also go to all the officials who were of assistance to us. The work was demanding, it took a long time, and the issues are quite delicate and awkward, but they nevertheless have to be dealt with and discussed.

The main idea in the report is that we in the EU are now going through an economic crisis. Member States, companies and the general public are continually having to think about how they can make savings and how they can manage from one day to the next. Parliament must do the same, and the Council has even proposed that Parliament should also think about savings in this respect and that they need to be made. Of course, this is problematic, because we all have our own pet projects and our own ideas about what Parliament should be doing anyway. Finding areas in which to make savings in such a case is sometimes obviously very difficult.

Many things that are proposed here and that relate to Members' benefits and the way in which they work are not very major in terms of cash. The EU's economy will not rise or fall because of them, but the loss of reputation that we could cause if we do not function in a reasonable manner and one that is acceptable in the eyes of the public is considerable, and that is why we really need to think carefully about what we are going to do.

In my opinion, we should focus on the essential reasons why we are here. We are a legislative body; we draft a budget. That is the work we do and we need to have the means to do it. Information technology must be delivered and all the rest, but with regard to everything

that goes any further than that, we have to be very critical, to ensure that it is actually connected with the work that we are here to do.

Now that time is short, I wish to raise two important but perhaps equally troublesome issues in this report. The first is security. Mr President, I hope that the Secretary General will soon make a proposal to improve security. In the space of a year or so, we have had three robberies: in the bank, the canteen and the post office. This really cannot continue. We know that there is a continual threat of terrorism throughout the world. If Parliament's security is so poor that someone can walk in here and rob the post office or the bank, and no one even gets caught, there is every reason to make improvements, and fast. There are a lot of details connected with this, and they are set out in this report. They should serve as a basis for essentially improving security.

The next important matter is that I cannot possibly justify to the public the fact that every three weeks we change our place of work. This incurs far more expenditure. It cannot be justified, and that is why we should have the courage to discuss here openly whether this is a reasonable way to spend taxpayers' money. We know how difficult this is; this is about our history and private passions, but in the current economic crisis we need to speak about this issue. We cannot build walls like these between the decisionmakers and the people and alienate one from the other in this way. That is why we need to raise the matter and talk about it.

Yesterday I saw a document that said that the French Senate has proposed that Parliament should only meet in one place, Strasbourg. This would suit me fine, because the main issue is that we should only have one place of work and not spend money on constant travel to and fro.

President. – I would like to reply right away by saying that the Secretary-General and the Deputy Secretary-General put a lot of effort into ensuring our safety in Parliament. Yesterday we spent a great deal of time discussing this issue at a meeting of the Bureau. Procedures must be improved, but I would also like to take this opportunity to call on all the Members of the European Parliament to understand that a certain level of discipline is required of us. I know that they are sometimes a burden, but if we want a Parliament which is both safe and open to the public, we must carry out checks, although I know that Members and I myself are sometimes irritated by them. Please believe me when I say that there are only two options; either these checks continue, which will mean that we can feel safer, or we dispense with them, in which case there can be no question of safety. I would also like to ask Members once again to take a positive attitude to the heightened checks, which I do not wish to have to abandon. They will continue to be enforced in future.

We also have other plans to ensure that Parliament remains open, since it is very important that it does. We want to be a Parliament which is open to the public, but at the same time safety requirements dictate that we must adopt certain measures which have not been necessary to date. This also affects our assistants, and it has come to my attention that our assistants are much more indignant than even the Members. I would therefore ask the assistants, who work very hard in Parliament, also to understand the need for these checks. It is not only Members that are subject to checks, but also assistants. I am sure that we will adopt these rules in order to feel safer.

Tamás Deutsch, *rapporteur.* – (HU) Mr President, ladies and gentlemen, as Mr President has said, Mr Rivellini is the rapporteur for seven reports on the table. Our colleague has

worked exceptionally hard and efficiently over the past six months, but unfortunately he is unable to attend this sitting, and I have the honour to stand in for him in today's debate.

As I have mentioned, Mr Rivellini is the rapporteur of seven of the reports. Allow me to remind you of the key EU institutions whose discharge reports were prepared by Mr Rivellini. Mr Rivellini prepared the discharge report in respect of the implementation of the budget of the European Council, the European Economic and Social Committee, the Committee of the Regions, the European Court of Justice, the European Court of Auditors, the Ombudsman, and the European Data Protection Supervisor and their offices.

Let me thank Mr Rivellini on my part, and also specifically the European Court of Auditors; the work of this institution was indispensable for the preparation of the reports on the table.

Let me also thank the members of the Committee on Budgetary Control of the European Parliament and also their colleagues for their work which has led to today's results.

Ladies and gentlemen, I would like to highlight two reports. One is the discharge report of the European Council, the other is the discharge report of the European Economic and Social Committee.

The discharge of the European Council is always complicated because a debate develops each year between the two institutions, the European Parliament and the European Council concerning the discharge procedure.

Let me be clear and unequivocal. The definite and clear position of the European Parliament is that it has the same power and authority to grant or withhold discharge concerning the European Council as in the case of any other institution. Mr Rivellini proposes to postpone the discharge of the European Council in order to leave room for further consultation between the Council and the European Parliament concerning the discharge procedure. We followed a similar procedure last year and the year before. The competent committee of the Parliament recommended postponement of the discharge of the Council, and discharge was granted on a later date.

This year, although the proposal is similar to previous years' in that it concerns the postponement of the discharge, we have unquestionably achieved progress as regards the Council discharge procedure, therefore I thank and congratulate the Hungarian Presidency of the European Council.

As point eight of the discharge report concerning the European Council says, this progress is due to the positive attitude and efforts of the Hungarian

Presidency. Therefore I congratulate those involved in the work of the Hungarian Presidency.

We have experienced this progress year by year, but its rate is nowhere near what would be desirable. We consider it to be a positive result that the Council has acknowledged the discharge procedure and the budgetary procedure as two different processes that must be handled separately. It is also to be welcomed that Members of the Council attend and participate in the current debate on the discharge proposal. Unfortunately, Council representatives ignored the invitation of the technical committee this year, too. They did not participate in the committee debate on the discharge procedure, nor did they provide access to important documents which would have been necessary for granting discharge, and the European Council did not answer the questions of the parliamentary committee either. These are the problems which should be overcome at last.

I hope that after the postponement of discharge it will be possible to reach a definitive and forward-looking agreement between the competent parliamentary committee, the European Parliament and the European Council on the issues related to the discharge of the Council.

Finally allow me to touch upon the proposal for exemption of the European Economic and Social Committee. The problems related to the management of the budget of the Committee are not as serious as to justify the postponement of discharge, therefore we are in favour of granting discharge. Furthermore, the problems detected during the work of the committee are not connected to the year following the year for which discharge is granted.

Ladies and gentlemen, as substitute for Mr Rivellini I can say that as regards the seven proposals we should motion for a resolution by Parliament as laid down in the proposal.

Bart Staes, *rapporteur*. – (NL) Mr President, ladies and gentlemen, Commissioner, President-in-Office of the Council, you deserve a pat on the back. For the first time in years, the Council is attending this debate on the discharge of the budget. Congratulations, we really appreciate that.

Ladies and gentlemen, EUR 22.6 billion, that is how much the 10th European Development Fund will spend in the 2008-2013 period. That makes the European Development Fund the EU's most important financial instrument for development cooperation with the ACP countries. The 10th European Development Fund is also extremely important in terms of its financial commitment and, in terms of scope, it is 64% larger than its predecessor, the 9th European Development Fund.

I would like to make five comments.

First of all, so far, the European Development Fund has not been part of the EU's ordinary budget. That is actually unacceptable because it interferes with democratic supervision, leads to a lack of responsibility and certainly does not help the transparency of funding. In my report, I remind the Commission that, during the discussions on the future financial framework, it has committed itself to ensuring that the European Development Fund becomes a truly integral part of the European budget. I hope that that will now be the case and I hope, President-in-Office of the Council, that you will send out the message to the Council and to Member States that, from 2014, the European Development Fund really must become an integral part of the Union budget. Obviously, that should not be taken to mean that this operation should be allowed to result in resources which are generally made available for development cooperation being cut.

Secondly, quantity is one thing, quality is another. As far as ordinary development cooperation is concerned, the European Commission has committed itself to spending 20% of the aid on primary and secondary education and on primary health care. In my report, I ask the Commission to do the same with regard to the European Development Fund. To focus, primarily, on primary and secondary education, health care and even to increase that amount to 25% of the total fund. In that respect, cooperation with NGOs, both local and European, is of vital importance.

Thirdly, allow me to comment on financial management. The European Court of Auditors has carried out an extremely thorough investigation of the financial management of the 8th, 9th and 10th European Development Funds, not only in its annual report but in a great many special reports, and made really good and really valuable comments. However, there are indeed some reasons for concern, such as the shortcomings the Court has found

with regard to procurement procedures, ex-ante checks of the European Commission's delegations and failing internal control systems in our partner countries. The Court of Auditors explicitly notes that this is not fraud, but shortcomings. I think that we need to take that on board. There are indeed far too many non-quantifiable errors.

Commissioner, I hope that you will take this up with your colleague. Something really needs to happen on that front.

My fourth comment is to do with budget aid (and it would be more fitting in a broader debate). Mr Charles Goerens is here with us; he is the rapporteur of the Committee on Development Cooperation for the Green Paper on Budget Aid. We all recognise that budget aid can be an important element for the improvement of development cooperation. However, it should not be regarded as a cure-all, because it also comes with a number of drawbacks. The positives are that transaction costs are low, that partner countries have an increased responsibility for themselves and that there is a better dialogue between partners and donors. At the same time, there is obviously the risk of embezzlement, of the misappropriation of funds. I can see this debate taking place many more times to come in this Parliament.

My fifth and last comment concerns the investment facility. The investment facility is a vehicle used by the European Investment Bank to divert loans to our partner countries. At the moment, this mechanism does not actually fall under the discharge, nor does it fall under the declaration of assurance of the Court of Auditors. That is actually not acceptable. We need to remedy a few things. What is positive in all this is that the representatives of the European Investment Bank and the members of the Committee on Budgetary Control have had an extremely constructive debate. As a matter of fact, they have, for the first time ever, produced a report. There is a lot we can learn from that. There are a number of important comments in my report with respect to that. We are also entrusting a few tasks to the European Investment Bank and the European Commission. We are asking for better coordination of funds. European Investment Bank, European Commission, we are actually asking for an investigation into the activities of the European Investment Bank towards the end of September this year so that we can start the next discharge procedure with proper documentation. We are asking for greater involvement of local partners where the Investment Bank cofinances projects, we are asking for more direct and less theoretical reporting and we are asking for a general audit of all funds of the European Investment Bank.

Ladies and gentlemen, my assessment of the functioning of the European Development Fund may be strict, but I think that it is a fair one. I believe that my report considers a great many avenues for the better management of financial resources for development cooperation and I would therefore urge you to adopt my report with a large majority.

Georgios Stavrakakis, *rapporteur*. – Mr President, I should like to inform you that I will be making use of all my time.

I was responsible for the discharge of the agencies, where the Committee on Budgetary Control has executed its task of exercising control over the administration of a significant number of decentralised agencies and joint undertakings. The successful execution of this important task would not be possible without the help and cooperation of my fellow shadow rapporteurs or the members of the committee, my office and the secretariat. I would like to thank them all for that. I would also like to very much thank Mr O'Shea from the Court of Auditors for his contribution and cooperation.

I strongly believe that the European agencies and joint undertakings bring added value to the EU and help strengthen European identity with a presence in the Member States. At the same time, our role as a Parliament is accountability towards citizens, so we have to make sure that taxpayers' money is used properly, transparently and effectively.

The constructive dialogue involved a long monitoring process over several months between Parliament, the agencies, the Commission, the Internal Audit Service and the Court of Auditors. The joint long, analytical and preparatory work has resulted, in my opinion, in increasing transparency and tighter management discipline.

Let me now turn to the two agencies for which our committee is proposing to postpone the discharge: CEPOL and EMEA. In CEPOL we were expecting to find problems dating back to last year's report. Since the new Director has been in place the action plan that Parliament requested has been implemented and results are just now starting to be visible. I think that it is widely accepted that, since the new management took over, improvements in the running of CEPOL have been evident. Nevertheless CEPOL needs to step up its efforts.

In EMEA, the European Medicines Agency, problems were found with the management of procurement procedures. Concerns were raised about the potential risk to the independence of experts and also potential problems with staff recruitment. In general, EMEA is considered a well organised and functioning agency. Nevertheless, for an agency of this significance, I think that we should be absolutely sure that the right procedures are in place and effectively applied. For this reason we have requested the agency, with the cooperation of the Internal Audit Service, to conduct an audit and present us with the results by the end of June.

Let me now conclude with a horizontal report. I would like to believe that this report gives a comprehensive overview of all the issues that are related to all the agencies and joint undertakings. The report identifies many examples of good practice and includes proposals for future improvements. It calls for a review of all agencies by the Commission, with particular attention to be paid to the smallest agencies and how their performance can be improved. It also calls on the Court of Auditors to undertake a comprehensive analysis of the agencies' approach to the management of situations where there is a potential conflict of interests. I am very satisfied with the readiness of the Court to do so.

In the current major economic and social crisis, the significance of monitoring has become more important than ever before. Together – Parliament, agencies, the Commission and the Court of Auditors – we are committed to dealing with and solving the problems and achieving even better results. It is exceptionally difficult to avoid irregularities but it is even more important to find them and to prevent them. I am of the opinion that we have successfully carried out this function of monitoring.

President. – The next speaker is Minister Zsolt László Becsey on behalf of the Council.

Minister, thank you very much for coming here this morning. The Hungarian Presidency is giving a very good example, also to the next presidencies, in being present for this very important discussion. I am saying what our colleague Bart Staes said a few minutes ago: it is very good that you are present.

Zsolt László Becsey, *President-in-Office of the Council.* – (HU) Mr President, ladies and gentlemen, firstly, I will only speak in Hungarian as an introduction, and then I will continue in English when speaking as a Member of the Council, but since as a MEP I always speak

in Hungarian in this room, I will continue to do so. Secondly, I would like to ask Mr President to allow me the two minutes at the end of the debate regardless of when my machine is switched off. I hope that the Council will be granted enough time, as in previous debates.

This debate comes at a time of economic and financial crisis when many Member States have had to cut their national budgets and keep their expenditure under strict control. European citizens and taxpayers are rightly paying ever closer attention to the proper spending of EU funds. I therefore welcome the opportunity to present the views of the Council and the Hungarian Presidency during this debate.

Of course it is right that the budgets of each of the institutions are part of the wider system of control and scrutiny. For too long we have operated under the 'gentleman's agreement' originating from 1970, according to which both Parliament and the Council have refrained from examining each other's administrative expenditure.

I think we both accept that such an agreement is no longer appropriate in today's climate after the Lisbon Treaty. That is why the Council has proposed, and is ready to discuss, new arrangements for governing the long-term cooperation between our two institutions involved in the discharge procedure. We have put forward a proposal and we look forward to discussing it with you. I strongly believe that it is in both our interests to cooperate in this area, and no less important to show Europe's citizens that we are cooperating. I therefore invite Parliament to begin discussions on this issue.

I personally ask you, Mr President, to do your best to appoint your delegation to negotiate with us at a political level. We are ready to share our ideas with you. More generally we share your concern that the EU budget be correctly implemented. We have examined in detail the Commission's annual accounts as well as the observations made by the European Court of Auditors in its annual report.

At the end of February, I myself presented to the Committee on Budgetary Control the Council's recommendations on the discharge to the Commission for the implementation of the budget. I welcome the fact that many of the points highlighted by the Council have been taken up by your institution as well. The Council recommended granting discharge to the Commission, and it acknowledged the overall improvements identified by the Court. These are part of a welcome trend and are due largely to the efforts over recent years by both the Commission and the Member States. Yet despite these positive signs the overall result is not yet satisfactory and the Court still had to qualify its opinion for 2009.

I would like to briefly mention these issues: we need a serious discussion; we need long-term cooperation and a long-term agreement with you: following on from the gentleman's agreement that is what we should like to do. We stand by the discharge procedure on the basis of the Court of Auditors' findings because that is the rule, that is the Treaty issue; and we also expect Parliament and ourselves to take into account the complexity of simplifying existing regulations and enhancing their transparency.

I hope that this kind of problem, whereby the Council discharge has been postponed by Parliament, will never come up in the future again so I ask that even during the Hungarian Presidency we should have a political discussion and agreement.

That is my personal request to you, to Parliament and to you, Mr President.

Algirdas Šemeta, *Member of the Commission*. – Mr President, first allow me to thank the Committee on Budgetary Control, and in particular the rapporteur Mr Chatzimarkakis,

for their excellent cooperation and the report he has drawn up, including the recommendation that the budget for 2009 should be discharged. I would also like to thank Mr Staes for his report on the implementation of the European Development Fund, and Mr Stavrakakis for his report on agencies.

The 2009 discharge procedure is now reaching its end. It was an intensive period in which Parliament and Commission gave shape to the special partnership between our two institutions. We can observe that both institutions have a lot in common as regards sound financial management and European added value.

You have heard the Court of Auditors and examined its reports. Several of my fellow Commissioners have conducted a fruitful dialogue with the Committee on Budgetary Control, and a lot of information has been shared with you. I would like to focus on three topics of special interest.

First, both the Commission and Parliament need to reflect closely, together with the Council, on how the responsibility of the various financial actors can be better defined and outlined in the legislative framework. The fact that the majority of errors are detected by the Court of Auditors and the Commission in projects and payments managed by Member States indicates clearly where more efforts need to be made without delay, as shared management represents almost 80% of the European Funds.

Article 317 of the Lisbon Treaty explicitly requires the cooperation of Member States in the implementation of the budget. To this effect, the Commission has put forward consistent proposals in the context of the current revision of the Financial Regulation. As Parliament is now on an equal footing with the Council as regards recasting this regulation, there is a real and unique opportunity to reinforce Member States' accountability, and it should not be missed.

Second, you will undoubtedly share the view that the complexity of the rules discourages potential beneficiaries from applying for EU financial support. In addition, this complexity constitutes a significant source of errors, as underscored by the Court of Auditors in several of its audit reports.

The simplification of eligibility rules and financial processes is a priority objective of the Commission in the perspective of the next Multiannual Financial Framework. Therefore, the Commission has also made proposals for the revision of the Financial Regulation aimed at clarifying the rules, ensuring their consistency with sectoral legislation and simplifying financial processes.

Third, these proposals also foresee differentiated control strategies according to the level of risk estimated per programme, action and type of beneficiary. This approach aims at improving the quality of controls by ensuring that their costs are proportionate to the benefits they generate while providing reasonable assurance that the EU budget is managed in accordance with sound financial management principles.

I am happy to see that this approach is high on the agenda of the ongoing discussions and the proposals which are on the table really match the Commission's ambitions.

The discharge procedure has allowed the Commission to learn from the conclusions and recommendations of the European Court of Auditors and the resolution of the discharge authority at a time when we are considering the future design of EU policies and their reflection in the EU budget.

It is now our common responsibility, together with the Council, to translate concretely those lessons into a new set of modern and efficient rules and processes which will enable the Union to meet better the expectations of our 500 million citizens in a sound and cost-effective way.

Let me conclude by expressing my special thanks to the European Parliament for its continuous support, over the years, of the Commission's efforts to achieve better financial management of the European Union's budget.

IN THE CHAIR: SILVANA KOCH-MEHRIN

Vice-President

Thijs Berman, *rapporteur for the opinion of the Committee on Development Cooperation.* – (NL) Madam President, in the past, the European Development Fund has been the target of the Court of Auditors' criticism that greater efforts need to be invested in expenditure control. This control must, above all, come from the EU delegations in developing countries. They are the closest to the projects which we are discussing.

In recent years, in particular, the European Commission has made important steps towards improving control, especially as regards budget aid and spending in fragile states. What is more, better cooperation and coordination on development policy between Member States could save us EUR 6 billion. However, to achieve this we need strong EU delegations, delegations which can assume those roles and tasks and ensure the quality of spending.

Ironically enough, the parties that cry blue murder about fraud, but refuse to spend money on strengthening the management of EU delegations, are often one and the same. If we really want these delegations to prevent development money ending up in the wrong hands or to prevent money leaking away into failing projects, then EU delegations will need more staff. We therefore have to make that choice in our external policy budget for the coming years. I await with curiosity the Commission's answer to a number of comments made by Mr Bart Staes in his excellent report. My group fully endorses his conclusions.

Having said that, what needs to happen before ex-ante controls are improved? How can we ensure improvement of the management of implementing organisations? What will the Commission do in order to increase further the capacity of beneficiary countries and regional organisations and what is necessary for that to happen? In the future, the EU development policy should spend more on funds which offer access to financial services, that is microfinancing funds. There are people with enough dreams and skills in poor countries. They should be given the chance to build up their own lives with small loans. The EDF should also contribute to that.

Finally, as part of the European budget, the European Development Fund is obviously subject to democratic control, but that must not lead to the total budget for development cooperation being cut.

Charles Goerens, *rapporteur for the opinion of the Committee on Development.* – (FR) Madam President, discharge in respect of the implementation of the budget of the Eighth, Ninth and Tenth European Development Funds inspires me to make the following comments.

Firstly, the Commission's ambition – a very justifiable one – is to promote regional development in Africa. It has two instruments, two mandates in fact, for doing so. Firstly,

it has a mandate from the Member States to implement the European Development Fund, which is in fact financed by the national budgets. The same Member States have also given it a mandate to negotiate economic partnership agreements. It is therefore a policy coherence matter that we are talking about here. Moreover, the Commission has a heavy responsibility in this matter. It can, however, count on the members of the European Parliament's Committee on Development when it comes to making the necessary resources available to the delegations.

Secondly, the implementation of the European Development Fund is a matter for the Africans, who are co-owners of the European Development Fund with the European Union. It is in both partners' interests to make the best possible use of it. I hope that the inclusion of the European Development Fund in the budget, which I also demand – that elusive phenomenon, that event which is always promised but which has never materialised – will be able to preserve the original nature of the Fund. We will have to ensure that this *acquis* is preserved.

Csaba Óry, *rapporteur for the opinion of the Committee on Employment and Social Affairs.* – (HU) Madam President, as rapporteur for the opinion of the Committee on Employment and Social Affairs I would like to draw the attention of the Committee on Budgetary Control to several proposals, and ask it to include them in its report.

First of all, we appreciate the efforts of the Commission to improve financial management, but at the same time we regret that Member States do not draw in full the financial assets of the European Social Fund notwithstanding the financial crisis.

This rate decreased from 54% in 2007 to 36%. We think that more efforts must be made in this field. We also urge greater efforts to decrease the frequency of refunding non-eligible expenditures, and we would like to draw the attention of the Commission to the need to accelerate decision-making processes relating to financial adjustments.

It is to be welcomed that the European Social Fund focused on employment strategy, but as I have said, they did not involve all the funds available, so further efforts are necessary in this regard.

There were minor problems with the agencies, I do not have time to elaborate on it, but in general we must say that their financial management is acceptable and should be supported.

Jutta Haug, *rapporteur for the opinion of the Committee on the Environment, Public Health and Food Safety.* – (DE) Madam President, President-in-Office of the Council, Commissioner, ladies and gentlemen, the Committee on the Environment, Public Health and Food Safety has expressed a very positive opinion to the Committee on Budgetary Control. We were very pleased with how the funds had been implemented by the Commission services. We have no criticisms to make, either as regards the way in which the funds were spent or as regards the level of expenditure. On the contrary, we have nothing but praise for the prompt and positive use of the funds in the LIFE programme. The Commission has succeeded in spending the additional funding that we granted and in doing so usefully. The agencies in our area – the European Environment Agency (EEA), the European Centre for Disease Prevention and Control (ECDC), the European Chemicals Agency (ECA), the European Food Safety Authority (EFSA) and the European Medicines Agency (EMA) – have also managed their money responsibly.

In contrast to the competent committee, the Committee on Budgetary Control criticises the European Medicines Agency in its report and even wishes to refuse discharge for this agency. I think that is going too far, to put it politely. If I were being less polite I might say that the Committee on Budgetary Control is interfering in matters outside its sphere of competence. It should please stop doing so. I can only ask Parliament and plenary to improve matters in this respect.

Mathieu Grosch, *rapporteur for the opinion of the Committee on Transport and Tourism*. – (DE) Madam President, unlike the previous committee, the Committee on Transport and Tourism was not able to express a purely positive opinion. We nonetheless welcomed the fact that substantial resources were provided for the trans-European transport networks and that in 2009 the Galileo programme finally had a very good year, which was regrettably not the case in previous years. We were also able to state that the coordinators are doing a good job in the case of the trans-European networks, because they are also making a great contribution to the overall financing of these major projects.

As we see it, there is room for improvement in other areas that this Parliament considers important – such as road safety. In this area only 73% of the funds have been committed. In our opinion, this programme in particular could do more work and better work with less funding.

Finally, I would like to mention that we would like to see greater coordination between transport and cohesion policy. We cannot have priorities being specified in one committee and these then being ignored in other committees. Such coordination is, however, taking place at the moment in the reviews that we are carrying out. We hope that we will be able to report better news on this for 2010.

Giommaria Uggias, *rapporteur for the opinion of the Committee on Transport and Tourism*. – (IT) Madam President, ladies and gentlemen, the Committee on Transport and Tourism has endorsed my recommendation for discharge to be granted to the European transport agencies, which support the European Commission.

The discharge is granted because the Court of Auditors deemed that the annual accounts of the agencies were substantially reliable, although we must take note of and underscore a number of critical issues. Some of these issues are common to all the agencies or some of them, including for example: cancellations and delays in procurement procedures, failure to observe Staff Regulations, or the violation of the principle of budgetary annuality. These agencies' commitment to overcome said problems should, however, be highlighted.

In general terms, I should like to make two brief political observations, namely the lack of any multiannual programming – which is symptomatic of a leadership deficit – and the dearth of incisiveness in the work of some agencies, such as the European Railway Agency. In the same vein, I should like to note the delay – some two years after the fact – in setting up procedures to determine responsibility for the Viareggio disaster.

Jens Geier, *rapporteur for the opinion of the Committee on Regional Development*. – (DE) Madam President, I would like to use a minute now as rapporteur for the opinion of the Committee on Regional Development and then speak for two minutes later in the debate on behalf of my group.

Madam President, Mr Becsey, Commissioner Šemeta, President Caldeira, ladies and gentlemen, the regional policy budget remains the Achilles heel of the European Union general budget. Five percent of payments from the European Regional Fund still have errors

and must therefore be described as irregular payments. Even some of the payments that appear to be correct are actually supporting grotesque projects. May I remind you that an Elton John concert in Naples was subsidised by the European Regional Fund. It was said to be a measure to promote tourism. That might be the case, but in my opinion real regional aid for Naples should take a different form.

The reason for this is that all too often the Member States still consider funding from the European Regional Fund to be soft money. This is obvious from the fact that there is a backlog of repayments due from irregular payments, from the fact that very often the Commission has to use the instrument of suspending payments – something that, as budget controllers, we expressly welcome – and from the fact that the punctuality of reporting suffers. The Director General for Regional Policy cannot provide us with any assurance as to the legality and reliability of over half the operational programmes because the reporting by the Member States is inadequate.

Ladies and gentlemen, we still have a lot to do here.

Pat the Cope Gallagher, *rapporteur for the opinion of the Committee on Fisheries*. – Madam President, the Community Fisheries Control Agency was established in 2005 to ensure better compliance with the rules of the common fisheries policy by the EU Member States. This agency, which is based in Vigo, Spain, plays an important role in strengthening fisheries control and ensuring coordination between EU Member States.

I welcome the recent adoption by the agency of a multiannual work programme for the period 2011-2015 in line with the EU 2020 Strategy. I believe that the multiannual work programme will improve cost-effectiveness through enhanced regional cooperation and the pooling of means under joint deployment plans. I welcome the approval by the Court of Auditors of the granting of discharge. This viewpoint is supported by my opinion, which was adopted by the Committee on Fisheries.

The Commission will shortly publish its legislative proposals for the reform of the common fisheries policy. This reform must standardise Member States' compliance and enforcement regimes, as there is no uniformity throughout the EU. In this regard, I strongly urge the Commission to introduce a system of administrative sanctions. This should not be left to each individual country. If we have a common policy, then the sanctions should apply across the board. We should, in fact, have administrative sanctions for minor offences rather than the criminal system that is currently employed in my own country.

Iratxe García Pérez, *rapporteur for the opinion of the Committee on Women's Rights and Gender Equality*. – (ES) Madam President, year after year we in the Committee on Women's Rights and Gender Equality have been reiterating the need for a gender perspective to be incorporated into all stages of budgetary procedure, in order to make progress with policies on equality and, therefore, on equality between men and women in the European Union.

We therefore welcome both the special report drawn up by the Court of Auditors on professional training activities financed by the European Social Fund, and a study evaluating the viability and options regarding the inclusion of certain elements in the gender perspective. Even so, it is essential to continue making progress with it.

We are concerned about issues relating to payments in the Daphne programme combating gender violence, and we hope that over the years there will be greater sensitivity, and that we will really take the gender perspective into account in each and every one of the operational programmes undertaken in the EU.

Christofer Fjellner, *on behalf of the PPE Group*. – (SV) Madam President, Commissioner, I would like to thank both Commissioner Šemeta and the rapporteur, Mr Chatzimarkakis, for their truly excellent cooperation. This is a sound report and I can only say that we are essentially in agreement in the Committee on Budgetary Control on the recommendations that we have tabled. It is nevertheless the 16th year in a row that there has not been a clear statement of assurance from the Court of Auditors. The errors are not increasing. On the contrary, they are decreasing, but it is still not acceptable. The picture that emerges from the figures year on year is not one that we consider to be acceptable.

The Commission bears a large degree of responsibility for this, but I would say that the Member States probably bear an even greater degree of responsibility. As the Commissioner pointed out, 80% of the finances and the funds used are under joint responsibility and the Member States are not taking their share of the responsibility for this. This is also where we have the biggest problems. The Commission must therefore put pressure on the Member States to persuade them to assume responsibility for the funds that the EU allows them to manage.

The report contains three requirements that I would like to emphasise in particular. The first is to do more to get the Member States to submit national declarations. There are currently four countries that do so – the Netherlands, Sweden, Denmark and the United Kingdom. This shows that it is possible. The Commission must provide these countries with support, but it must also use them as an example in order to force other countries to do the same thing.

The second point is that the Commission must get better at utilising the opportunity to suspend payments. For those countries that repeatedly have problems managing money, payments should be suspended. It is not possible to continue mismanaging funds without it being noticed.

The third point is that we must have better systems for recovering money paid out in error. We need clear rules. It is a strange situation that those countries with large debts to the EU can continue to have money paid out to them and that it can take such an incredibly long time before the money comes back. This is another area in which the Commission must make improvements.

I am pleased that the Commissioner has met Parliament half way on these three points, and I look forward to being able to work closely with Commissioner Šemeta next year as rapporteur. I would like to thank Mr Chatzimarkakis. I will try to carry on your work well during the next year. Now we are making progress.

Cătălin Sorin Ivan, *on behalf of the S&D Group*. – (RO) Madam President, I too want to thank the rapporteur for this excellent report and the very productive cooperation I received while drafting it. I also would like to thank the Commission for the dialogue which we managed to have because this budget discharge report is not only an annual discharge report, but it also sets new cooperation guidelines for the next period.

I would like to raise three issues which I regard as being very important. Firstly, I would like to discuss the national management declarations which should indicate how EU money is used. More than 80% of the European Union's budget is managed at national level, but almost all the responsibility for managing this money lies at EU level. National management declarations should help us a great deal to see how EU money is used by national authorities and who is responsible for the use of this money. It is of paramount importance that a

minister assumes this responsibility and that these national management declarations have the signature of a political decision-maker on them.

Secondly, I want to touch on the subject of the automatic blocking of European funds when EU money is badly managed or when there are indications that this money would be badly managed. It is extremely important for us to intervene quickly when the management and implementation mechanisms for EU funds are not operating very well.

Thirdly, we are talking about money from taxpayers, European citizens. It is therefore extremely important that, when it comes to the fraudulent use of EU funds, recovery operations are much more efficient and that the cost of them does not come out of the European citizen's pocket. This is money which European citizens give the European Union. When it has been used fraudulently, it is European citizens who cover the loss. This is not fair. European citizens have lost out twice and this is a situation which needs to be resolved quickly.

Gerben-Jan Gerbrandy, *on behalf of the ALDE Group*. – (NL) Madam President, I, too, would like to offer sincere thanks to Mr Chatzimarkakis and all the other rapporteurs for their excellent work. I, too, would like to thank the Council and the President of the Court of Auditors, in particular, for their presence here, although it is strange that we should have to make specific reference to that. Nonetheless, thank you for being here.

Madam President, the discharge for this year comes at an important moment for two reasons. The first reason is that all Member States are having to make extremely stringent cuts. The second reason is that we are on the eve of the adoption of a new multiannual budget. I believe that both of these reasons highlight the fact that we need to look at this discharge and European spending with additional scrutiny. As far as I am concerned, this is about both the legitimacy and the effectiveness of European spending, because European citizens are entitled to expect that European investments really do deliver something.

Madam President, for me, political accountability for spending is as easy as pie. Name *one* body of local, provincial, regional or national democratic representation that does not exercise political accountability for spending. Why then do we not have the same at European level? Why are Member States still failing to exercise responsibility for 80% of the EU's spending? I call once again on the Council to finally get down to work on national Member States' declarations. In my view, there will be no multiannual budgets from 2014 onward so long as those declarations from Member States are not given.

Madam President, the current situation is forcing us to give additional scrutiny to Parliament's own budget. I am really pleased with the savings we have managed to make, even though they have come about as a result of our efforts to conserve our resources. We are now also going to be using our air miles on business flights and we are going to tackle paper consumption. Every one of these proposals is excellent. There is one more thing that I would like to point out: from this September, we could use not just cars, but bicycles as well, and through you, Madam Vice-President, I would like to invite Mr Buzek to officially launch this bicycle scheme in September.

Andrea Češková, *on behalf of the ECR Group*. – (CS) Madam President, this debate covers a very extensive issue, as it involves granting discharge to a whole range of European institutions, each one of which has its own specific features. It is therefore very difficult to summarise this issue in one speech.

Cooperation between the Court of Auditors and the Committee on Budgetary Control, of which I am a member, is excellent, and this cooperation has produced certain recommendations on how the European Parliament should vote when granting discharge. Nevertheless, in the evaluation of individual institutions, especially the European agencies, deficiencies constantly arise, for example in the recruitment process, in public procurement, in problems with transparency or problems with internal control. It is therefore very difficult, for a whole series of these reasons, to agree to grant discharge. On the contrary, we should support the reports which propose postponing discharge.

Bart Staes, *on behalf of the Verts/ALE Group.* – (NL) Madam President, ladies and gentlemen, there are five reports I would like to comment on. First of all, the Commission.

I very much appreciate my fellow member Mr Chatzimarkakis's approach. I think that he has done a brilliant job of handling this discharge exercise. In a very targeted way, he has focused in advance on a number of questions, he has put six questions to the Commission and I have to say that we have achieved what we asked for. I also have to thank the Commission. This is my 12th discharge exercise. I believe this must be the first time that we have worked together in such a constructive spirit; not only Commissioner Šemeta, but also individual commissioners in charge of their own remits have really invested time on this discharge. They have met both the shadow rapporteurs and the lead rapporteur on several occasions and, thanks to their constructive dialogue, I think that we have achieved a great deal.

I agree to a large extent with what Mr Gerbrandy has said. These are times for saving and we therefore need to be prudent about how we spend our money. Eighty per cent of the European budget is, indeed, spent in Member States and managed by Member States. President-in-Office of the Council, we must finally have this political responsibility for shared management of EU funds in place. For that reason, we are still demanding that Member States submit their national declarations of assurance. For me, that is a vitally important demand.

There is also a need for better control. I think that Member States should carry out audits of the funds they receive from the EU more intensively than has been the case to date. The lead rapporteur has also paid a lot of attention to finding out where funds have been used improperly and recovering them, as well as to introducing control mechanisms. The way I see it, that area does indeed deserve a great deal of attention and the comments he has made should provide the basis for the next discharge exercise under Mr Fjellner's rapporteurship.

Moving to the European Parliament: I see that our Secretary-General is sitting next to the Vice-President. I have to offer explicit thanks to Mr Welle. I was the discharge rapporteur for the last exercise. There was some tension between me and the Secretariat-General. Though, at the time, I wrote a rather stringent report, I have to thank Mr Welle because he and his administration have, very diligently, correctly answered all the questions I had put to them and put a great deal of effort into this work. I believe that, eventually, the tension that may have existed between us has led to a better result and probably to a better European Parliament budget.

When we talk about the European Parliament's budget, what I also want to impress on my colleagues here is that we have to do away with the culture of ever more, ever more and never enough. As an institution, we should be setting an example, which means that we should also be bold enough to save. However, let me add a side comment on that point. I

have rather grave reservations about the Museum of European History, in particular, not about the content of the project in itself, but about the costs associated with it. Obviously, it is good that we are going to have such a museum, but what disturbs me greatly about this is that, in this plenary chamber, we have never really had a serious debate about this project. And yet, if we add everything up, we are going to spend more or less EUR 136 million on the Museum of European History. That is a lot of money, ladies and gentlemen, but we have never had a serious debate about it. We have never debated where this museum should be located and what it should look like. All of it is happening behind closed doors, often in the inner sanctum of the Bureau, and, as a democrat, I cannot accept that.

Let me turn now to the Lux film prize: Mr Itälä has made several comments on this prize in his report and, by the way, I congratulate him on the work that he has done. I have to say that my group sets great store by the Lux prize; though we are now most certainly prepared to take on board a number of critical comments about the functioning of the prize, we do consider it valuable that the European Parliament is supporting this project, because that means valuable film projects are getting support.

I also want to mention Mr Stavrakakis and one of his reports about the Council. I am now addressing directly the President-in-Office of the Council, the Hungarian Presidency. I find it unbelievable that the Council, which has always demanded that others act transparently, has obviously been much more reserved when it comes to itself. Our demand is very simple, President-in-Office: as Parliament, as the body approving the discharge, we want access to all documents. We want an open debate about the Council's budget. We do not want to talk about the content of the Council's budget and say: you are allowed to do this and you are not allowed to do that, but what we do want is transparency about how the Council is spending its money because the Council's budget is different now from what it used to be 30 years ago and consists of a great deal more than just a number of administrative expenses.

Finally, I would just like to comment on the European Medicines Agency. We have problems there. We have postponed the discharge, because EMEA is clearly having problems in terms of procurement procedures. Its procurement procedures for several projects have been fraught with errors, which corresponds to the significant amount of EUR 30 million. Moreover, there have been issues surrounding conflicts of interest of EMEA's experts and staff. I believe, now that the discharge has been postponed, we will have a debate on this at some point before the autumn and I hope that, with that debate, we will be able to put an end to conflicts of interest within EMEA.

Søren Bo Søndergaard, *on behalf of the GUE/NGL Group.* – (DA) Thank you, Madam President. I would like to start by thanking everyone involved in drawing up these excellent and critical reports on the EU institutions' accounts for 2009. Some people have questioned whether we are not being overly critical. For example, when we ask questions about our own method of spending money here in the European Parliament, whether in relation to the delayed opening of the Visitors' Centre, the establishment of a secret television channel or the continuing travelling circus moving between Brussels and Strasbourg. No, we are not being overly critical. In fact our job, on behalf of European taxpayers, is precisely to put our finger on the sensitive areas and press hard. That is what our citizens expect of us, and in reality we could have included even more points of criticism.

The fact that it is our job to investigate and to be critical is precisely why the Council's behaviour is unacceptable. This year, the Council has again done everything it can to impede our work as auditors. It has refused to send us the relevant material, it has refused to answer

our questions and it has refused to meet the Committee on Budgetary Control for an open debate, as all the other institutions do.

I am obviously pleased that the Hungarian Presidency has chosen to be here. It should be commended for this. However, when we talk about a 'gentlemen's agreement' between the Council and Parliament, I have to say that, if there is such an agreement, please can we see it. The Council has the chance to read it out today, if such an agreement exists. We would like to see it. We have repeatedly asked the Council to let us have it, but we have never received it. This is because it does not exist. Therefore, my group can fully support the proposal not to grant discharge to the Council today. Instead, we would call on the Council to desist from boycotting Parliament and to answer the questions that we are asking about its accounts.

Today we are debating the EU's accounts for 2009. However, just as important as what the accounts tell us is what they do *not* tell us about something that is extremely important for the EU's economy. A few days ago, Europol published a report on organised crime in the EU. It made shocking reading. According to the account in the newspaper *Le Monde*, VAT fraud alone costs many billions of euro a year. There is also fraud in connection with CO₂ quotas, as well as other types of fraud. Therefore, there is certainly reason for us to continue, and intensify, our discussion of how the EU's economy can be organised in the interests of taxpayers.

Marta Andreasen, *on behalf of the EFD Group*. – Madam President, I believe it is madness for this European Parliament to approve the 2009 EU budget when financial irregularities or possible fraud affect between 2% and more than 5% of the total. These are not figures made up by me to suit party-political propaganda, but estimates from the European Court of Auditors. The level of irregularities for 2009 is abnormally high and equates to half of the UK's contribution for the EU for this year, roughly EUR 6.3 billion. This situation would simply not be tolerated in any company or organisation: heads would roll.

This House is set to approve discharge for 27 EU agencies – expensive and needless quangos – while the European Court of Auditors has launched a full-scale investigation into their accounts for 2009. This should ring alarm bells ahead of the vote. I repeat, in the strongest possible terms, that it is nothing short of madness to sign off EUR 523 million of – let us remember – taxpayers' money, while the official auditing arm of the EU is investigating possible fraud and financial mismanagement at these agencies. Medicines Agency and CEPOL postponement is piecemeal.

Year after year we hear the European Commission blame the Member States for the irregularities, yet it does absolutely nothing about it when it has the power to block funding. Instead it is proposing to move from a zero tolerance strategy to one of tolerable risk when it comes to EU expenditure fraud. To make matters worse, the Commission and Parliament are demanding increases in the budget for the coming years. Most of these increases coincide with the areas with the highest level of irregularities. It will be an absolute disgrace, and an affront to taxpayers, if this House grants discharge for the 2009 accounts. The only conclusion to be drawn from a vote in favour of discharge is that this House and its Members openly endorse financial mismanagement or worse.

I call on the British Prime Minister to reduce the UK's contribution to the EU in line with the amount of the irregularities if the European Parliament fails to act in the interests of the British taxpayer.

Martin Ehrenhauser (NI). – (DE) Madam President, perhaps you would allow me briefly to make a very general appeal to my fellow Members with regard to the discharge procedure. Budgetary control – and thus also the discharge procedure – is undoubtedly an essential element of parliamentary work, but in my opinion this discharge procedure has no teeth whatsoever. Even if discharge is refused, there is no real possibility of binding sanctions; the only thing that can be done is for the president of the European Parliament to bring Treaty infringement proceedings at the European Court of Justice. In the event that discharge were to be refused for the European Parliament, we would end up with the absurd situation of the presidency of Parliament initiating infringement proceedings against itself. There can be no doubt that reform is needed here.

Moreover, the fact that the legal basis of the discharge process was geared mainly towards the Commission yet we tend to grant discharge reciprocally with other institutions creates a certain amount of legal uncertainty that we should be preventing. What remains in practice are other political levers that we can use. That is not sufficient for this discharge procedure. I, along with my fellow Members, would therefore like us to work towards reforming the discharge process.

5. Corrigenda (Rule 216): see Minutes

6. 2009 discharge (continuation of debate)

President. – The next item is the continuation of the joint debate on the 2009 discharge.

Monica Luisa Macovei (PPE). – Madam President, the first issue I want to discuss is that of our concerns about the functioning of the European agencies. These are areas of concern in which we need to make changes in the future in order to prevent and avoid bad management, irregularities, fraud, conflicts of interest and, at the end of the day, bad expenditure.

One of our concerns is institutional transparency. All the EU agencies should make available on their websites a list of all contracts awarded over the previous three years at least, and the Commission should undertake to integrate this information into its financial transparency system. Transparency is also needed with regard to the rotation of staff between agencies, and I have asked for an overview of all staff members who change working place from one agency to another.

A second area of concern is conflicts of interest, and many of my colleagues have referred to this already. Proper management of current and potential conflicts of interest in the EU agencies requires a major effort, and cases such as that involving the European Medicines Agency must be prevented and avoided, and penalised wherever they occur.

The third area of concern is rationality and efficiency in the functioning of the EU agencies, especially at a time of financial crisis. I propose discussing and finalising a merger of CEPOL into Europol, as this would be the best solution to CEPOL's structural and chronic problems. Moreover, it is undeniable, beyond the CEPOL case, that a number of EU agencies with common fields of intervention are performing similar or complementary activities from headquarters located all over Europe. The Commission should therefore evaluate the possibility of merging agencies with overlapping or complementary activities.

The second issue I would like to address very quickly is the fact that we decided to postpone the discharge, and will vote to postpone the discharge, for two agencies – CEPOL and EMA.

There have been serious violations in terms of public procurement, recruitment and conflicts of interest and also, with regard to CEPOL, appropriations and the cancellation of appropriations.

The last issue I would like to refer to is the transparency of EU beneficiary funds. I have been questioning the Commission about this for a year and I will continue to do so. We need transparency in all EU beneficiary funds, and I would draw attention here to the national companies which benefit from and use such funds. There must be a single website, in one or two languages, with common criteria, on which all these beneficiaries can be identified and compared.

Inés Ayala Sender (S&D). – (ES) Madam President, first of all, I should like to say how pleased I am to finally see all the actors in this discharge procedure together. In particular, I would welcome Mr Caldeira, President of the Court of Auditors, and Mr Becsey, representative of the Hungarian Presidency, as well as Commissioner Šemeta, naturally.

As regards the current discharge procedure, with respect, in particular, to the other institutions, which is my field, I should like to express my agreement with the steps that have been taken since last year's Spanish Presidency decided, when applying the Treaty of Lisbon, that it was time to bring the necessary transparency and control of the Council's accounts up-to-date too.

The gentlemen's agreement was useful last century, but its bases have changed radically. I would therefore be grateful if the Hungarian Presidency kept up these efforts toward continued progress, whilst recognising that the Council gives advice or makes recommendations on the discharge procedure, but it is Parliament – the European Union's only democratic institution, directly elected by the European public – that decides and adopts the final decision.

Let us, then, acknowledge the efforts that both institutions – ours well represented by Mr Welle – are making so that we can have a procedure suitable for the 21st century, and institutions that must be transparent and respond to the European public's expectations.

As rapporteur for next year's discharge, I mean to continue cooperating closely with the Council to that end, but for the moment the deferral is still necessary.

I will conclude by expressing my concern about the incidents and irregularities that have taken place in the administration of the European Economic and Social Committee (EESC). As a European-level forum for expressing opinions and reaching a consensus between the three pillars of our productive and economic life, which are so necessary at this time of crisis, it is a body that seems essential to me. That, then, is reason enough to demand that it be administered as impeccably as the other institutions.

Therefore, given the decision of the European Anti-Fraud Office (OLAF) to start investigative proceedings, as well as the recent General Court judgment annulling the vacancy notice concerning the post of Secretary-General of the EESC, my group intends to clearly call for a deferral until the EESC has been given the opportunity to table a plan or strategy before Parliament for overcoming the current situation of opacity and continuous irregularities, which reveal the urgent need for change.

Jan Mulder (ALDE). – (NL) Madam President, rapporteur Chatzimarkakis and many other speakers have rightly highlighted the need for Member States to submit declarations of assurance. It may rather appear as if we are asking the Council and Member States for

a favour. I believe that that is a misconstruction of the situation and that is why I think it is good that the Council is present here this morning.

Perhaps it would be good for the Council to read once again the exact wording of the interinstitutional agreement which was entered into when we adopted the financial perspectives for this period. The agreement clearly states that the Council would issue declarations at the most appropriate political level. It is unfortunate that the Council has not adhered to these arrangements. However, the agreement was supposed to be a *quid pro quo* and it is perhaps good to remind you of this, now that we are busy negotiating new financial perspectives.

There was a difference of opinion between the Council and Parliament over the level of the financial perspectives. The difference was EUR 112 billion over a seven-year period. Parliament agreed to revise their figure to EUR 110 billion. What we wanted in return were a number of things which would not cost any money at all. Declarations of assurance from Member States and political responsibility cost nothing. That is what the Council signed up to.

What, though, is the situation now, four years after that date? Four Member States have complied with the agreement, but the others have not. That is a good omen for the upcoming negotiations. You have to be as good as your word, even though it was Austria that held the presidency of the Council back then. I therefore think that it is vital that we actually implement the action programme that has been agreed, because, otherwise, the negotiations over the new financial perspectives will be at risk.

Finally, I would like to touch on a general matter. If I am not mistaken, it is now the seventeenth time that the European Court of Auditors has failed to issue a declaration of assurance. In light of the upcoming European elections, maintaining a situation whereby Parliament nonetheless grants a discharge for the budget every year will be untenable. It is time we had a positive DAS for a change.

Derk Jan Eppink (ECR). - (NL) Madam President, it is a pleasure to see you here again. If I were to sum up the debate, my concluding point would be that the European Union actually has too large a budget. There is simply too much money floating around. We are not in a position where we are able to spend the money from the European Regional Fund wisely. A significant portion of it is being inappropriately spent. Those are the conclusions of the Court of Auditors. The same is true of the European Parliament's budget. We have too much money. We are planning to spend money on vanity projects like the Museum of European History, the probable purpose of which will be to rewrite history. I am more inclined to call it a mausoleum for Mr Poettering, because, when I look at the photos, that is what it is slowly beginning to resemble.

There is pressure on us to spend money, there is too much money floating around and we are not able to spend all that money. When I look at the Commission's report on the 2010 budget, we see there are surplus appropriations, a surplus of EUR 194 billion, which we have not been able to spend yet. Madam President, when I saw you come in, I thought: you have come up whiter than white. In the Netherlands, we would say: you are a white tornado. Unfortunately, Mr Šemeta, I am not able to say that about the European Commission's budget. Our budget was not whiter than white, but greyer than grey and darker than dark and I am very unhappy about that.

Good luck with this, Madam President.

Vladimír Remek (GUE/NGL). – (CS) Madam President, we are discussing an apparently routine matter, moreover it is money that has already been spent. The annual repeat performance of this procedure should, above all, lead to a situation where matters are assessed and prepared more carefully and conscientiously in the future. For example, in the case of the two largest EU projects, which are the global satellite navigation system and the European joint undertaking for ITER and the development of nuclear fusion, I consider it unacceptable that such important projects are literally ‘drowning’ in deficiencies which any decent manager would know how to resolve.

Irregularities in the involvement of small and medium-sized enterprises in satellite projects, deficiencies in recruitment and infringements of the principles of equal treatment, problems in the ITER undertaking over compliance with budgetary principles, audits and rules for providing grants; these are just some of the errors identified. One of the main causes of problems, however, is undoubtedly the lengthy decision-making on the projects themselves. Unless we are clear about priorities, including funding in such key activities, half-hearted and patchy decision-making will continue to bring not only the problems mentioned, but also a reduction in the overall quality of projects.

Claudio Morganti (EFD). – (IT) Madam President, ladies and gentlemen, at a time of general economic belt-tightening in which everyone is being asked to make sacrifices, I think it is essential for the European institutions – which operate thanks to the money of European citizens – to have the most transparent financial management possible. I find it unacceptable that one of its main bodies, the Council, should continue to maintain a stance that is totally insular and lacking in transparency.

Given that Parliament is the only European institution that is democratically elected and that represents European citizens and taxpayers directly, I believe we have the right to know exactly how all the appropriations are managed. The Council cannot keep behaving as it is, rejecting necessary and proper interinstitutional comparison.

The European Union is based on a fundamental balance of powers, a prerogative which the Council undermines by acting in this way. It must therefore fall into line with the other institutions as quickly as possible and explain to Parliament – and therefore citizens – how its budget is actually managed.

Lucas Hartong (NI). – (NL) Madam President, it seems that we have a new rule in Europe: in case of doubt, create an agency. Today we are debating the reports of no fewer than 39 agencies and Parliament will be deciding on whether or not to grant discharge for 2009. As far as my group is concerned, discharge should definitely not be granted. The Dutch Party for Freedom (PVV) is against these monstrosities which just eat money and do not serve a single demonstrable purpose. That is the case with the European Foundation for the Improvement of Living and Working Conditions. The Economic and Social Committee and the Committee of the Regions alone have already swallowed up hundreds of millions of euros and, yet, they have had no effect on policy. They are merely talking shops, where litres of coffee are consumed and which produce an endless stream of reports which not a single person reads.

Madam President, our group will therefore not be granting discharge, except to the conclusion that there is a great deal in these agencies that is not working properly; in fact there is so much that is not working that we should abolish them as soon as possible.

Monika Hohlmeier (PPE). – (DE) Madam President, Commissioner, President-in-Office of the Council, Minister, ladies and gentlemen, let me start by saying something about the comments on the House of European History. As rapporteur for buildings I would firstly like to say that the figure of EUR 1 36 million is definitely incorrect. Secondly, we are not talking about a prestige project here; after all, we are constantly complaining that people know nothing of European development since the Second World War, and we now want to make sure that two to three million people a year get to know these developments and find out more about them – so that perhaps they will be less Eurosceptic.

We should debate together the level of the operating costs and the synergies that may be able to be realised with the information centre. A great many Members have taken part in the debate. However, the debate has only just become public, with the result that some Members do not yet feel they have been adequately informed. I will be happy to provide assistance with such discussions or requests for information. I consider the project to be necessary and useful, because people need to find out more about European development – otherwise there will be more and more Eurosceptics.

Secondly, on the subject of development aid. I would first like to thank Mr Staes warmly for the fact that we have genuinely achieved a joint report in many, many respects that I can categorically support. I consider it essential that we set development aid priorities in the areas of infrastructure, health, education and particularly agriculture, and in particular I think that perhaps we should consider introducing an evaluation of projects after 10 years. It is not our aim to start only short-term projects that in the final event have no lasting effect.

Moreover, we should make sure that we achieve better coordination of development aid with the Member States and also are able to implement once and for all the integration of the entire development aid budget into the EU budget, because it is incomprehensible why only part of our development aid is included in the EU budget.

Zigmantas Balčytis (S&D). - (LT) Madam President, I would like to thank all the rapporteurs for their excellent work. The budget discharge procedure is very important for defending the European Union's financial interests, for ensuring better management of European Union finances and more transparent and responsible European Union handling of taxpayers' money. I have a few comments. Firstly, infringements of rules on procurement remain some of the most frequent errors mentioned in the report on the budget discharge. This is linked to the complexity of these rules. There is a need to simplify procurement rules and set out clear and uniform procurement principles throughout the entire European Union. The Commission should analyse the best experience gained in this area, because some Member States, such as Lithuania, have already established sufficiently effective procurement principles, based on modern technologies, but as I mentioned, the Commission itself has to express its political will on this matter.

Secondly, I would like to emphasise that improving the quality of how the funds are spent should not only be an important European Union priority, but a realistic one. There needs to be clear and more rapid progress developing effective management and control systems in the Member States, reducing the level of risk of error and simplifying requirements and rules. For example, the report presented stresses that, due to complicated rules, there is slow uptake of European Union funds earmarked for TEN and TNI projects and other cohesion policy priorities. I feel that in this area there is an urgent need to ensure the simplification, effectiveness and transparency of procedures.

Thirdly, as rapporteur responsible for the working document of the Committee on Budgetary Control “Improving transport performance on trans-European rail axes”, I would again like to call on the Commission to take action in order to adapt the rail infrastructure to cater for trans-European services, while creating missing links at cross-border locations, helping the Member States to alleviate various complications related to the different gauges and providing the effective financial assistance. Finally, as for discharge in respect of the implementation of the budget of the European Parliament for 2009, I believe that Parliament also has to implement realistic decisions which would include better value for money.

Riikka Manner (ALDE). - *(FI)* Madam President, in my speech I want to focus mainly on cohesion policy. Although the error rate in cohesion policy has fallen considerably since 2008, from 11% to around 5%, it is still an area which presents us with a number of challenges in spending.

The biggest challenges relate specifically to public procurement and, in addition, most of the problems connected with cohesion funds are also associated with the complicated implementing rules and the acts arising from the Financial Regulation, which take insufficient account of the complex network of actors in regional development.

Much has also been spoken of increasing the risk of error. We nevertheless have to remember that this does not eliminate the fundamental problem of rules and systems being too complicated. Moreover, in this case the problems should not be tackled from the wrong angle.

At the same time, Parliament is also considering the Financial Regulation for future financial frameworks. Although the discharge process now under way has its focus on the year 2009, it is important to learn a lesson for tomorrow and finally also simplify financial management.

Ryszard Czarnecki (ECR). - *(PL)* Madam President, what matters is not in fact that the number of Eurosceptics is growing as a result of the way in which the EU institutions spend money; the problem is that European taxpayers and European voters deserve transparency and a certain basic respect. The fact that funds are recovered very inefficiently, or that they are used inefficiently, certainly does nothing to enhance the authority of the European Union or our institutions. It also does nothing to enhance the authority of the agencies, which are examples of a certain kind of Euro-bureaucracy, which evade internal and external monitoring, where friends are employed and where the idea of competitive selection procedures is pure fantasy. The Museum of European History is a very controversial proposal, and therefore the majority of the members of our group will vote against the majority of these reports.

Angelika Werthmann (NI). - *(DE)* Madam President, ladies and gentlemen, the European agencies are permanently in the crossfire of criticism. Yet on the other hand, we rely on them when problems arise almost overnight; for example, if increased FRONTEX personnel are required in the Mediterranean or if dioxin is found in animal feed. For this reason I would ask all my fellow Members to apply a sense of proportion and political foresight to these discharges.

We need to evaluate the operational efficiency of the agencies objectively if we are to get away from opinions and assumptions and get a clear overview of what the agencies are actually achieving. I have been working to achieve this for some time.

Ingeborg Gräßle (PPE). – (DE) Madam President, Commissioner, I would also like to warmly welcome to this House the Hungarian Presidency and the President of the European Court of Auditors. On behalf of the Group of the European People's Party (Christian Democrats) I should like to thank all the rapporteurs for their cooperation and also all the representatives of the institutions for coming.

I should like to point out to the Council at this early stage that Members of Parliament are elected to control the executive. The idea, then, that national governments should be allowed to control the European Parliament is an unprecedented attempt to weaken this Parliament. Consequently, your offer is not really an offer. It is an offer to make us small and weak. How would the national parliaments react to such a suggestion? If you would not dare to try it nationally, please do not attempt it at European level.

Regarding the discharge in the European Parliament I should like to say that improvements in management can be discerned under the current Bureau and the present Secretary-General. I would like to expressly acknowledge the PPE Group's part in these improvements. We can see that action is being taken and that things are being done at our request – such as the intervention in the voluntary pension fund – that were absolutely necessary in order to avert the immediate insolvency of this fund in 2009.

I should now like to comment principally on the proposals to reform the Staff Regulations. These are paragraphs 77 and 81 in the report by Mr Chatzimarkakis. These proposals have led to unprecedented lobbying by those affected, including of Members here in this House. The criticism of the Regulations is justified, however. The Regulations are still living in the 1950s and have never been modernised. Travel days are calculated based on times taken in the days of steam and the benefits come from a time when working abroad was extremely unusual. They are no longer justified today. We have today our last and actually our only opportunity to have an influence ahead of the reform of the Regulations.

My proposals also concern the matter of whether it is normal for a member of Commission staff – not including their annual holiday entitlement, note – to have up to seven weeks paid time off, and this for all those earning more than EUR 10 000 net per month. In my opinion, overtime should definitely be included in this salary. What we are talking about here is creating new job vacancies. By removing some of these days off we could create around a thousand jobs. Instead of being days struck out, these new jobs could be used for Europe's new tasks so that we can make recourse to the European Commission instead of constantly having to establish new authorities and agencies.

We should also seek to obtain a true overview of the administrative costs. The current 6.7% of the budget is far too low an estimate. It may be correct for direct management, but it is certainly not correct if we include all the administrative expenditure – including that in the Member States – for managing EU funds. I suggest that we produce an own-initiative report on the actual administrative costs of the European Union here in the Committee on Budgetary Control.

Bogusław Liberadzki (S&D). – (PL) Madam President, Commissioner, I regard this discharge as yet another in a series of discharges granted in recent years, and I remember very well how serious our reservations were only three years ago, in particular with regard to areas such as the Structural Funds, the Cohesion Fund, the regional funds and external actions. It has to be admitted that the Commission has fulfilled certain commitments over the past two years by making visible improvements, such as a reduction in the error rate recorded over the past three years. I think this is a good opportunity to say to

Commissioner Šemeta that we have seen and noticed these developments, that we are taking note of them and that they are a good sign.

I still have a number of concerns, however. Firstly, the procedure for recovering misspent funds is too slow. Secondly, there is a certain reluctance to concentrate on priority projects, or to talk about the error rate for these projects. Regardless of a project's value, I think that there must be some reason behind errors in funding and in the implementation of funds. I am very concerned by the growing discrepancy between commitments and payments, which means that there is a growing pot of money that the Member States are apparently unable to spend. The blame here lies with the Member States.

The Council's reluctance to cooperate with Parliament as far as the discharge is concerned is extremely alarming. Yet I see that Mr Becsey is with us, who has served his time in this Chamber, and who I think will be able to convince the Council that Parliament is the only democratically and directly elected body in respect of which the Council has a reporting obligation. Finally, I share the many reservations that have been voiced regarding the agencies, although my reservations only relate to a small number of them.

Corinne Lepage (ALDE). – (FR) Madam President, my speech will concern the granting of discharge to the European Medicines Agency, but I could have made more or less the same speech about the European Food Safety Authority. I have to say that the Committee on Budgetary Control has done an absolutely excellent job, and that if there were ever a time for Parliament to state its position, it is during the vote on discharge. Therefore, there is indeed a budgetary aspect to what I am going to say, and it relates to the EMA's work. Firstly in terms of its passivity in the benfluorex, or Mediator, affair – it is totally unacceptable.

Secondly, in terms of the management of conflicts of interest, and I shall give just one example. I have publicly denounced, together with our colleague Mrs Parvanova and a group of NGOs, the truly scandalous case of the Agency's Executive Director. This whole affair has been managed by the Agency's Management Board in an extremely casual way, which makes it impossible to build trust. The role of our agencies is to give us the means to take decisions and to enable our fellow citizens to have confidence in the guidelines that are given. That is why I strongly support the postponement of discharge and will vote in favour only if we are fully satisfied with regard to conflicts of interest.

Peter van Dalen (ECR). – (NL) Madam President, the Eurobarometer shows that enthusiasm for the European Union has been fading for years. There are now only five Member States in which the majority of the population speaks about the European Union in positive terms. As far as the citizens are concerned, Europe is synonymous with waste of money. We have to take those objections extremely seriously and, indeed, my fellow member Mr Itälä has rightly done so. He argues that it is irresponsible of Parliament to continue the practice of meeting in two locations. I totally agree with him on that. To Mr Sarkozy, I say: we have to put a stop to Parliament travelling back and forth between Brussels and Strasbourg.

We also need sound accountability when it comes to our own general expenditure allowance. Because of a lack of such sound accountability, members of the European Parliament will soon find that appearances are against them and that they really ought to have paid more attention to the general expenditure allowance. That situation has to change. Mr Itälä rightly argues in recital 5 that we must take adequate measures to ensure

for a responsible attitude towards our general expenditure allowance. I hope that recital will stay, because it is good for credibility and transparency.

Jan Olbrycht (PPE). – (PL) Madam President, every debate on the discharge takes place in a certain context. On the one hand, today's debate is taking place in the context of the crisis, the preventive measures being taken and the financial difficulties being experienced by certain Member States, while on the other hand it is being held against the backdrop of the new financial perspective for the post-2014 period, which has already been drafted. We must be aware of the fact that our comments today regarding the implementation of the budget have a very serious impact on the debate on the future of the financial perspective. Therefore the debate on the discharge is important not only in terms of monitoring, but also in terms of correcting errors and taking note of areas where we have failed or where up-to-date measures mean we are now faced with new requirements.

A characteristic feature of this debate is not only the fact that ever more people are criticising the budget, but also that the results are quite obviously better, for example in respect of cohesion policy, where clear improvements have been made, albeit improvements which have gone unnoticed by the critics of the European budget. I would also like to draw attention to the fact that these positive results must now also be integrated into our considerations regarding future action, or in other words the type of action that must be continued and the regulations that must be introduced, in particular with regard to the recovery of funds.

I would also like to draw the House's attention to the following issue: the debate on whether the budget has been implemented properly must be accompanied by a debate on the effectiveness of policies. We refer to this very frequently in parliamentary documents, but we concentrate on procedures. There has been much talk of a Europe of results, but this is not the same as following the correct procedures. One entails the other, but we must also pay attention to the effects and results of our actions.

IN THE CHAIR: ALEJO VIDAL-QUADRAS

Vice-President

Derek Vaughan (S&D). - Mr President, I would like to thank all the rapporteurs: they have done an important job for us.

In my contribution I would like to comment on a few reports, and firstly on the discharge for the Committee of the Regions. The CoR is, of course, the voice of regions but it also delivers many EU programmes. It would therefore be wrong to suggest, as some have done, that it should fund itself.

On the Commission's discharge, I support the granting of a discharge. Although more needs to be done, as outlined in the report, I believe that reducing the error rate for regional policy from 11% to 5% is real progress. Structural funds are extremely important for places like Wales – where I come from – where they are implemented very well. We therefore need to ensure that structural funds are not discredited or undermined.

On the Council discharge, I would support postponement. We are often lectured by certain Council members on the need for transparency, so they themselves should be open to providing information on their expenditure. Unfortunately, some seem reluctant to do so.

Finally, I would like to say a few words on Parliament's discharge. It is always controversial to consider one's own spending, and our budget certainly receives a lot of attention, which is perhaps understandable in times of economic and financial difficulties. Therefore I am pleased with many of the suggestions made in the report, including on issues concerning buildings policy and prizes – which need to be reviewed and made more transparent – as well as allowances and the important issue of the need for a savings strategy for Parliament's budget.

It could be argued that many of these points concern future budgets rather than the 2009 budget, but I believe that, when we consider any budget and any discharge, we should also look to the future to ensure that we learn lessons from the past.

Richard Ashworth (ECR). - Mr President, for the 16th year the Court of Auditors has only given a qualified statement of assurance, which means for the 16th year public confidence in the integrity of the management of our financial affairs has been undermined. I recognise that the Commission has made efforts to make improvements, but in voting to grant discharge I can only vote outcomes, not intent.

The auditors report that far too many headings are materially affected by error and, since 80% of our spending is under shared management with the Member States, it is perfectly clear that the Member States must accept greater responsibility. It is clear too that the Commission must give greater urgency to achieving that outcome. So until I see evidence of significant improvement, I shall continue to vote against discharge of the budget.

Véronique Mathieu (PPE). – (FR) Mr President, I should like to begin by congratulating all the rapporteurs on the huge amount of work they have done on this discharge, and I am also pleased that the Council is in attendance for this debate.

The European Parliament's seat in Strasbourg is a question of European identity, not just a question of saving money. I am discussing this today, in this House, during the debate on the 2009 discharge because the symbol of Franco-German reconciliation is being treated by some members of the Committee on Budgetary Control as a blessing, as an easy way to cut costs.

The issue of Parliament's expenditure also interests me. While on this subject, I propose that we hold the group weeks in Strasbourg rather than in Brussels; that way, we would ensure that our parliamentary seat in Strasbourg is cost-effective. Since we want to make savings, I propose other things, such as abolishing the Friday subsistence allowance for our colleagues and the subsistence allowances for journalists, too. Europe is enough of a draw for journalists not to have to be given a subsistence allowance.

We should not use the budget as an excuse for appropriating an important issue that goes beyond the scope of budgetary control, and though I welcome the important work done by Mr Itälä, our rapporteur, I say this with regard to this discharge.

Lastly, since we are talking about savings, I should also like us to clean up and reorganise the system for reimbursing sponsored visitors groups. I do not think it is very moral to reimburse the group leader in cash on the day of the visit without making any effort to check how much the group has spent. It gives a very poor impression of our institution. I would inform you that the amount allocated sometimes exceeds the amount actually spent. It would make sense for the groups to send an estimate prior to the visits, for Parliament to send them an advance payment on their expenses, to be paid into a bank account, and

for the balance to be paid upon presentation of the receipts detailing the expenses actually incurred, up to a certain amount, of course.

José Manuel Fernandes (PPE). – (PT) Mr President, Commissioner, Mr Becsey, ladies and gentlemen, firstly I would like to congratulate all the rapporteurs on their excellent work. I want this speech to focus, in particular, on heading 5, relating to the administrative and operational expenditure of the various institutions, and to recall that the volume of administrative and operational expenditure represents less than 6% of the European Union's annual budget.

Despite this figure, I believe it essential that the principles of economy, efficiency and effectiveness be applied. It is in budgetary implementation, above all, that savings need to be promoted and incentivised. At the same time, under no circumstances can we incentivise and promote the full usage of all the funds for each heading.

It is important that rigour and austerity be advocated, and, at the same time, that Parliament have the minimum resources that it needs for excellence in lawmaking. With regard to interpretation and translation, I believe it essential and crucial that members be able to express themselves and work in their native language. In essence, that is us giving meaning to the motto 'united in diversity'.

I believe that, in place of purely incremental budgets, we should have zero-based budgeting at the beginning of each parliamentary session, and furthermore that the institutions' budgets should be multiannual budgets. Control cannot mean bureaucracy, since this is always an unnecessary cost. The principle of trust in the institutions should prevail.

Finally, discharge cannot be a time for discussing detailed policy requiring broad consensus, in particular revision of the Treaties. For example, I consider the discussion of workplace-related issues in discharge reports inappropriate.

Thomas Ulmer (PPE). – (DE) Mr President, honourable members of the Council and Commission, ladies and gentlemen, I would like to comment on the agencies that I dealt with as a member of the Committee on the Environment, Public Health and Food Safety.

First, however, let me say one thing about the permanent debate on Strasbourg versus Brussels. I am a definite advocate of Strasbourg and I believe that if there is any doubt then we should move the entire parliament to Strasbourg, not to Brussels. Strasbourg is a symbol of European unity that must not be abandoned.

In the Committee on the Environment, Public Health and Food Safety we looked at six agencies that have achieved outstanding results in terms of the intensity and quality of their work. The error rate has reduced noticeably. I should therefore like to take this opportunity to praise the staff of these agencies.

A total of 104 new jobs were created at the European Chemicals Agency, which mainly supervises our REACH projects. In the case of the European Food Safety Authority, or EFSA, it should be noted that we need to achieve more precise monitoring and greater transparency. In the case of the European Centre for Disease Control, or ECDC, we found that the funds had not been fully utilised. Not all its tasks have yet been discharged. The European Environment Agency reliably provides data and figures that are very important for our work, for the way we shape the future. However, I would like us to establish more precisely what overall cost savings the Union will achieve as a result of environmental improvements and to present these figures. The European Medicines Agency is still clearly

having difficulty getting things off the ground, despite having been in existence for some years now. We found some accounting errors and inadequate coordination between financial services and scientific services here.

Overall, however, I consider the work of the agencies to be very positive.

Jens Geier (S&D). – (DE) Mr President, I would like to thank Mr Ulmer for his noticeably factual contribution. It makes a pleasant contrast to many of the things that I have heard said about the agencies this morning. It is extremely depressing that many of the Members from the Eurosceptic parts of this House can never think of anything else but the agencies when it comes to budget cuts.

May I remind you that when these agencies were allocated it seemed that the prime ministers and governments of the Member States of the European Union could not get enough of these agencies on their soil. Yet now people are acting as if they are the scourge of the European Union.

I am very pleased at the announcement of a study by the European Court of Auditors into the management costs of the agencies. I believe it will provide us with a basis to at last have a more objective debate.

I am delighted – as I said previously in my first contribution – that the representatives of the Hungarian Presidency are here with us this morning. That is not something we can take for granted when there is a debate that includes the discharge of the Council. I would therefore like to address you directly, Mr Becsey. I am pleased that the Council is prepared to recognise – as I took from the comments made by Mr Deutsch – that the budget proceedings and the discharge procedure must be dealt with differently.

This European Parliament is the people's representation and it demands accountability for the use of taxpayers' money. We will therefore not shirk from demanding that the Council be held accountable for the money given to the Council from the Community budget to finance its work. Of course, there is plenty that we could negotiate on, such as what form the discharge procedure should take in the future. However, I should like to ask you whether you seriously expect the European Parliament to negotiate on something that is our right under the treaties. After all, that could only result in this right being restricted. I fail to see why I, as a Member of the European Parliament, would do that.

Unfortunately, we do not have many opportunities to discuss things together and I would be delighted if you would take this opportunity to make it clear to us for once who it is in the Council that is actually fighting against the necessary transparency.

Jaroslav Paška (EFD). – (SK) Mr President, I was interested to hear the information about the communication problems with the European Council regarding fulfilment of its chapter of the general budget.

As far as I am aware, control over the executive is one of the fundamental tasks of MEPs. The Council, the Commission and also the other EU institutions handle the financial resources of EU citizens according to agreed rules. It is therefore natural that the elected representatives of the people perform checks on behalf of taxpayers as to whether the institutions are handling citizens' money carefully and in accordance with the agreed rules. It works the same way in all democratic states. I therefore cannot understand the position of the European Council, which refuses to give us the cooperation necessary for assessing its budget.

We are not asking whether Mr Sarkozy or Mrs Merkel are visiting a better or worse restaurant or purchasing a better or worse briefcase, or buying the clothes of this or that firm, but we are asking how they handle the public resources of taxpayers, and we are fully entitled to do this, and they are wholly obliged to provide this information.

Zsolt László Becsey, *President-in-Office of the Council*. – (HU) Mr President, since I have only two minutes to react, I would like to address only a few things. One is, I would like to reiterate that we are prepared to reach a long-term agreement in the debate between the Council and Parliament. Only this can solve the problem, namely, the problem of legitimacy, which was also mentioned by Mrs Gräßle. Let me tell you that I know that Parliament is a directly elected body – after all, I was also a Member; but there are legitimate leaders, ministers, in the Council as well. Furthermore, both bodies are equal participants in the discharge procedure: one of them at the level of recommendation, the other in the case of final discharge. In the recommendation submitted we separated the budgetary process and the discharge process.

I would like to request appointment of a delegation to negotiate on behalf of Parliament and we should reach an agreement by means of a politically representative delegation for Parliament. It is not helpful to continue with these problems. And it is also clear from the draft Memorandum of Understanding we have submitted that we also have to clarify what data provision falls within the competence of the Council and what does not. I think this will promote presentation between the various administrations. Then we can indeed be requested to provide data that fall within the competence of the Council.

As regards national declarations, which has also been raised several times, I propose that we should solve this in the debate on the Financial Regulation. I know there are proposals concerning this. Of course the complexity of the issue in certain Member States has to be considered, but I repeat that this will be a very significant point of debate in another process.

Mr President, thank you for the opportunity to speak, and I would like to urge everyone once again not to turn the relationship between the two discharge bodies or institutions into a wrestling match. Let us sit down and negotiate, and reach an agreement instead of degrading this problem to a mailing debate of the secretariats and bureaucracies.

Algirdas Šemeta, *Member of the Commission*. – Mr President, this debate confirms the broad common understanding between Parliament and the Commission on the way forward and on the need to improve our policies and programmes, bringing added value to EU citizens. I think we are moving in the right direction, and the issues you have raised concerning the introduction of management declarations, more automaticity in the application of sanctions and work on recoveries are really important subjects, on which the Commission is working.

I would like, in particular, to thank Ms Gräßle for her work on the Financial Regulation. I think it is very important that the proposal submitted by the Commission on the introduction of management declarations is finally approved because this issue is really about increasing the accountability of our Member States, which are responsible for managing 80% of your budget. With streamlined and much more automatic application of the interruption of payments procedure, I think we will see, in the discharge for 2010, that the incidence of interruption of payments is growing and services are no longer afraid to apply this instrument in their work.

We are also working with the Member States on recoveries, and we submitted a lot of information to the rapporteur about the situation in relation to recoveries. I think that, working together, we can find ways of improving the situation here. Of course, sanctions are a good thing but we also have to seek incentives, and this is an important subject in terms of facilitating our Member States' activity.

We all agree that we have moved forward on simplification of our rules, and we have presented our views on this subject. These proposals will be taken into account when we are preparing new programmes for the next Multiannual Financial Framework. I fully agree that our public procurement legislation is very complex, and a great many errors are occurring in the area of public procurement. That is why the Commission has launched a public consultation on the simplification and improvement of public procurement rules, and I hope this will lead to a much simpler and more efficient system.

With regard to the Staff Regulations, it is time to look at them once again, and my colleague Maroš Šefčovič is working on a revision of the Staff Regulations. This is, of course, a complex issue, and we have to take into account all those sensitive matters which are related to simplification, but the fact is that certain provisions in the Regulations are really outdated and need to be reconsidered and revised.

Of course, the Commission will reply formally to your recommendations in the follow-up report, to be presented after the summer, but, as you can see, we are already working hard to reinforce the management of the EU budget and improve the performance of our programmes. I am looking forward to our future cooperation.

Jorgo Chatzimarkakis, *rapporteur*. – (DE) Mr President, first of all I would like to thank the Commissioner once again on behalf of Parliament for his excellent cooperation. You have now raised certain points once again. We should take these as a starting point for our continued work. However, I would also ask you to pass on our thanks to your colleagues, because we had a very intense exchange with many individuals – I should particularly like to mention Mr Ciolos and Mr Hahn – and both were very cooperative. Please would you pass this message on to them once again.

I would like to thank the President-in-Office of the Council, Mr Becsey, for his clear words. He spoke very clearly; we may not like what he said, but at least he was clear in what he said and we are grateful for that. I consider it only right that you are here. I do not think there is particular cause to mention it. Nonetheless, it is good that you are here.

I have saved my final thanks for the President of the European Court of Auditors, Mr Caldeira, with whom Parliament always enjoys genuinely open and positive cooperation. We very much appreciate that. Our work would not be possible without your background work. Our discharge is based mainly on your contributions. We would like to see you playing a greater role in the future assessment of the performance audit, Mr Caldeira. The future of the European Union depends not just on the funds being spent legally and correctly, but also and above all on their being spent usefully; in other words, effectively and efficiently. That will form part of the performance audit under Article 318 of the Treaty of Lisbon. As Parliament, we would like to see an annual debate on the performance audit of the Commission and we would like you to be invited here to debate it with us as a representative of the European Court of Auditors. My sincere thanks to my fellow Members and to everyone involved.

7. Welcome

President. – I should like to adjourn the debate a moment to announce that today in the visitors' gallery we have Professor Dagmar Lieblová, President of Theresienstadt Martyrs Remembrance Association, from the Czech Republic, whom we welcome.

(Applause)

Professor Lieblová is in Strasbourg accompanied by 28 students from Prague and Hamburg, who have worked together on a two-year project researching the transfer of Czech forced labourers from Hamburg to Theresienstadt concentration camp.

She is visiting our Parliament at the invitation of our Vice-President, Mr Rouček, and of Mr Fleckenstein, and her project has been awarded a European prize.

Thanks very much to Professor Lieblová and her students for their major contribution to furthering our understanding of European history, and for their commitment to the moral values that inspire the Union.

8. 2009 discharge (continuation of debate)

President. – We will now continue with the debate on 2009 discharge (39 reports).

Ville Itälä, *rapporteur.* – *(FI)* Mr President, when in my initial speech I spoke about Parliament's security, President Buzek immediately said that this issue had been discussed by the Bureau. That is excellent and an important thing, so my thanks go to the Secretary-General, who has taken swift action. I wish to thank him for the many other steps that he has taken that have led to improvements in this House. The year 2009 was election year, after which we had new statutes for assistants as well as Members. There were a lot of problems with those and the Secretary-General and the RothBehrendt working group introduced changes, and that is excellent.

Many have asked why I am raising the issue of travel between Strasbourg and Brussels. The reason is that taxpayers do not understand why we are squandering the money that they pay in taxes. What happens, then, when the people do not understand? In Finland we recently had elections. The only party that was triumphant was the Eurosceptics, and they won easily. If this trend spreads in Europe we will have big problems in important areas. Finland does not now intend to endorse the Portuguese package. These matters impact on one another, and that is why I am trying to explain here that, unless we are prepared to make changes now, the public are not going to back us and we will lose out in the significant, major issues. That is why we need to sort out the smaller ones.

Tamás Deutsch, *rapporteur.* – *(HU)* Mr President, ladies and gentlemen, allow me to thank everyone who has enriched today's debate with their valuable comments. As I have indicated this in my capacity of rapporteur, or to be precise, as a stand-in for Mr Rivellini, seven discharge proposals are tabled to the European Parliament. The seven discharge proposals concern seven very important European institutions.

In his discharge report Mr Rivellini proposes that the European Parliament should grant discharge to the European Economic and Social Committee, the Committee of the Regions, the European Court of Justice, the European Court of Auditors, the European Ombudsman, and the European Data Protection Supervisor and their respective offices. Today's debate has confirmed for us that there is an agreement in the European Parliament on this issue.

One of Mr Rivellini's proposals concerns the discharge of the European Council. Here again, there is an agreement among the Members and groups of the European Parliament that discharge should be postponed.

I would like to welcome the observation of Minister of State Becsey, made in today's debate. I consider the steps relating to the work of the Hungarian Presidency to be important. If these steps are continued, when Parliament puts the issue of the Council discharge on its agenda again this autumn, finally it will be possible for the European Parliament to grant discharge to the European Council with the backing of a long-term agreement between the European Council and the European Parliament on the Council discharge procedure.

In the light of these thoughts, I would like to thank again everyone who contributed with their work to Parliament making a decision on these seven proposals today.

Bart Staes, *rapporteur*. – (NL) Mr President, Commissioner, Minister Deutsch, ladies and gentlemen, at the end of this debate, I would like to thank the European Court of Auditors explicitly. We have Mr Caldeira here with us. He has not had the opportunity to take the floor today, but he did have a chance to speak in November, at the start of the whole discharge exercise, a few months ago. I would like to thank him and his team, his colleagues, emphatically, because without the work of the Court of Auditors, we would not have been able to keep such a good eye on the European budget and the budgets of all the subordinate institutions. In my view, he has done an incredibly important job, not only when it comes to their annual report, but also to the many interim reports, the special reports, which we received from them.

In that respect, we have one more lesson to learn. I think that this Parliament is paying too little attention to those special reports. I think that we should make better use of those special reports, that we should not just have to debate them in the Committee on Budgetary Control, but also in the many committees with a specific remit, for example in the Committee on Development Cooperation, if a report is about development cooperation, or in the Committee on the Environment, if a report is about the environment, so that the work which you, your colleagues and all your fellow workers do can be properly appreciated and so that European citizens also can see that we have proper checks on how European taxpayers' money is spent.

Thank you for all your work.

President. – The debate is closed.

The vote will take place today at 12:00.

Written statements (Rule 149)

Lidia Joanna Geringer de Oedenberg (S&D), *in writing*. – (PL) Unanimity is rare among the Members of the European Parliament, who are usually divided into eight groups. In today's votes on the 39 discharges in respect of the implementation of the budgets of the individual institutions for 2009, we postponed the decision to grant discharge to the Council of the European Union by 637 votes in favour, 4 against and 13 abstentions.

The decision taken by Members today is the natural consequence of the events of recent months. Council representatives, including the Secretary General, did not accept a single invitation from the members of the Committee on Budgetary Control to discuss the Council's expenditure in 2009. What is more, we were not given answers to any of several dozen specific questions, which included questions regarding the funding arrangements

for the European External Action Service, which was set up in late 2009 (the Rivellini report contains a full list of questions). If we remind ourselves of the difficulties that accompanied the debates on the Council's expenditure in 2007 and 2008 and the far-reaching concessions granted by Parliament in this respect, this year's position is understandable. Following the entry into force of the Treaty of Lisbon, both institutions need a formal agreement on reviews of expenditure to replace the 30-year-old 'gentlemen's agreement'. Citizens have the right to demand transparency as far as the Council's and Parliament's finances are concerned. For now, we must wait until 15 June 2011, when the Council is to provide answers to MEPs' questions.

Iliana Ivanova (PPE), *in writing*. – (BG) The process of improving the quality of expenditure and control over legal spending and complying with the rules is not a one-off activity, but an ongoing process which is our main responsibility to Europe's citizens. People do not understand why we are still dealing with the 2009 budget in the middle of 2011. This is why, based on preliminary discussions through organising an interinstitutional discussion, we can shorten the procedure, but without it being at the expense of quality. Control over the spending of European funds would improve considerably if there were specific data and methods available for assessing the management and control systems deployed in Member States because error rates of 0% are questionable. At least 30% of the errors could have been detected and rectified by the national agencies prior to them being certified by the European Commission. Member States and the Commission must take the necessary action to comply with the rules and adopt suitable measures for promptly removing any deficiencies detected.

Vladimír Maňka (S&D), *in writing*. – (SK) The report on the 2009 discharge for fulfilment of the EU's general budget, section I – European Parliament.

We are constantly confronted with numerous shortcomings that prevent us from using our resources in a wholly efficient manner. In my work as Chief Rapporteur for the EU budget for 2010 for the area of Other Divisions, I came across concrete examples of bad management. This applies to the area of the security service, where security costs are constantly rising, to the area of translation and the effective use of translation resources, and to other areas. The bureaucracy is recording substantial increases in workload. This leads to pressure for additional resources. We therefore need a comprehensive assessment of staffing structures and the requirement for resources. In the area of security policy, but also in the area of IT and buildings, we need to find a balance between internal employees and external suppliers. The internal problems of every institution make people forget about improving interinstitutional cooperation.

Most of the increasing problems have a common denominator: we are making little use of independent studies into the use of resources and the organisation of work. We therefore need to subscribe to such studies in selected areas this year.

Marc Tarabella (S&D), *in writing*. – (FR) I fully support the Committee on Budgetary Control's decision to postpone granting discharge to the European Medicines Agency in the light of what I feel are some very serious points. I should like to emphasise in particular the lack of guarantees regarding the independence of experts and managers, and hence the potential for conflicts of interest. This issue is all the more relevant in view of the finding that certain dangerous medicines that caused the deaths of numerous people in Europe were belatedly withdrawn from the market.

(The sitting was suspended at 11.30 and resumed at 12.00)

IN THE CHAIR: ROBERTA ANGELILLI*Vice-President***9. Voting time**

President. – The next item is the vote.

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

9.1. 2009 discharge: EU general budget - Court of Justice (A7-0137/2011, Crescenzo Rivellini) (vote)

9.2. 2009 discharge: EU general budget - European Ombudsman (A7-0116/2011, Crescenzo Rivellini) (vote)

9.3. 2009 discharge: EU general budget - European Data Protection Supervisor (A7-0117/2011, Crescenzo Rivellini) (vote)

9.4. 2009 discharge: performance, financial management and control of the agencies (A7-0149/2011, Georgios Stavrakakis) (vote)

9.5. 2009 discharge: European Police College (A7-0150/2011, Georgios Stavrakakis) (vote)

9.6. 2009 discharge: Translation Centre for the Bodies of the European Union (A7-0119/2011, Georgios Stavrakakis) (vote)

9.7. 2009 discharge: European Centre for the Development of Vocational Training (A7-0106/2011, Georgios Stavrakakis) (vote)

9.8. 2009 discharge: Community Fisheries Control Agency (A7-0118/2011, Georgios Stavrakakis) (vote)

9.9. 2009 discharge: European Aviation Safety Agency (A7-0123/2011, Georgios Stavrakakis) (vote)

9.10. 2009 discharge: European Centre for Disease Prevention and Control (A7-0107/2011, Georgios Stavrakakis) (vote)

9.11. 2009 discharge: European Chemicals Agency (A7-0127/2011, Georgios Stavrakakis) (vote)

9.12. 2009 discharge: European Environment Agency (A7-0122/2011, Georgios Stavrakakis) (vote)

9.13. 2009 discharge: European Food Safety Authority (A7-0146/2011, Georgios Stavrakakis) (vote)

9.14. 2009 discharge: European Monitoring Centre for Drugs and Drug Addiction (A7-0120/2011, Georgios Stavrakakis) (vote)

9.15. 2009 discharge: European Maritime Safety Agency (A7-0132/2011, Georgios Stavrakakis) (vote)

9.16. 2009 discharge: European Network and Information Security Agency (A7-0105/2011, Georgios Stavrakakis) (vote)

9.17. 2009 discharge: European Railway Agency (A7-0125/2011, Georgios Stavrakakis) (vote)

9.18. 2009 discharge: European Training Foundation (A7-0109/2011, Georgios Stavrakakis) (vote)

9.19. 2009 discharge: European Agency for Safety and Health at Work (A7-0104/2011, Georgios Stavrakakis) (vote)

9.20. 2009 discharge: Euratom Supply Agency (A7-0144/2011, Georgios Stavrakakis) (vote)

9.21. 2009 discharge: European Foundation for the Improvement of Living and Working Conditions (A7-0108/2011, Georgios Stavrakakis) (vote)

9.22. 2009 discharge: Eurojust (A7-0133/2011, Georgios Stavrakakis) (vote)

9.23. 2009 discharge: European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX) (A7-0145/2011, Georgios Stavrakakis) (vote)

9.24. 2009 discharge: European GNSS Supervisory Authority (A7-0103/2011, Georgios Stavrakakis) (vote)

9.25. 2009 discharge: ARTEMIS Joint Undertaking (A7-0126/2011, Georgios Stavrakakis) (vote)

9.26. 2009 discharge: Clean Sky Joint Undertaking (A7-0128/2011, Georgios Stavrakakis) (vote)

9.27. 2009 discharge: Joint Undertaking (Joint Technology Initiative on Innovative Medicines) (A7-0129/2011, Georgios Stavrakakis) (vote)

9.28. 2009 discharge: SESAR Joint Undertaking (A7-0124/2011, Georgios Stavrakakis) (vote)

9.29. Defence of the parliamentary immunity of Mr Luigi de Magistris (A7-0152/2011, Bernhard Rapkay) (vote)

– Before the vote

Sergio Paolo Francesco Silvestris (PPE). – *(IT)* Madam President, I should like to have something clarified. I should like to know whether the vote we are about to take is the result of an automatic procedure or of a specific request made by Mr de Magistris, who has

earned a reputation over the years for attacking the privileges of politicians, saying they should defend themselves in court and not seek loopholes to avoid it. Essentially, I should like to know whether Mr de Magistris asked for immunity or whether this is an automatic procedure.

Madam President, please can you clarify this issue, because if Mr de Magistris is seeking to avoid trial ...

(The President cut off the speaker)

President. – Mr Silvestris, may I respond? You asked if Mr de Magistris requested immunity or if it is an automatic procedure? Who did you ask?

I am told that Mr de Magistris requested the defence of his immunity.

9.30. Defence of the parliamentary immunity of Mr Bruno Gollnisch (A7-0154/2011, Bernhard Rapkay) (vote)

– Before the vote

Bruno Gollnisch (NI). – (FR) Madam President, I shall speak for just two minutes, if I may, since there is no debate or oral explanation of vote, which I find rather astonishing in this kind of procedure. What are we talking about here? We are talking about a political expression, in respect of which legal action is being taken by ...

(The President cut off the speaker)

President. – I am sorry but we must proceed to the vote. You have already had the chance to state your views, Mr Gollnisch.

Bruno Gollnisch (NI). – (FR) Until now these two objective criteria ...

(The President cut off the speaker)

President. – Mr Gollnisch, you spoke only yesterday. In any case, it is not permitted under the Rules of Procedure. I am sorry, we are proceeding to the vote.

9.31. Waiver of Mr Bruno Gollnisch's parliamentary immunity (A7-0155/2011, Bernhard Rapkay) (vote)

9.32. Protection and sustainable development of the Prespa Park area (A7-0078/2011, Kriton Arsenis) (vote)

9.33. Port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (A7-0142/2011, Carmen Fraga Estévez) (vote)

9.34. Freezing and disclosure of debtors' assets in cross-border cases (A7-0147/2011, Arlene McCarthy) (vote)

– Before the vote

Arlene McCarthy, *rapporteur.* – Madam President, briefly stated, it was not possible to have a debate and presentation of the report and I would like to thank my colleagues in the other political groups who have supported my recommendation.

I want to inform the Commission and the Council that this is the start of Parliament's campaign to win new rights for our citizens who are the victims of fraud. Pan-European orders for the disclosure and freezing of fraudsters' assets are critical, because currently the fraudsters walk away while the victims lose out and face expensive legal bills. With this vote, therefore, we are asking the Commission to urgently come forward with legislative proposals to redress this injustice and to give power back to our citizens, the victims of crime.

10. Welcome

President. – Ladies and gentlemen, I shall now read a message from Mr Buzek.

I am pleased to inform you that today we have the honour of welcoming Bogdan Borusewicz, Speaker of the Polish Senate, Irena Degutienė, Speaker of the *Seimas* of the Republic of Lithuania and Volodimir Litvin, Speaker of the *Verkhovna Rada* of Ukraine.

The three speakers met today in Parliament for an extraordinary session of the Parliamentary Assembly of Lithuania, Poland and Ukraine. This assembly is rooted in the tradition of the Polish-Lithuanian Commonwealth, which for more than two centuries has represented the boundary of Europe, understood as a political, cultural and civil project.

The meeting of this parliamentary assembly in Strasbourg today marks the 220th anniversary of the adoption of the 3 May Constitution, the first constitution in Europe.'

11. Voting time (continuation)

11.1. 2009 discharge: EU general budget, Section III - Commission (A7-0134/2011, Jorgo Chatzimarkakis) (vote)

11.2. ECA special reports in the context of the 2009 Commission discharge (A7-0135/2011, Jorgo Chatzimarkakis) (vote)

11.3. 2009 discharge: EU general budget - European Parliament (A7-0094/2011, Ville Itälä) (vote)

– *Before the vote on paragraph 129.*

Astrid Lulling, *on behalf of the PPE Group.* – (FR) Madam President, on behalf of my group, I should like to table an oral amendment to this paragraph. It is a fairly technical amendment, but it is still significant. I propose that the future tense be replaced by the perfect tense for points i), ii) and iii). Indeed, the measures referred to in these passages were implemented a long time ago – over two years ago. It is pointless, then, to request things for the future when they are already being applied in the present. I think that even this venerable Parliament can accept this basic principle.

It should therefore read: 'the European Parliament notes that the option of drawing a reduced pension from the age of 50 and the option of receiving a lump sum equivalent to 25% of pension rights have been abolished'. It should read: 'the retirement age for the Scheme has been raised from 60 to 63'. It should read: 'the managers of the Fund have been called upon to adopt ...'.

(Applause)

(The oral amendment was accepted)

11.4. 2009 discharge: EU general budget - Council (A7-0088/2011, Crescenzo Rivellini) (vote)

11.5. 2009 discharge: EU general budget - Court of Auditors (A7-0138/2011, Crescenzo Rivellini) (vote)

11.6. 2009 discharge: EU general budget - Economic and Social Committee (A7-0136/2011, Crescenzo Rivellini) (vote)

11.7. 2009 discharge: EU general budget - Committee of the Regions (A7-0139/2011, Crescenzo Rivellini) (vote)

11.8. 2009 discharge: Eighth, Ninth and Tenth European Development Funds (EDF) (A7-0140/2011, Bart Staes) (vote)

11.9. 2009 discharge: European Medicines Agency (A7-0153/2011, Georgios Stavrakakis) (vote)

11.10. 2009 discharge: European Union Agency for Fundamental Rights (A7-0130/2011, Georgios Stavrakakis) (vote)

11.11. 2009 discharge: European Joint Undertaking for ITER and the Development of Fusion Energy (A7-0131/2011, Georgios Stavrakakis) (vote)

11.12. Emergency autonomous trade preferences for Pakistan (A7-0069/2011, Vital Moreira) (vote)

– Before the vote on Amendment 33

Pablo Zalba Bidegain (PPE). - Madam President, in paragraph 2 of Article 9a, after the words 'at the request of a Member State', we would like to add the phrase 'any legal person or any association not having legal personality acting on behalf of the Union industry'. The reason is to make this regulation consistent with other safeguards that we have approved, such as the South Korea FTA safeguard clause.

(The oral amendment was accepted)

– Before the vote on the legislative resolution

Vital Moreira, *Chair of the INTA Committee.* – Mr President, as Chair of the Committee on International Trade I have a mandate from the committee to ask for the postponement of the vote on the legislative resolution. This is of course irrespective of my personal position in this regard.

Algirdas Šemeta, *Member of the Commission.* – Madam President, the Commission can agree with the proposal to postpone the vote on the legislative resolution.

(Parliament decided to refer the matter back to committee)

11.13. Transitional arrangements for bilateral investment agreements between Member States and third countries (A7-0148/2011, Carl Schlyter) (vote)

11.14. Further macro-financial assistance for Georgia (A7-0053/2011, Vital Moreira) (vote)

12. Explanations of vote

Oral explanations of vote

Report: Crescenzo Rivellini (A7/0137/2011).

Daniel Hannan (ECR). - Madam President, a billion here, a billion there, and pretty soon we are talking real money. The amounts that have been dedicated by the European Union to these bailouts dwarf the domestic spending of our national governments. The United Kingdom alone has so far made available GBP 7 billion in Ireland and it is now about to be asked for another GBP 4.2 billion in Portugal.

GBP 7 billion is more than the value of all the domestic cuts we have made in social security put together – and all for a policy which is now visibly failing. When the Greek bailout was originally agreed we were told that it would be enough to deter the speculators, that Greece would now be borrowing competitively in the market and that no more would be needed. Yet, we now see Greece openly negotiating for a default and for further loans.

It is clear that we are not going to see the money again. It is also clear that we are breaking the law. These bailouts are not merely unauthorised under the Treaties, they are expressly prohibited and, worst of all, they are damaging to the recipient countries. There is a racket – a Ponzi scheme – whereby governments and banks connive to give money to European bankers and bondholders, while expecting the repayment to come from ordinary European taxpayers. Ireland and Greece are now having to borrow more money to send to Portugal, while at the same time Ireland and Portugal are having to borrow more money to send to Greece.

Let me finish by quoting my countryman Rudyard Kipling.

‘You will find it better policy to say:--

‘We never pay *any*-one Dane-geld,

No matter how trifling the cost;

For the end of that game is oppression and shame,

And the nation that plays it is lost!’

Ashley Fox (ECR). - Madam President, we have voted today on the 2009 accounts at a time when governments across Europe are having to take austerity measures: expenditure is being cut and taxes are being increased. Yet, in the European Union, every year the Commission demands more money, and every year the Court of Auditors replies that the money is not being well spent.

The Court of Auditors says that the 2009 accounts, on which we have just voted, are materially affected by error and that is why I am very pleased that the British Conservatives

and our good friends in the European Conservatives have voted against discharge of these accounts. The EU should take much better care of taxpayers' money.

Syed Kamall (ECR). - Madam President, when my constituents ask me about the EU budget, one of the things they do not understand, particularly at the difficult time that we are going through, is why we are spending all this money. At a time when our government is having to make cuts and reduce the level of public spending, and governments across the EU are having to do exactly the same thing, why is it, first of all, that the EU is asking for more money for its budgets and its financial perspective, and secondly that it cannot spend the money it has efficiently?

As my colleague Mr Fox said earlier, the EU accounts for 2009 were riddled with error. The accounts have not been signed off for 15 years, and all the time our constituents have been asking us why we are not spending their money better. It is time we put our house in order. Whatever you feel about the European Union, it is surely right that we should spend taxpayers' money wisely.

Report: Ville Itälä (A7-0094/2011)

Bruno Gollnisch (NI). - (FR) Madam President, I voted against granting discharge in respect of the implementation of Parliament's budget, not so much for financial reasons as for political reasons, since this House is anything but a Parliament. No talking goes on in it, there is no opportunity to debate in it, even when the fundamental rights of one of its Members are at stake.

Over and above myself, I feel ashamed for our institution. It is mired in political correctness. There is no confrontation of ideas. There is no real freedom of expression. It is all about conformism. We spend our time doing work that would be far better done by a technical agency responsible for harmonising standards or rules and, other than that, we play at being the United Nations. You defend human rights in Guatemala and Indonesia – anywhere in the world where you have no jurisdiction. You are incapable of defending the rights of one of your Members. I feel ashamed for this Parliament; it is a useless Parliament and a Parliament of useless people.

Hannu Takkula (ALDE). - (FI) Madam President, I would like to say a few words about the EU budget. First of all, I think that it is very important to ensure that the way in which the European Parliament spends its money is transparent and open. We are actually going through a time in Europe when all the Member States are having to make budget cuts and watch every penny, so we must also apply the same policy. It is very important that openness and transparency have an important role in all that we do.

There are, however, a few small areas – of seemingly little consequence – where some wanted to make cuts. In my view, these types of cultural services and cultural awards, such as the LUX Prize, which would represent savings of a few tens of thousands of euros, are not the right areas in which to make savings, because we can see that culture and creative industry have recently been a source of growth. In this respect, it is important that, when we make cuts, we take the view that we should not do so in areas that are sources of growth in the European Union, but instead cut the red tape that does not produce growth.

Finally, I hope that the pay reforms that apply to us Members of Parliament, and which have gone through, will be implemented everywhere, in each Member State of the European Union at the same time. That is because I understood that this reform was based on the

notion that all Members of the European Parliament would receive the same salary, and this should also be taken into account by the nation states in their taxation practices.

Report: Vital Moreira (A7-0069/2011)

Jens Rohde (ALDE). – (DA) Madam President, we were not able to vote on the final resolution on Pakistan in this House today, but I would very much like to point out that I think it is absolutely reasonable and timely for us to help Pakistan through the very difficult situation that the country is facing. The EU has provided EUR 415 million in emergency aid to Pakistan, and that is a good thing. It is also positive that we are now taking the initiative to remove duties on some important export products in these areas, namely textiles and leather. We are doing this because our experience essentially shows that free trade is a good thing. However, I must say that, at the same time, I find it regrettable and somewhat hypocritical that we are also making indeterminate promises and saying that, if the initiatives that we are taking in respect of Pakistan start to work, we will discontinue them. We will erect the customs barriers again. I think Parliament should revise its view of how this matter should be dealt with. Therefore, it is perhaps very sensible that we have postponed the vote on the resolution.

Claudio Morganti (EFD). – (IT) Madam President, ladies and gentlemen, even though the vote has been postponed, I remain strongly opposed to the report because I do not want to see the death of an industry – textiles – which has been the real driving force and economic backbone of my homeland, Tuscany.

Today we are allowing duties on textile products from Pakistan to be eliminated: it could then be the turn of India and then who knows which other State. This is the result of the European Union's wretched trade policy. After the floods, Pakistan had already been helped by Europe with almost half a billion euros. It seems that aid is granted partly in order to avoid dangerous anti-democratic tendencies. Yet, if I am not mistaken, the most wanted and dangerous terrorist in history was hiding in Pakistan. Did the Pakistani authorities really not know about this? Last year, the Veneto region was also hit by extremely serious floods, which crippled many local textile companies.

By signing this agreement, we risk all the efforts made to return to production being rendered totally pointless. Textile producers, especially the very smallest, now seem to have been abandoned by Europe, where big manufacturers – which have relocated – rule all. However, we in *Lega Nord* shall fight until the end to preserve and develop this valuable resource for our territories.

Paul Murphy (GUE/NGL). - Madam President, six months after the floods in Pakistan the UN spoke of a humanitarian crisis of epic proportions. Another three months have passed, and there is still an entirely insufficient response by the EU and the WTO.

I voted in favour of granting Pakistan emergency trade preferences for textile and other products in the EU in order for these trade preferences not simply to be a purely token measure that filled the pockets of the corrupt elites in Pakistan. I call for effective control over the increased income by democratic trade unions to ensure that the money is directed towards rebuilding schools and hospitals in the areas affected by flooding.

A major threat to the collective interests of all workers in Pakistan has been brought to my attention by the Progressive Workers Federation of Pakistan. I oppose the disgraceful attempt and threat by the government to no longer allow trade unions to organise on a national level.

Report: Carl Schlyter (A7-0148/2011)

Alfredo Antonozzi (PPE). – (IT) Madam President, the Treaty of Lisbon lists foreign direct investment among the matters pertaining to common commercial policy. Indeed, according to Article 3 of the Treaty on the Functioning of the European Union, the Union has exclusive competence in this matter.

Following the entry in force of the Treaty of Lisbon, Member States have maintained a significant number of agreements with third countries on foreign direct investment. If we want to prevent these agreements from interfering with the rules laid down by the Treaty, we cannot but adopt the policies and measures contained in the report by Mr Schlyter.

The adoption of measures to substitute the existing agreements is the only way to ensure a high degree of protection for investors and to ensure that their rights are recognised and guaranteed by the legal certainty of such agreements. The draft certainly moves along these lines and I have therefore voted in its favour.

Antonello Antinoro (PPE). – (IT) Madam President, I voted in favour of this report because I am absolutely convinced that we need to control European investments abroad at a time of great crisis and economic uncertainty. In fact, with the entry in force of the new Treaty, responsibility for the protection of investments passes from the Member States to the Union.

I hope, however, that the Commission will submit a report in September that sets out strategies on this issue. We must regulate the transition phase and it is essential that, through an authorization process, the bilateral investment treaties (BITS) concluded by Member States are respected and that they are allowed, under certain conditions, to renegotiate existing BITS or finalise pending ones and to enter negotiations for further ones.

Legal certainty remains, however, a relative term as long as the transition of the investment protection regime is not completed and expiry dates are not set for Member States' existing BITS. A transition period is therefore necessary to manage this change and, in order to avoid legal vacuums, the regulation in question leaves the management of the Treaties to the Member States.

In light of what I have said, I reiterate my hope that the Commission will set out the appropriate strategies in short order.

Report: Vital Moreira (A7-0053/2011)

Jens Rohde (ALDE). – (DA) Madam President, we have voted today on the provision of EUR 46 million in macro-financial assistance to Georgia. Obviously, these funds will not be provided without imposing the conditions of responsible economic management and transparency. That is clearly important, but it is also important to remember that the provision of this money is in our own interests, as Georgia is very important from a geopolitical point of view. The country was hit by a double blow: first there was the war with Russia in August 2008 and then the global financial crisis. It is still suffering as a result of a trade embargo imposed by Russia. It is therefore in the European Union's interests to support a Western-oriented government that is willing to undertake reforms, which is what we have done with the vote today.

Adam Bielan (ECR). – (PL) Madam President, Georgia is a strategically important country, in particular for the countries situated in the eastern part of the European Union. In addition,

it is a participant in the Eastern Partnership programme, which is aimed at strengthening cooperation with EU Member States. The country places a strong emphasis on following pro-Euro-Atlantic policies.

The recent Russo-Georgian conflict of August 2008 demonstrated how important it is to keep this country within the sphere of European policy. The programme of macro-financial assistance to strengthen Georgia's economy, which has been implemented since 2009, is therefore still crucial for the further development of positive political and economic relations, and also in respect of national security. I therefore agree entirely with the European Commission's proposal regarding the earmarking of additional funds for grants and loans in order to improve Georgia's financial situation.

Written explanations of vote

Report: Crescenzo Rivellini (A7-0137/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) I am voting for this proposal, since I agree with the discharge procedures, as they propose suitable appropriations for each heading.

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and agreed with the European Parliament's decision to grant the Court of Justice discharge in respect of the implementation of its budget for the financial year 2009. In the course of preparation of the Annual Report concerning the financial year 2009, the Court of Auditors performed an in-depth assessment of supervisory and control systems in the Court of Justice, which included examinations relating to human resources and other administrative expenditure. This assessment had broadly positive results, with the exception of observations concerning a contract concluded for the provision of services. I endorse the suggestion of the Court of Auditors that procurement procedures should be better prepared and coordinated by the Court of Justice. The Court of Justice experienced difficulties as regards recruitment of qualified conference interpreters, and the limitations as well as the need to use a range of interpretation techniques in order to be able to qualitatively and quantitatively satisfy all requests for interpretation. I agree with the rapporteur that the Court of Justice should report on this in its upcoming Annual Reports, given the importance of interpretation for the proper functioning of judicial work.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of authorising discharge of the 2009 budget of the Court of Justice because I believe its formal and substantial accuracy is the result of extremely competent work done by all the staff of this institution.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the exhaustive analysis carried out in this report by the Court of Auditors, and I call for the continued exchange of best practices between the institutions, as well as effective interinstitutional cooperation regarding development and the implementation of an integrated management system. The report flags up certain situations that still need to be reviewed, and I hope that these are given due consideration. I therefore support and welcome the rapporteur's conclusions.

Giovanni La Via (PPE), *in writing*. – (IT) Financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the EU Court of Auditors; and a discharge procedure carried out by the European Parliament. With today's vote, discharge is granted for the implementation of the budget of the European Court of Justice for the financial year 2009. I voted in favour

because controls carried out by the Court of Auditors and the Committee on Budgetary Control showed that all transactions were carried out in a wholly legal and regular manner.

David Martin (S&D), *in writing*. – I voted to grant discharge to the Court of Justice, while noting the mixed results in terms of speeding up procedures. I welcome the increase in the number of cases completed by the Court of Justice (377 judgments and 165 orders compared to 333 and 161 respectively in 2008), take note of the number of preliminary ruling cases being the highest ever (302) and welcome the decrease in the number of cases pending at the end of 2009 (741 cases compared to 768 cases at the end of 2008). However, I note with concern that the General Court in 2009 showed a decrease in the number of cases decided and an increase in the duration of the proceedings and that consequently, although the number of new cases in 2009 was lower (568 new cases compared to 629 in 2008), the backlog of pending cases continued to increase (from 1178 in 2008 to 1191 in 2009). I also welcome the fact that the Civil Service Tribunal closed more cases than ever before (155 cases), and that the average duration of a procedure was 15.1 months compared to 17 months in 2008.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 287 of the Treaty on the Functioning of the European Union, I voted for this decision, which grants the Registrar of the Court of Justice discharge in respect of the implementation of the Court of Justice budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – Grants the Registrar of the Court of Justice discharge in respect of the implementation of the Court of Justice budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution, Parliament grants discharge to the Registrar of the Court of Justice for the implementation of the budget of the Court of Justice for the financial year 2009. Parliament notes that, in the course of preparation of the Annual Report concerning the financial year 2009, the Court of Auditors performed an in-depth assessment of supervisory and control systems in the Court of Justice, the European Ombudsman and the European Data Protection Supervisor, which included the examination of an additional sample of transactions involving payments relating to human resources and to other administrative expenditure.

Report: Crescenzo Rivellini (A7-0116/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the decision to grant the European Ombudsman discharge in respect of the implementation of its budget for the financial year 2009. In the course of preparation of the Annual Report concerning the financial year 2009, the Court of Auditors performed an in-depth assessment of supervisory and control systems in the Court of Justice, the Ombudsman and the European Data Protection Supervisor which included the examination of an additional sample of transactions involving payments relating to human resources and to other administrative expenditure. The Court of Auditors found that the Ombudsman has not adopted general provisions on the procedures for the recruitment of temporary staff, although the relevant article of the Conditions of Employment of Other Servants of the European Union requires that each institution shall have done so. I agree with the rapporteur that this omission may affect a large proportion of the Ombudsman's staff, as the majority

of posts granted are temporary. The Ombudsman should report on progress in this area in his annual activity report. The Court of Auditors indicated in its annual report that the audit did not give rise to any further significant observations as regards the Ombudsman.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of authorising discharge of the 2009 budget of the European Ombudsman since, mindful of the report on its activities and the observations I was able to make about it, I believe that accounting procedures have been respected, that the overall management can be considered good and that in the coming years we will be able to improve those aspects which are now considered controversial.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the conclusions of the audit in the Annual Report of the Court of Auditors. I also welcome the implementation of the key performance indicators in the Annual Management Plan, as well as the fact that the objectives for 2009 were achieved and the Ombudsman's decision to publish his annual declaration of interests on his website. Finally, I support the rapporteur's conclusions and commend the quality of Ombudsman's annual activity report, and welcome the inclusion of the follow-up during the year to Parliament's earlier discharge decisions.

Giovanni La Via (PPE), *in writing*. – (IT) I would first like to thank the rapporteur, Mr Rivellini, for his excellent work throughout the discharge process. In today's vote, I gave my backing to the request for discharge regarding the implementation of the European Union general budget for the financial year 2009, Section VIII – European Ombudsman. The Court of Auditors, which is responsible for external financial control, said that following careful assessment of the budget it had received reasonable assurances as to the reliability of the annual accounts for the financial year 2009 and the legality and regularity of the pertinent transactions. I also applaud the Ombudsman's decision to publish his annual declaration of interests, including on the Ombudsman's own website, and I should like to join the Court of Auditors in praising the quality of the annual activity report submitted by the Ombudsman.

David Martin (S&D), *in writing*. – I voted to give discharge to the Ombudsman and note, with satisfaction, that in 2009 the Ombudsman was able to help with almost 77% of all complaints and dealt with 70% of inquiries in less than one year, and I welcome the fact that the average length of inquiry was reduced to 9 months (from 13 months in 2008).

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 287 of the Treaty on the Functioning of the European Union, I voted for this decision, which grants the European Ombudsman discharge in respect of the implementation of its budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the European Ombudsman discharge in respect of the implementation of the budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution Parliament grants discharge to the European Ombudsman for the implementation of the budget for the financial year 2009. I would like to stress that Parliament welcomes the fact that in 2009 the Ombudsman was able to help with almost 77% of the complaints and that he dealt with 70% of the investigations in less than one year. We welcome the fact that the average length of inquiry was reduced to nine months (compared to 13 months in 2008).

Report: Crescenzo Rivellini (A7-0117/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the decision to grant the European Data Protection Supervisor discharge in respect of the implementation of its budget for the financial year 2009. The Court of Auditors indicated in its annual report that the audit did not find any significant gaps as regards the EDPS. In the course of preparation of the Annual Report concerning the financial year 2009, the Court of Auditors performed an in-depth assessment of supervisory and control systems in the EDPS. This included the examination of an additional sample of transactions involving payments relating to human resources and to other administrative expenditure. The Court of Auditors found that under certain circumstances the EDPS may run the risk of making incorrect payments to staff. I endorse the suggestion of the Court of Auditors that EDPS staff should be requested to submit at appropriate intervals documents proving their personal situation, and that the EDPS should improve its system for the timely monitoring and control of those documents.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2009 since, despite the fact that some data was controversial and less transparent than required, the EDPS has shown willingness to commit itself to undertaking further ex-post verification processes from 2011 onwards.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the conclusions of the audit by the Court of Auditors, whose annual report notes that the audit did not give rise to any significant observations. I also welcome the annual publication of declarations of the financial interests of the institution's elected members, with relevant information on remunerated tasks and activities, or professional activities that are subject to declaration. Finally, I welcome the rapporteur's conclusion on the request made to the European Data Protection Supervisor to include a chapter in its next annual activity report – financial year 2010 – including detailed information on the follow-up during the year to Parliament's discharge decisions.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Data Protection Supervisor (EDPS) but I note the Court of Auditors findings that the EDPS had not put in place a system of ex-post verification, where appropriate, as required by the Financial Regulation, and that the standards of internal control adopted by the EDPS did not provide for exceptions to standard financial procedures to be duly recorded in a central register.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 287 of the Treaty on the Functioning of the European Union, I voted for this decision, which grants the European Data Protection Supervisor discharge in respect of the implementation of its budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution, Parliament grants discharge to the European Data Protection Supervisor for the execution of its budget for the financial year 2009. I would underline that Parliament welcomes the fact that in the

course of preparation of the Annual Report concerning the financial year 2009, the Court of Auditors performed an in-depth assessment of supervisory and control systems in the Court of Justice.

Report: Georgios Stavrakakis (A7-0149/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report. The Court of Auditors has again drawn the European Parliament's attention to a large volume of carryovers of unspent funds by several agencies in the financial year 2009. I agree with the rapporteur that the agencies concerned should step up their efforts to improve financial and budgetary planning and programming. I also believe that the agencies' expenditure should be predictable and a solution that respects the annuality principle of the Union budget should be found. The agencies should strengthen their internal controls to make sure that contracts and procurement procedures are correctly applied. Furthermore, it is important to fully guarantee the independence of agency staff and experts. The Commission should provide Parliament with a detailed overview of the criteria applied in order to ensure the independence of recruited staff. I agree that each agency should establish a multiannual work programme, in accordance with the Union strategy in the sector it deals with. The multiannual work programme is important for enabling an agency to better organise its activities, provide an enhanced risk-assessment of its activities, and make effective organisational arrangements to implement its strategy.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of authorising discharge of the 2009 budget for the performance, financial management and control of EU agencies since I find the report to be objective, serious and independent. The critical issues are adequately highlighted, as are the positive elements.

With reports of this standard, as long as its contents are followed up over the coming years, the quality of EU administration can only increase, invalidating the grounds for complaints from critics of the European Union.

Diogo Feio (PPE), *in writing*. – (PT) In the last few years, there has been an unprecedented increase in the number of agencies, so the Interinstitutional Working Group on Agencies is crucial, as is the forthcoming special report by the Court of Auditors, with a study on these agencies' performance and a comparative analysis of their costs. It is important to mention the innumerable weaknesses found by the Court of Auditors, and for their extent to be rapidly scaled back.

I therefore agree with the rapporteur on the need to improve the transparency of estimates and responsibility of projects; to strengthen their procurement authorisation at the financing decision and work-programme level; to correct failings in the recruitment of personnel, and increase its objectivity and transparency; and to implement and comply with the Financial Regulation to which they are subject.

Finally, I would like to congratulate the rapporteur on his work, and I call on all the agencies to include the conclusions that have been adopted.

Bruno Gollnisch (NI), *in writing*. – (FR) Every year, the European Parliament adopts a report on the European agencies to accompany the debates on budgetary discharge. And every year it is the same finding: waste, shortcomings in recruitment and public procurement procedures, carryovers and cancellations of too numerous appropriations ... It is not

necessary to uncover fraud, as at the European Economic and Social Committee, to reach a verdict of mismanagement.

Every time, however, Parliament pretends to see progress, and grants discharge. What is worse, it never calls into question the Commission's policy of outsourcing to these agencies, which appears to be aimed less at effectively implementing the European Union's policies than at providing every major city in the Union with its own small share of European institutions. The nagging question of whether these agencies are effective and useful unfortunately remains unanswered, year after year.

The few agencies that analyse their performance do so in accordance with the procedures and processes that are imposed on them and not in relation to concrete results. The agencies are useful above all ... to the agencies. That is why we refused to grant discharge to a number of them and abstained on the resolutions that accompanied them.

Cătălin Sorin Ivan (S&D), *in writing*. – I support the report of Georgios Stavrakakis on the performance, financial management and control of EU agencies because mainly it stresses the need to encourage the agencies to develop, and then regularly update, a comprehensive situation outlining their financial circuits and the responsibilities of the financial and operational actors. In addition, it reminds the agencies of the importance of fully guaranteeing the independence of their staff and experts. It argues, overall, for a more constructive and transparent process.

Giovanni La Via (PPE), *in writing*. – (IT) I commend the work carried out by the rapporteur, Mr Stavrakakis, and all those who participated in the drafting of the texts relating to the granting of discharge for the financial year 2009. We can say, in general terms, that the results achieved in 2009 are better than the previous results. Nevertheless, it is true that even with respect to the current financial year, the Court of Auditors has noted, in more than one agency, a high level of carryovers and cancellations of operational appropriations and a high number of transfers. Some agencies have also shown a number of weaknesses in procurement procedures. Certainly, the present context of severe economic crisis must be taken fully into consideration when reviews and assessments are undertaken, but it is also important to highlight the need for a general improvement in the management of subsidies.

Monica Luisa Macovei (PPE), *in writing*. – I voted in favour of the report '2009 discharge: performance, financial management and control of EU agencies' in order to acknowledge that the functioning of all EU agencies needs to be further improved. The discharge procedure for the financial year 2009 revealed that immediate actions are required with regard to transparency and efficiency. For transparency in EU agencies to be improved, all 21 Agencies and the Commission must publish a list of all contracts awarded over the last three years as well as a report of the staff members changing jobs from one agency to another, and they must enact stricter rules regarding conflicts of interest as soon as possible.

Moreover, for the future discharge procedures, the Director of each EU agency should make available to Parliament its report from the Internal Audit Service. To enhance greater efficiency in the functioning and expenditure of the EU agencies, genuine consideration must be given to the possibility of merging Governing Boards for agencies working in related fields. Furthermore, the Commission should deliver an assessment of the feasibility of merging EU agencies with overlapping activities.

David Martin (S&D), *in writing*. – I voted for this Report but am concerned by the Court of Auditors' findings that several agencies had deficiencies in procurement procedures. I call on the agencies to strengthen their internal controls to make sure that contracts and procurement procedures are correctly applied. Parliament is not ready to accept the chronic inability to put in place a control system which avoids or detects in time persistent errors undermining the legality and regularity of the agency's transactions.

I urge, in this respect, the agencies to:

- improve the transparency of estimates and responsibility of projects;
- strengthen their procurement authorisation at the financing decision and work-programme level;
- ensure that the disclosure of exceptions in their Annual Activity Report is made in a comprehensive manner;
- ensure adequate follow up of potential irregularities;
- develop and report on ex-post controls.

Véronique Mathieu (PPE), *in writing*. – (FR) I voted in favour of the report on the 2009 discharge: performance, financial management and control of EU agencies. If we want Parliament to play its role of discharge authority seriously, the MEPs must be given access to more comprehensive and detailed information on the budgetary and financial management of the agencies. We note that the responsibilities are shared, but they also seem to be diluted. Thus, the European Commission, despite being represented within the management boards, reminds us, on the subject of the accounting errors made by the European Police College (CEPOL), that an agency is 'an entity with its own legal personality and has a fully administrative autonomy, which includes financial autonomy.' Yet the management board sometimes delegates sole administrative responsibility to the Executive Director. Finally, the European Parliament decides whether or not to grant discharge to an agency, on the basis of the fairly brief reports by the external auditor, and depends on the goodwill of the Executive Director to be given additional information. I believe it is imperative to fill this gap in the legislation on Internal Audit Service (IAS) reports on the agencies and to propose a solution that will see Parliament granted real powers.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – I note that the Court of Auditors has once again drawn attention to a large volume of carryovers and cancellations of operational appropriations by several agencies in the financial year 2009. I also note the existence of unused budget lines and the high number of transfers in some of the agencies, and I would call on the agencies concerned to step up their efforts to improve financial and budgetary planning and programming.

Report: Georgios Stavrakakis (A7-0150/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and agree that the European Parliament should postpone its decision to grant discharge in respect of the implementation of budget of the European Police College for the financial year 2009. In its report the Court of Auditors again qualified its opinion on the legality and regularity of the underlying transactions. The College demonstrates a persistent lack of compliance with the Financial Regulation with regard to public procurement rules. A significant amount of the College's total budget contains irregularities. The Court of Auditors identified severe

shortcomings in the administrative and financial rules governing expenditure on the organisation of courses and seminars, which accounts for a major proportion of the College's operational expenditure. I agree with the rapporteur that it is unacceptable that the revised College's Financial Regulation has never entered into force and, as a result, all engagement contracts signed were illegal. In the interest of fostering transparency, the College should provide direct access to its budget, which should include a list of its contract and procurement decisions, and should be published on the College's website.

Lara Comi (PPE), *in writing*. – (IT) I have voted against granting discharge for 2009 for the European Police College, as proposed by the rapporteur, because not even I am convinced by the irregular procedures adopted in the period under review. I consider that more details are required to provide a deeper and more detailed explanation showing the regularity of the accounts.

Marielle De Sarnez (ALDE), *in writing*. – (FR) For the second year in a row, we have been unable to grant discharge to the European Police College (CEPOL) for the financial year 2009. The multiannual action plan that was devised following the identification of the agency's management problems lacks clarity, and the monitoring report fails to give us a proper understanding of the measures put in place. The College admittedly performed better in 2010, following the departure of its former Director, Ulf Göransson, who has been taken to task by the European Anti-Fraud Office (OLAF) and the Court of Auditors for his irregular, indeed fraudulent, expenditure. However, it is still unacceptable that this agency, founded in 2006, has yet to meet the criteria of good administration. We must give thought to the very structure of CEPOL, which is clearly too small to function autonomously given the complex rules it must observe as an agency. We must also question why this agency, the role of which is to organise training seminars for national senior police officers, should require its own headquarters rather than be attached to Europol, the Hague-based European Police Office, which everyone praises for its effective services.

Giovanni La Via (PPE), *in writing*. – (IT) With this vote the European Parliament has decided not to grant discharge in respect of the implementation of the budget of the European Police College for the financial year 2009 but to postpone the decision. In effect our decision is based on the considerations of the Court of Auditors, which issued an opinion with reservations on the legality and regularity of the transactions underlying the budget of the European Police College, by reason of the fact that the procurement procedures did not conform to the provisions of the financial regulation. Therefore I support the request to the College and its Governing Board to inform the discharge authority, by 30 June 2011, of the actions undertaken and improvements made in relation to all the irregular and/or incomplete points raised in the course of this procedure.

Monica Luisa Macovei (PPE), *in writing*. – The report on the 2009 discharge for the European Police College provided for the postponement of the discharge. I voted in favour of this report in order to acknowledge the structural problems that the College has been facing for many years now.

For the financial year 2009, almost half of the money carried over to 2009 was not spent, and 43% of the 2009 budget was carried over to 2010. The European Court of Auditors stated that implementation of the College's budget is hampered by severe and recurrent weaknesses in its programming and monitoring. Moreover, serious and repeated violations of public procurement rules were identified: five procurement procedures – worth a total

of EUR 455 111 – failed to comply with the rules. Transparency also remains a matter of concern, since irregularities continue to affect staff selection.

Likewise, I consider unacceptable the lack of investigation of the former Director in relation to his responsibilities concerning College appropriations that have been used to finance private expenditure. Therefore, I advocate the merger of the College into Europol as the best way of achieving greater efficiency in expenditure and tackling the College's structural and chronic problems.

Véronique Mathieu (PPE), *in writing.* – (FR) I voted in favour of postponing the decision to grant discharge for the financial year 2009: the Court of Auditors again qualified its opinion with regard to the legality and regularity of the transactions underlying the accounts for the financial year 2009. In particular, the Court identified severe shortcomings in the enforcement of the financial rules on public procurement and of the rules governing expenditure on the organisation of courses. The report notes that payment appropriations, equivalent to 43% of the total budget, were carried forward to 2010, which is at odds with the principle of annuality. We would like the agency to inform Parliament of the actions taken and the improvements made, and we call on the Court of Auditors to conduct a specific audit on the implementation of the European Police College's action plan. Together with my colleagues, I propose that the College merge with Europol in the Hague. I have my doubts about the College's ability to resolve structural problems linked to its small size, the relocation of its secretariat to Bramshill (70 km from London) and its high governance costs.

Paulo Rangel (PPE), *in writing.* – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Police College (EPC) for the financial year 2009, together with its replies, I voted for this decision, which postpones granting the Director of the EPC discharge in respect of the implementation of the EPC's budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This postpones the closure of the accounts of the European Police College for the financial year 2009.

Licia Ronzulli (PPE), *in writing.* – (IT) With today's resolution the European Parliament has postponed the decision granting budgetary discharge to the Director of the European Police College. In its reports on the annual discharge for 2006 and 2007 the Court of Auditors issued a qualified opinion on the legality and regularity of the transactions underlying the budget of the European Police College, by reason of the fact that the procurement procedures did not conform to the provisions of the financial regulation. In particular, Parliament is concerned that the Court of Auditors pointed to serious deficiencies in the administrative and financial rules governing expenses for the organisation of courses and seminars, which represent a large proportion of the College's operational expenses.

Angelika Werthmann (NI), *in writing.* – (DE) I voted for the postponement of the discharge. In view of the inglorious history of the European Police College's financial conduct, it is essential that a detailed review is carried out. In this connection I also consider it regrettable that the debate on the – in my eyes sensible – incorporation of the College into EUROPOL has subsided again.

Report: Georgios Stavrakakis (A7-0119/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and agree with the European Parliament's decision to grant discharge in respect of the implementation of the budget of the Translation Centre for the Bodies of the European Union for the financial year 2009. The Court of Auditors judged that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I welcome the Centre's plan to carry out a mid-term review of its Strategy 2008-2012. I agree with the rapporteur that the Centre should further develop the evaluation of its performance by improving the links between its strategic actions and the actions foreseen in its Work Programme and by reviewing indicators for monitoring its performance in order to comply with SMART criteria. The Centre should also take more effective action on the constant expenditure growth in its budget.

Lara Comi (PPE), *in writing*. – (IT) I have voted in favour of granting budgetary discharge to the Translation Centre for the Bodies of the European Union for 2009 because in this report I have found high precision, great transparency and a notable orientation towards results.

Diogo Feio (PPE), *in writing*. – (PT) I welcome and agree with the rapporteur's observations, and I congratulate the Translation Centre for the Bodies of the European Union on the work it does. I also welcome the decision made by the centre to carry out a midterm review of its Strategy 2008-2012, and congratulate it on its excellent performance, with a 41% rise in its translation services in relation to 2008.

Giovanni La Via (PPE), *in writing*. – (IT) I wish first of all to thank the rapporteur for the outstanding work done. As is known, financial control of the execution of the Community budget takes place at three levels: internal control, within each institution; external control by the European Court of Auditors; and the discharge procedure of the European Parliament. With today's vote, the financial control procedure is concluded with the granting of discharge in respect of the implementation of the budget for 2009 of the Translation Centre for the Bodies of the European Union, the accounts of which are legal and regular. Lastly, I would like to congratulate the Centre for submitting to the Court of Auditors a comparison of its operations carried out in the course of 2008 and 2009, allowing the discharge authority to make a better evaluation of the performance of the Centre from one year to the next.

David Martin (S&D), *in writing*. – I voted to give discharge to the Translation Centre. However, I call on the Centre to take more effective measures to remedy its constant rise in surplus; I note, in fact, that for several years the Centre has had an accumulated budget surplus contrary to Regulation (EC) No 2965/94, and that in 2009 the surplus amounted to EUR 24 000 000, whereas it had been EUR 26 700 000 in 2008, EUR 16 900 000 in 2006, EUR 10 500 000 in 2005 and EUR 3 500 000 in 2004; I observe that this surplus is mainly linked to the lack of precision in the forecasts for translation requests received from its clients. I welcome, nevertheless, the Centre's initiative to refund EUR 11 000 000 to its clients in 2009; and I stress that similarly, in 2007, the Centre had already refunded EUR 9 300 000 to its clients

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the Translation Centre for the Bodies of the European Union for the financial year 2009, together with the centre's replies, I voted for this decision, which grants the Director of the Translation Centre for the Bodies of the European Union

discharge in respect of the implementation of the centre's budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the Translation Centre for the Bodies of the European Union discharge in respect of the implementation of the centre's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution the European Parliament has granted budgetary discharge for 2009 to the director of the Translation Centre for the Bodies of the European Union. The European Parliament welcomes the fact that the Centre will carry out a mid-term review of its strategy for 2008-2012; however, it invites the Centre to further develop the appraisal of its own performance, by improving the synergies between its strategic activities and the activities foreseen in its work programme and by reviewing the indicators for monitoring its performance in order to comply with SMART criteria.

Angelika Werthmann (NI), *in writing*. – (DE) I voted in favour of the discharge. The Translation Centre was established in 1994 to cope with the challenges presented by the multilingual nature of the EU – one of its essential features and proof of its cultural diversity. The agency is self-financing from payments made by the institutions/bodies for services provided. The European Court of Auditors has stated that it has obtained reasonable assurances that the annual accounts for 2009 are legal and regular.

Report: Georgios Stavrakakis (A7-0106/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and the decision to grant discharge in respect of the implementation of the budget of the European Centre for the Development of Vocational Training for the financial year 2009. The Court of Auditors judged that the Centre's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. In 2011 the Centre intends to make available Gantt charts for all key operational activities. These charts outline the amount of time spent by each staff member on a project and encourage an approach geared towards achieving results. In 2009, the Centre introduced a performance measurement system (PMS) in respect of its medium term priorities 2009-2011 and its annual work programme. The introduction of a PMS helps the Centre manage and evaluate its impact, efficiency, effectiveness and relevance. I agree with the rapporteur that the institution should continue to improve programming and monitoring and to respect the principle of annuality. Furthermore, the Centre must apply more effectively the budgetary principles of specification and transparency.

Lara Comi (PPE), *in writing*. – (IT) I have voted in favour of granting discharge for 2009 in respect of the implementation of the budget of the European Centre for the Development of Vocational Training because the Centre has managed its funds soundly and in line with previous forecasts.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the report on discharge in respect of the implementation of the budget of the European Centre for the Development of Vocational Training for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. With a view to more efficient financial management in the future, the centre should submit a comparison of the operations during the year in progress and those of the previous year, to allow the authority responsible for discharge to assess its year-on-year performance more effectively.

Diogo Feio (PPE), *in writing*. – (PT) I am pleased that the Court of Auditors has declared the operations underlying the centre's annual accounts for the financial year 2009 to be legal and regular. I would congratulate the centre for introducing a performance measurement system (PMS) in 2009, and on the introduction of changes in its recruitment procedures following remarks by the Court of Auditors in its 2009 report; these have contributed to improved transparency. I welcome and agree with the rapporteur's observations, and I congratulate the European Centre for the Development of Vocational Training on the work it does.

Giovanni La Via (PPE), *in writing*. – (IT) With today's vote I have supported the request for budgetary discharge for 2009 for the European Centre for the Development of Vocational Training. The Court of Auditors, which is responsible for external financial control, following a thorough assessment of the Centre's accounts, has declared that it has obtained reasonable assurance that the accounts for 2009 are reliable and that the underlying transactions are legal and regular. I also wish to applaud the work done by the European Centre as the first to voluntarily undertake a pilot audit on its ethical framework in 2009.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Centre for the Development of Vocational Training. I congratulate the Centre for introducing a performance measurement system (PMS) in 2009 in respect of its 2009-2011 medium term priorities and its annual work programme, and for having set up a framework of performance indicators to monitor progress and measure output, outcome and impact; I consider, in particular, that the introduction of a PMS helps the Centre manage and evaluate its impact, efficiency, effectiveness and relevance; I believe, furthermore, that this system could include further improvements to the activity-based budget and closer monitoring of payment appropriations to avoid carryovers.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Centre for the Development of Vocational Training discharge in respect of the implementation of the centre's budget for the 2009 financial year.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Centre for the Development of Vocational Training for the financial year 2009, together with the centre's replies, I voted for this decision, which grants the Director of the European Centre for the Development of Vocational Training discharge in respect of the implementation of the centre's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution, the European Parliament grants discharge to the Director of the European Centre for the Development of Vocational Training for the implementation of the Centre's budget for 2009. The European Parliament expresses its satisfaction that the Court of Auditors has stated that the transactions underlying the Centre's annual accounts for the 2009 financial year are legal and regular.

Angelika Werthmann (NI), *in writing*. – (DE) I voted in favour of the discharge. The European Court of Auditors was able to confirm that the annual accounts for 2009 were legal and regular. The Centre, which was established in 1975 and carries out analyses of vocational training systems as well as providing information for policy, research and practice in this area, is needed more than ever in these times when concerns are being raised as regards the level of training and the threatened shortage of skilled labour. Only

its remote base in Greece, which makes it necessary to have a contact office in Brussels, should be reconsidered.

Report: Georgios Stavrakakis (A7-0118/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the Community Fisheries Control Agency for the financial year 2009. The Court of Auditors judged that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. In 2010 the Agency adopted its multiannual work programme for 2011-2015. This document is important for ensuring that the Agency can make effective organisational arrangements to implement its strategy and achieve its goals. I agree with the rapporteur that the Agency should set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the European Parliament to assess the Agency's performance from one year to the next more effectively. The Agency should improve its annual work programme by including specific and measurable objectives both at policy area level and at operational activity level. The Agency should also redress its weaknesses in recruitment planning.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for discharge of the implementation of the budget of the Community Fisheries Control Agency for the financial year 2009 after seeing the analysis the Court of Auditors is undertaking, which states that its actions are legal and regular. Of its activities, I would stress the adoption of its multiannual work programme.

Lara Comi (PPE), *in writing*. – (IT) I have voted in favour of budgetary discharge for the Community Fisheries Control Agency for 2009 because I appreciate the correctness, clarity and transparency of the accounts and the efficiency deriving from comprehensible and feasible planning.

Diogo Feio (PPE), *in writing*. – (PT) I am pleased with the decisions detailed in the Court of Auditors' report that the underlying transactions are legal and regular. I would congratulate the Community Fisheries Control Agency (CFCA) on adopting a multiannual work programme for 2011-2015 which will enable the better organisation and realisation of the proposed goals, as well as the creation of the Internal Audit Structure (IAS), which is an internal audit mechanism specialising in support and advice to the Executive Director of the CFCA and its management.

I welcome and agree with the rapporteur's observations, and I congratulate the CFCA on the work it does.

João Ferreira (GUE/NGL), *in writing*. – (PT) Implementing control and inspection measures in relation to the application of the common fisheries policy (CFP) in its own exclusive economic zone should be a competence of the Member States, and as such they should be given adequate and sufficient backing, to which the European Union should contribute.

We do not deny the need for there to be ways for the various Member States to cooperate, link up and coordinate their activities to control and combat illegal fishing, but we were sceptical of the benefits of creating the Community Fisheries Control Agency (CFCA) because we believe that some of its competences clash with those of the Member States.

This is a centralisation that, apart from anything else, is not beneficial in terms of the necessary effectiveness of control activities.

We have also stated our disagreement in terms of the representativeness of the Administrative Board of the CFCA, its operational model and the excessive weight that the European Commission has within it, namely in terms of its voting system. Furthermore, we would now say that if the CFCA is allocated a budget of EUR 10 100 000 (financial year 2009), the Member States are already being denied the possibility that the EU contribution to financing control activities could increase, in line with the proposal we tabled recently in Parliament, which was, unfortunately, rejected by the majority.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) Implementing control and inspection measures in relation to the application of the common fisheries policy (CFP) in its own exclusive economic zone should be a competence of the Member States. As such, they should be given adequate and sufficient backing, to which the European Union should contribute.

We do not deny the need for there to be ways for the various Member States to cooperate, link up and coordinate their activities to control and combat illegal fishing, but we were sceptical of the benefits of creating the Community Fisheries Control Agency (CFCA) because we believe that some of its competences clash with those of the Member States. This is a centralisation that, apart from anything else, is not beneficial in terms of the necessary effectiveness of control activities.

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Pat the Cope Gallagher (ALDE), in writing. – (GA) The Community Fisheries Control Agency was founded in 2005 to ensure that the common fisheries policy rules are complied with by Member States. The Agency, which is located in Vigo in Spain, is very important in terms of fisheries control and coordination of Member States. It is a good thing, in my view, that the Agency has adopted the multiannual work programme for 2011-2015, as recommended in the Europe 2020 Strategy.

The multiannual work programme will contribute to regional cooperation and to the sharing of resources under the deployment plans, something which will improve cost effectiveness. I welcome the decision of the Court of Auditors to grant discharge, and it is clear that the Committee on Fisheries, which accepted an Opinion from me on this issue, is of the same mind.

Juozas Imbrasas (EFD), in writing. – (LT) I endorsed this document, as the Committee responsible decided to approve the closure of the accounts of the European Aviation Safety Agency for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. However, the Agency should remedy the shortcomings in the programming of its activities so that in future the procedures for drafting the budget are sufficiently rigorous and obviate any need to increase and/or decrease

the appropriations against its budget headings. Furthermore, the Agency has not yet drawn up a multiannual work programme. I therefore believe that it is necessary to take the current observations into account.

Giovanni La Via (PPE), *in writing*. – (IT) Both the Court of Auditors and the Committee on Budgetary Control have delivered a positive opinion on the implementation of the budget of the Community Fisheries Control Agency. For these reasons Parliament has today voted to grant budgetary discharge for 2009. The controls carried out have shown that the Agency's budget is reliable and the underlying transactions are legal and regular. I wish, however, to point to the presence of some weaknesses, above all, in recruitment planning, in respect of which I hope a rapid improvement can be made in the procedures relating to future financial years.

David Martin (S&D), *in writing*. – I voted to give discharge to the Community Fisheries Control Agency. Nevertheless, I urge the Executive Director of the Agency to fully fulfil his obligation to include, in his report to the discharge authority summarising the Internal Audit Service (IAS) Report, all recommendations made (including the ones which could be possibly refused by the Agency) and all action taken on these recommendations; I call therefore on the Executive Director of the Agency to provide information on the content of the IAS's four 'very important' recommendations and the action taken by the Agency.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) This report discharges the accounts of the Community Fisheries Control Agency (CFCA) in relation to its activities for 2009, renewing the discharge granted by the European Parliament on 5 May 2010, in relation to the implementation of the CFCA's budget for the financial year 2008.

As the Court of Auditors has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular, and as a delegation from the Committee on Fisheries visited the CFCA in June 2010 and was very satisfied with the general state of its affairs, particularly the execution of the Joint Deployment Plans, I believe Parliament should adopt this report.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the Community Fisheries Control Agency (CFCA) for the financial year 2009, together with CFCA's replies, I voted for this decision, which grants the Executive Director of the CFCA discharge in respect of the implementation of the CFCA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the Community Fisheries Control Agency discharge in respect of the implementation of the agency's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution the European Parliament grants budgetary discharge 2009 to the Executive Director of the Community Fisheries Control Agency. The European Parliament congratulates the agency on adopting a multiannual work programme for the period 2011-2015 and underlines the importance of such a document for the Agency to adopt efficient organisational arrangements with a view to implementing its strategy and achieving its goals.

Angelika Werthmann (NI), *in writing*. – (DE) I voted in favour of the discharge. The European Court of Auditors has stated that it has obtained reasonable assurances that the annual accounts for 2009 are legal and regular, and the revision of a multiannual work

programme carried out in 2010 as well as the start of an initiative to review its budget procedure convince me that the Community Fisheries Control Agency is implementing the recommendations it has received. In terms of what it is doing, the Agency – which was established in 2005 – is performing important – even essential – work, after the failure to achieve any of the aims agreed in 2002 and the fact that the common fisheries policy is considered to have been a failure to date. The Agency will be indispensable in the immediate future in view of the appalling fact that 88% of fish stocks in the EU are being overfished.

Report: Georgios Stavrakakis (A7-0123/2011)

Vilija Blinkevičiūtė (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the European Aviation Safety Agency for the financial year 2009. The Court of Auditors judged that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the Agency should consider making a Gantt diagram part of the programming for each of its operational activities, with a view to indicating in a concise form the amount of time spent by each staff member on a project and encouraging an approach geared towards achieving results. Furthermore, the Agency must implement an activity-based structure for the operational budget in order to establish a clear link between the work programme and the financial forecasts and improve performance monitoring and reporting. The Agency should set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year, so as to enable the European Parliament to assess the Agency's performance from one year to the next more effectively. In addition, a report must be attached to each year's budget on the unspent appropriations carried over from previous years, explaining why those monies have not been used and how and when they will be used. The Agency still demonstrates deficiencies in staff selection procedures, which put at risk the transparency of these procedures. I agree that the Agency must inform the European Parliament on the actions taken to redress this situation and make selection procedures more transparent.

Lara Comi (PPE), *in writing*. – (IT) I have voted in favour of discharge for 2009 for the General Budget of the European Aviation Safety Agency because, in spite of apparently dubious management of the funds available, the Court of Auditors has considered the accounts to be reliable and the underlying transactions legal and regular. Moreover, I agree on the need for the agency to put in place more precise mechanisms for setting its objectives and for evaluating the results.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the decisions outlined in the report by the Court of Auditors that the underlying transactions are legal and regular. I welcome and agree with the rapporteur's observations, and I congratulate the European Aviation Safety Agency on the work it does.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, as the Committee responsible decided to approve the closure of the accounts of the European Aviation Safety Agency for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. However, it expressed concern about the lack of coordination between the needs, staff and financial regulation of the Agency and, in particular, that staff selection procedures made it difficult to recruit appropriately

qualified personnel. I therefore believe that it is necessary to take the current observations into account.

Giovanni La Via (PPE), *in writing.* – (IT) With today's vote budgetary discharge for 2009 has been granted to the European Aviation Safety Agency. Financial control of the implementation of the Community budget takes place at three levels: internal control, within each institution; external control by the European Court of Auditors; and the discharge procedure of the European Parliament. Clearly, every debate on discharge has its own specific context and today's discharge has taken place at a time of economic and financial crisis, which has created both financial and budgetary problems for some Member States. In spite of such conditions, I wish, nonetheless, to express satisfaction at the results achieved by the Agency and have therefore voted in the manner proposed by the rapporteur.

Bogdan Kazimierz Marcinkiewicz (PPE), *in writing.* – (PL) The Agency's work programme for 2010 is a matter of some concern to me. At the same time, I believe that it should be improved by establishing objectives and key performance indicators, as well as a better resource planning system. I would also highlight the need to improve the monitoring system for certification projects to make sure that, over the entire project duration, the fees levied do not deviate significantly from the actual cost. I ultimately decided to lend my support to the granting of discharge in respect of the implementation of the budget of the European Aviation Safety Agency for the financial year 2009.

David Martin (S&D), *in writing.* – I voted to give discharge to the European Aviation Safety Agency but urge the Agency to implement an activity-based structure for the operational budget in order to establish a clear link between the work programme and the financial forecasts and improve performance monitoring and reporting; note that the Agency prepares a multiannual plan every year, discussed with all stakeholders and approved by the Management Board, in which the budget per activity is presented; and acknowledge the view of the Court of Auditors that the structure of the Agency's operational budget (Title III) remained partially input-related and that the budget amendments were made without updating the work programme, even when they had a significant impact on the allocation of human and financial resources

Paulo Rangel (PPE), *in writing.* – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Aviation Safety Agency (EASA) for the financial year 2009, together with the EASA's replies, I voted for this decision, which grants the Executive Director of the EASA discharge in respect of the implementation of the EASA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This grants the Executive Director of the European Aviation Safety Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing.* – (IT) Through today's resolution, Parliament grants the Executive Director of the European Aviation Safety Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament welcomes the fact that the Court of Auditors found the Agency's accounts for the financial year 2009 to be reliable and the transactions to be, in all material respects, legal and regular.

Angelika Werthmann (NI), *in writing.* – (DE) I voted in favour of the discharge. The European Court of Auditors stated that the annual accounts for 2009 were regular and commented positively on the reliability of the accounts. At the same time, I should like to

take this opportunity to emphasise the call in this report for a more transparent staff selection process. In view of the responsible tasks that the European Aviation Safety Agency carries out and the stated difficulties of finding qualified personnel, this should be accorded full consideration.

Report: Georgios Stavrakakis (A7-0107/2011)

Zigmantas Balčytis (S&D), *in writing.* – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Centre for Disease Prevention and Control for the financial year 2009. The Centre is an important institution that can strengthen and develop European disease surveillance and assess and communicate current and emerging threats to human health posed by infectious diseases. The Court of Auditors judged that the Centre's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the Centre must set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year, so as to enable the European Parliament to assess the Centre's performance from one year to the next more effectively. I also agree that the Centre's powers must be strengthened so that the Union has an independent capacity to assess the severity of the risk of infection should a pandemic occur and so that coordination between the Member States can be improved.

Slavi Binev (NI), *in writing.* – (BG) The budget of the European Centre for Disease Prevention and Control for the financial year 2009 increased by 25.3% compared with 2008. If similar growth is recorded in the coming years, how will we cope with the financial crisis with our ever-increasing spending? I think that the EUR 51 million could have been spent more effectively if they had been invested in regional disease monitoring systems in each individual Member State. This will not only help combat infectious diseases, but will also strengthen the healthcare systems in Member States themselves.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of granting 2009 discharge to the European Centre for Disease Prevention and Control because the rapporteur has succeeded in identifying the most significant problems in terms of the transparency and accuracy of the accounts and because I am confident that this important and useful Agency will work on its administration in order to improve the areas pointed out, without undoing the good work that it has already done.

Edite Estrela (S&D), *in writing.* – (PT) I voted in favour of the report on discharge in respect of the implementation of the budget of the European Centre for Disease Prevention and Control for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. I believe it is a very important institution that can strengthen and develop European disease surveillance, and assess and communicate current and emerging threats to human health posed by infectious diseases. I regret, however, that the principle of annuality has not been respected, and that there was a high number of carryovers.

Diogo Feio (PPE), *in writing.* – (PT) I welcome the decisions outlined in the report by the Court of Auditors that the underlying transactions are legal and regular. I would also like to mention the centre's important contribution to the measures combating the pandemic of the H1N1 virus in 2009, not least by publishing preliminary guidelines on the use of specific vaccines against the influenza during the pandemic of the H1N1 virus

in 2009. I welcome and agree with the rapporteur's observations, and I congratulate the European Centre for Disease Prevention and Control on the work it does.

Giovanni La Via (PPE), *in writing*. – (IT) In view of the Court of Auditors' statement that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable, and that the underlying transactions are legal and regular, I voted in favour of granting discharge in respect of the implementation of the budget of the European Centre for Disease Prevention and Control for the financial year 2009. Clearly, every debate on discharge has its own particular context, and the context of today's debate is the economic and financial crisis, which has caused financial and budgetary problems for a number of Member States. However, I think the Centre has done excellent work in strengthening European disease surveillance and assessing and communicating current and emerging threats to human health posed by infectious diseases. Lastly, I should like to congratulate the Centre on its contribution to the measures to fight the H1N1 virus pandemic of 2009.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Centre for Disease Prevention and Control and take the view that the Centre's powers must be strengthened so that the Union has an independent capacity to assess the severity of the risk of infection should a pandemic occur, and so that coordination between the Member States can be improved.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Centre for Disease Prevention and Control (ECDPC) for the financial year 2009, together with the ECDPC's replies, I voted for this decision, which grants the Executive Director of the ECDPC discharge in respect of the implementation of the ECDPC budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Centre for Disease Prevention and Control discharge in respect of the implementation of the Centre's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Centre for Disease Prevention and Control discharge in respect of the implementation of the Centre's budget for the financial year 2009. Parliament calls once more on the Centre to set out, in a table to be annexed to the Court of Auditors' next report, a comparison of the operations that were carried out during the year for which discharge is to be granted and during the previous financial year, so as to enable the discharge authority to assess more effectively the Centre's performance from one year to the next.

Angelika Werthmann (NI), *in writing*. – (DE) I abstained from voting. The European Centre for Disease Prevention and Control performs a very important task and has also justified its existence through its measures to combat the H1N1 pandemic; however, I would have expected the discharge to be postponed until the content of the recommendations by the Internal Audit Service (IAS) that are called for in the report is available – the IAS made one 'very important' recommendation and seven 'important' recommendations – and the Centre has presented a plan for the implementation of these recommendations.

Report: Georgios Stavrakakis (A7-0127/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2009. The Court of Auditors judged that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the Agency must reduce the proportion of carryovers (the Agency has carried forward 29% of the total appropriations) to respect the principle of annuality. I welcome the Agency's initiatives for enhancing its customer focus and feedback procedures and congratulate the Agency for having conducted a stakeholder survey in 2009 and for having increased assistance activities for industry. The Agency must also further develop the planning and monitoring of its procurement and budget execution so as to reduce the proportion of carry forward appropriations. It is noted that the Agency has made a commitment to reduce the carryover of unspent funds to the following year and to limit those carryovers to a considerably lower level as compared to 2008.

Slavi Binev (NI), *in writing*. – (BG) What are we paying this sum of slightly more than EUR 70 million for? For an agency where, according to the Court of Auditors, delays in the operational activities are caused by a lack of qualified staff and difficulties in implementing the IT system? These two aspects are clearly crucial to the effective operation of an agency, but this makes me consider whether the agency can cope with the objectives it has been set in general. I voted against the discharge because, in my view, this money can be spent more effectively than in a poorly operating agency.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 general budget of the European Chemicals Agency since the report shows that, despite several gaps and imperfections in the accounts, partly due to the recent creation of this Agency, its performance in terms of controls and budget management has steadily improved.

Diogo Feio (PPE), *in writing*. – (PT) The European Chemicals Agency (ECHA) contributes to improving the European public's quality of life by guaranteeing the safe use of chemical substances and fostering innovation. In the face of the growing complexity and intensity of the use of and research into these types of substance, I believe the trend will be for the ECHA to become more important, which therefore justifies even closer scrutiny of how it generates the funds at its disposal.

The Court of Auditors has attested to the reliability of its accounts for the financial year 2009 and they seem to be on the road to overcoming all the teething troubles that are almost inevitable with bodies of this type. I hope the ECHA will fulfil the purposes for which it was created, and will improve its budgetary rigour and its capacity for planning.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, as the Committee responsible decided to approve the closure of the accounts of the European Chemicals Agency for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. However, the Court of Auditors highlighted delays in the operational activities caused by difficulties in implementing the IT system and by a lack of qualified staff. I therefore believe that it is necessary to take the current observations into account.

Giovanni La Via (PPE), *in writing.* – (IT) Financial control of the implementation of the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by the European Parliament. Today's vote sees the Executive Director of the European Chemicals Agency granted discharge in respect of the implementation of the Agency's budget for the financial year 2009. I voted in favour because the audits carried out by the Court of Auditors and the Committee on Budgetary Control showed that all the transactions made by the Agency were perfectly legal and regular. Lastly, I congratulate the Agency for having set up an Internal Audit Capability (IAC) to conduct internal audits and advise the Executive Director on risk management and internal control systems by issuing independent opinions and recommendations.

David Martin (S&D), *in writing.* – I voted to give discharge to the European Chemicals Agency but call on the Agency to inform the discharge authority of the steps taken to improve its control system by strengthening its financial circuits, workflows, audits, action plans and risk assessments.

Paulo Rangel (PPE), *in writing.* – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Chemicals Agency (ECHA) for the financial year 2009, together with the ECHA's replies, I voted for this decision, which grants the Executive Director of the ECHA discharge in respect of the implementation of the ECHA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This grants the Executive Director of the European Chemicals Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing.* – (IT) Through today's resolution Parliament grants the Executive Director of the European Chemicals Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament welcomes the Agency's initiatives for enhancing its customer focus and feedback procedures. In particular, Parliament congratulates the Agency for having conducted a stakeholder survey in 2009 and for having increased assistance activities for industry.

Angelika Werthmann (NI), *in writing.* – (DE) I voted in favour of the report by Mr Stavrakakis, in which he calls on the European Court of Auditors to subject the (operationally) young European Chemicals Agency to performance audits. Based on the available data, the discharge of the Agency was recommended, this Agency having already submitted information that will be required of the other agencies in the future (such as an annexed table showing a comparison of figures from two consecutive financial years).

Report: Georgios Stavrakakis (A7-0122/2011)

Zigmantas Balčytis (S&D), *in writing.* – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Environment Agency for the financial year 2009. The Court of Auditors judged that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. The Agency is a reliable provider of independent environmental information for all Union institutions, the Member States and policy-making bodies. I agree with the rapporteur that the Agency must set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year. The Agency must further develop its communication methods in order to attract more media coverage

for its findings and thus feed public debate on important environmental issues. Such measures may lead to a more transparent working method and greater public interest in the Agency's work.

Slavi Binev (NI), *in writing.* – (BG) Why should we fund agencies which fail to implement recommendations made by the Internal Audit Service? In 2006, 27 recommendations were made, of which only nine have been implemented so far. This leads me to think that the European Environment Agency does not operate properly and its funding must be discontinued.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of granting 2009 discharge to the European Environment Agency because I think the work it does is essential in this day and age. I therefore think that the critical issues pointed out do need to be corrected, but without losing sight of long-term strategic goals.

Edite Estrela (S&D), *in writing.* – (PT) I voted in favour of the report on discharge of the budget of the European Environment Agency for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. I consider it a very important institution, specifically in relation to climate change adaptation, ecosystem assessment, sustainable consumption and production, and disaster prevention and management.

Diogo Feio (PPE), *in writing.* – (PT) The goal of the European Environment Agency (EEA) is to make available credible and independent information about the environment. The EEA's mandate includes two aspects: firstly, support for European Union Member States in formulating economic policy that incorporates environmental issues and sustainability; secondly, coordinating environmental information through the Environment Information and Observation Network (Eionet).

Relevant issues justifying close monitoring by the EEA include assessing the state of the environment; identifying environmental trends, including the social and economic factors that environmental pressures are based on; monitoring environmental policies and their effectiveness; and predicting future trends and problems.

João Ferreira (GUE/NGL), *in writing.* – (PT) The rapporteur makes some observations and recommendations that we consider relevant in terms of budgetary processes for the European Environmental Agency (EEA) to take into account. At the same time, it highlights important failings in the EEA's recruitment processes, which call into question the transparency of this process, specifically: the vacancy notices did not specify a maximum number of candidates to be put on the reserve lists, questions used during written tests and interviews were not decided on before the examination of the applications, the decisions of the selection boards were insufficiently documented, thresholds for being invited to interview or put on the reserve list were not set in advance, and minutes were not complete. These are serious failings which urgently need to be corrected.

The EEA can and should have an important role in compiling objective, trustworthy and comparable information on the environment in Europe, and in making it available in an accessible and thorough way. Nevertheless, it is important to be at pains to guarantee better cooperation, linkup and coordination with the competent institutions in the Member States, by promoting synergies and better circulation of information.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, as the Committee responsible decided to approve the closure of the accounts of the European Environment Agency for the financial year 2009. The Court of Auditors reported insufficiently rigorous procedures for drawing up the budget leading to a considerable number of budgetary transfers affecting most of the budget lines (equivalent to 8% of the Agency's budget). It notes, in particular, that some of these transfers led to successive increases and decreases in the same budget headings whereas some appropriations were not used and were transferred to other lines during the year. I therefore believe that procedures for drawing up the budget need to be more rigorous, because a large proportion of the financial resources stem from Union subsidies.

Giovanni La Via (PPE), *in writing*. – (IT) Financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by Parliament. Today's vote sees discharge granted in respect of the implementation of the European Environment Agency's budget for the financial year 2009. I voted in favour because the audits carried out by the Court of Auditors and the Committee on Budgetary Control showed that all the transactions made by the Agency were perfectly legal and regular. In addition, I think the Agency does a very important job and I support the recent efforts made to involve the public more on important environmental matters, such as climate change, biodiversity and the management of natural resources.

David Martin (S&D), *in writing*. – I voted to give the European Environment Agency discharge on its budget. However, I call on the Agency to improve, by the end of the year, the accuracy of the information provided by the operational departments on the estimation of accrued operational expenditure.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Environment Agency (EEA) for the financial year 2009, together with the EEA's replies, I voted for this decision, which grants the Executive Director of the EEA discharge in respect of the implementation of the EEA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the European Environment Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Environment Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament specifically welcomes the Agency as a reliable provider of independent and assured environmental information for all Union institutions, the Member States and policy-making bodies.

Angelika Werthmann (NI), *in writing*. – (DE) I voted in favour of the discharge in view of the fact that the European Court of Auditors stated that it had obtained reasonable assurances that the annual accounts presented for 2009 were legal and regular. The European Environment Agency has performed important work in recent years in providing independent, reliable information and data in the area of the environment, which is a major concern of a large proportion of Europe's citizens, as evidenced by the annual reports of the Committee on Petitions. I also welcome the report's request that the European Court of Auditors undertake performance audits on the Agency.

Report: Georgios Stavrakakis (A7-0146/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the European Food Safety Authority for the financial year 2009. The Court of Auditors judged that the Authority's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the Authority should strengthen the planning and monitoring of budget processes related to differentiated appropriations. The Authority must improve its budget management in order to reduce its high carryover amounts. The Authority also needs to ensure its advice is high quality and independent in order to guarantee compliance with Union safety standards and scientific excellence and independence on all matters with a direct or indirect impact on food and food safety and plant protection.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for this report because the Court of Auditors has stated that it has reasonable assurances that the 2009 accounts for the European Food Safety Authority (EFSA) are reliable and that the underlying transactions are legal and regular, and because on 5 May 2010 Parliament granted the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the EFSA's 2008 budget.

I also voted in favour because, although it should strengthen the planning and monitoring of budget processes, I agree that the EFSA needs to ensure that its advice is of a high quality and is independent, in order to guarantee compliance with Union safety standards, scientific excellence and independence on all matters with a direct or indirect impact on food and feed safety, and plant protection.

Slavi Binev (NI), *in writing*. – (BG) We cannot ignore the fact that for three successive years – 2006, 2007 and 2008 – the European Food Safety Authority carried over a large part of its commitments for operational activities. An even more controversial fact is that the Court of Auditors reported difficulties in the implementation of the agency's 2009 work programme. For these reasons, I think that this agency should not be discharged in respect of the implementation of its budget because European taxpayers do not deserve their money to be spent on an agency which is not coping with the commitments entrusted to it.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 general budget of the European Food Safety Authority, not only because the Court of Auditors has declared that the accounts are reliable and that the underlying transactions are regular and legal, but also because the Agency has allocated some funds from its reserve for the completion of a number of important projects in infrastructure, information technology development and scientific cooperation, for example. However, I think further audits ought to be carried out on the use of some funds and budgetary management ought to be improved in order to reduce the high number of carryovers.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the report on discharge of the budget of the European Food Safety Authority (EFSA) for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. I believe the EFSA should continue to guarantee scientific excellence and independence, meaning there is a need for measures relating to the declaration of interests by EFSA staff and experts working for the EFSA.

Diogo Feio (PPE), *in writing.* – (PT) The work of European Food Safety Authority (EFSA) takes in all stages of food production and supply, from primary production to supplying consumers with food, including the safety of animal feed. It gathers information and analyses new scientific advances, so as to identify and assess all potential risks to the food chain. It can go ahead with a scientific assessment of any issue that could have a direct or indirect impact on the safety of the food supply, including issues related to animal health or welfare, and plant health. If food safety is one of the main requirements and greatest concerns of a market with over 500 million consumers, the way it is assessed and studied requires extremely high levels of professionalism, performance and impartiality. The Union has been advocating the capacity for monitoring types of food ‘from field to fork’, but it is essential to recognise that there is still a lot to do.

Juozas Imbrasas (EFD), *in writing.* – (LT) I endorsed this document, as the Committee responsible decided to approve the closure of the accounts of the European Food Safety Authority for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular.

Giovanni La Via (PPE), *in writing.* – (IT) Firstly I should like to thank everyone who worked on the report and to congratulate the European Food Safety Authority itself, which has respected the need to provide high-quality, independent advice in order to guarantee compliance with safety standards as well as scientific excellence and independence on all matters with a direct or indirect impact on food safety. Unfortunately I have to point out a few difficulties reported by the Court of Auditors following the audits carried out during the implementation of the 2009 work programme. I therefore add my voice to the calls for the Authority to take the necessary measures to remedy these shortcomings which, in any case, have not nullified the general regularity and reliability of the budget for the financial year 2009.

David Martin (S&D), *in writing.* – I voted to give discharge to the European Food Safety Authority, but regret that, for the third successive year, the Court of Auditors pointed out that commitments for operational activities carried over from the previous year had to be cancelled (19 % of commitments for operational activities carried over from 2008, 37 % of commitments for operational activities carried over from 2007 and 26 % of commitments for operational activities carried over from 2006). Parliament urges the Authority to change this situation and to notify the Court of Auditors of the measures taken.

Paulo Rangel (PPE), *in writing.* – (PT) Taking into account the Court of Auditors’ report on the annual accounts of the European Food Safety Authority (EFSA) for the financial year 2009, together with the EFSA’s replies, I voted for this decision, which grants the Executive Director of the EFSA discharge in respect of the implementation of the EFSA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This grants the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority’s budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing.* – (IT) Through today’s resolution Parliament grants the Executive Director of the European Food Safety Authority discharge in respect of the implementation of the Authority’s budget for the financial year 2009. Parliament congratulates the Authority for having set out, in the table annexed to the Court of Auditors’ 2009 report, a comparison of the operations that were carried out during 2008 and 2009

so as to enable the discharge authority to assess more effectively its performance from one year to the next. Parliament also welcomes the fact that the Authority has increased its number of thematic papers and policy briefings.

Angelika Werthmann (NI), *in writing*. – (DE) In the case of the European Food Safety Authority I have not gone along with the rapporteur's recommendation to grant discharge 'on the basis of the data available'; the obvious deficiencies in budget management are simply too serious. The Internal Audit Service (IAS) has made 48 recommendations on grant management, 27 of which even fall into the 'critical' category. In addition, there are concerns regarding possible conflicts of interest and lack of transparency.

Report: Georgios Stavrakakis (A7-0120/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2009. The Court of Auditors judged that the Centre's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I welcome the Centre's initiative to run a computerised network for the collection and exchange of information called the European information network on Drugs and Drug Addiction. This network connects national drug information networks, specialist centres in the Member States and the information systems of international organisations working with the Centre. I agree that the Centre should consider making a Gantt diagram part of the programming for each of its operational activities, with a view to indicating in concise form the amount of time spent by each staff member on a project and encouraging an approach geared towards achieving results. I also believe that it is important for the Centre to improve the programming and the monitoring of activities with a view to reducing carry over to the following year. I welcome the Centre's initiative to provide the European Parliament with the Internal Audit Service's Annual Internal Audit Report on the Centre, because this is a sign of transparency and best practice.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for discharge of the implementation of the observatory's budget for the financial year 2009. As in previous cases, the Court of Auditors has stated that its actions are legal and regular. It should be taken into account that Parliament granted it discharge in May. Its management seems crucial to me, and I was very pleased to welcome the creation of the European Information Network on Drugs and Drug Addiction (REITOX), which enables increased contact between national drug information networks and specialist centres for the sharing of best practices. I view the contribution of a framework for comparison with 2009 and 2008 positively, as it has facilitated the analysis of the increase in its activities.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 general budget of the European Monitoring Centre for Drugs and Drug Addiction as it has managed its resources prudently and in line with expectations. As the report shows, the management can still be improved, above all in terms of cash management and carryover analysis.

Diogo Feio (PPE), *in writing*. – (PT) This monitoring centre has an extremely important role in the European context. Its remit is to provide objective, reliable and comparable information enabling the European Union and its Member States to have a wide-ranging perspective on the phenomenon of drug addiction and its consequences.

Rigour in terms of information means there is a need for equal rigour in accounting. I hope the monitoring centre will not desist from truly and accurately carrying out the mission entrusted to it, and that it will do so whilst managing its budget the best it can. I also hope that any information it gathers will help the Member States to follow closely the causes and consequences of this scourge, and to point to paths and solutions enabling affected Europeans to free themselves from the addiction destroying them and their families.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, as the Committee responsible decided to approve the closure of the accounts of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2009. At the same time, the budget of the Centre was 2.25% less than its budget for 2008.

Giovanni La Via (PPE), *in writing*. – (IT) Financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by Parliament. Today's vote sees discharge granted in respect of the implementation of the budget of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2009. I voted in favour on the basis of the report by the Court of Auditors, which stated that it has obtained reasonable assurances that the accounts are reliable and that the underlying transactions are legal and regular. Lastly, I welcome the Centre's decision to build and run a computerised network for the collection and exchange of information called the European Information Network on Drugs and Drug Addiction. The network will connect national drug information networks, specialist centres in the Member States and the information systems of international organisations working with the Centre.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Monitoring Centre for Drugs and Drug Addiction and, in doing so, welcome the fact that the Centre has further enhanced the annual forecast of its cash needs; notes that this forecast is constantly updated and submitted as a supporting document to the relevant Commission services to justify the Centre's quarterly request for payment of the next instalment of its annual subsidy allocated by the Union.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) for the financial year 2009, together with the EMCDDA's replies, I voted for this decision, which grants the Executive Director of the EMCDDA discharge in respect of the implementation of the EMCDDA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Monitoring Centre for Drugs and Drug Addiction discharge in respect of the implementation of the Centre's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Executive Director of the European Monitoring Centre for Drugs and Drug Addiction discharge in respect of the implementation of the Centre's budget for the financial year 2009. Parliament welcomes the Centre's initiative to run a computerised network for the collection and exchange of information called the European Information Network on Drugs and Drug Addiction. Parliament notes that this network connects national drug information networks, specialist centres in the Member States and the information systems of international organisations working with the Centre.

Angelika Werthmann (NI), *in writing*. – (DE) I voted in favour of the discharge. The annual accounts for 2009 were found to be regular. The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) has been exemplary in the way it administers its budget. The Monitoring Centre has already presented a table comparing financial years 2008 and 2009 – not just the figures (which show a 2.25% reduction in funds compared with 2008), but also the measures implemented. To fully ensure transparency the EMCDDA wishes to present the full report from the Internal Audit Service.

Report: Georgios Stavrakakis (A7-0132/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the European Maritime Safety Agency for the financial year 2009. The Court of Auditors judged that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree that the Agency should consider making a Gantt diagram part of the programming for each of its operational activities, with a view to indicating in a concise form the amount of time spent by each staff member on a project and encouraging an approach geared towards achieving results. The Agency should set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the European Parliament to assess the Agency's performance from one year to the next more effectively. In 2009, the Court of Auditors again noted a high number of budget transfers; therefore the Agency must continue to improve its planning and monitoring in order to reduce the number of budget transfers. The Agency must also take steps to overcome deficiencies in staff selection procedures, which put at risk the transparency of these procedures.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for this report. The Court of Auditors states that this agency's accounts are reliable and that the underlying transactions are legal and regular. In reaching my position, I see the adoption of its five-year multiannual plan as positive, although – as the Court of Auditors says – it should improve budgetary planning and management. However, the assessment of its activities has been positive.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 general budget of the European Maritime Safety Authority because, despite the previous absence of a multiannual programme and significant concern over the high number of budget transfers in 2008, the Agency has shown improvements in its management and, taken as a whole, the Court of Auditors had a positive view of the annual accounts and the underlying transactions.

Diogo Feio (PPE), *in writing*. – (PT) The environmental disasters of the ships *Erika* and *Prestige* have laid bare the need to do more for maritime safety at European level. The agency, which is based in Lisbon, fittingly, has important competences in this area and deserves to be supported in its demanding work. This agency should, however, make efforts to improve its planning and monitoring policies.

Giovanni La Via (PPE), *in writing*. – (IT) Firstly I should like to thank the rapporteur, Mr Stavrakakis, for his excellent work. I voted in favour today of granting discharge to the European Maritime Safety Agency in respect of the implementation of its budget for the financial year 2009. I would, however, like to draw attention to the fact that the Court of Auditors noted a high number of budget transfers in 2009 and add my voice to the request

made to the Agency to work on improving its future budgetary planning and monitoring in order to reduce the number of budget transfers.

Bogdan Kazimierz Marcinkiewicz (PPE), *in writing*. – (PL) I welcome the work carried out by the European Maritime Safety Agency. I also believe that the adoption in March 2010 of a five-year strategy represents progress in terms of its actions and improvements to future work. I therefore decided to vote in favour of granting discharge in respect of the implementation of the budget of the European Maritime Safety Agency for the financial year 2009.

David Martin (S&D), *in writing*. – I voted to grant discharge to the European Maritime Safety Agency for its 2009 budget but call on the Agency to further reduce the number of posteriori commitments (i.e. legal commitments that were entered into before the corresponding budgetary commitments were made); reminds the Agency that, since 2006, the Court of Auditors has reported infringements of Article 62(1) of the Financial Regulation; welcomes, nevertheless, the Agency's efforts to improve this situation by providing ad hoc training to avoid posteriori commitments.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) This report discharges the annual accounts of the European Maritime Safety Agency (EMSA) for the financial year 2009.

As the Court of Auditors has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular, I believe Parliament should adopt this report.

However, it should be stressed that the Court of Auditors has, once again, noted a high number of budget transfers in 2009 (49 in 2009, 52 in 2008 and 32 in 2007), so it is desirable that the EMSA improve its planning and monitoring to thus reduce the number of transfers.

It is also desirable that the EMSA set out, in a table to be annexed to the Court of Auditors' next report, a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year, so as to enable the discharge authority to assess more effectively the EMSA's performance from one year to the next.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Maritime Safety Agency (EMSA) for the financial year 2009, together with the EMSA's replies, I voted for this decision, which grants the Executive Director of the EMSA discharge in respect of the implementation of the EMSA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the European Maritime Safety Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Maritime Safety Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament welcomes the fact that the Court of Auditors found the Agency's annual accounts for the financial year 2009 to be reliable and regarded the transactions underlying them, taken as a whole, as legal and regular.

Dominique Vlasto (PPE), *in writing*. – (FR) With the vote on discharge in respect of the implementation of the budget of the European Maritime Safety Agency (EMSA) for 2009, Parliament has been able to confirm the good governance of that Agency and the use of its appropriations for their intended purpose. I welcome this vote, as it reaffirms Parliament's commitment to the Agency, which plays a crucial role in monitoring and supervising Europe's seas. Given that the pressure on our maritime area is growing, we have a duty to be extremely vigilant regarding its use. Hence I am particularly delighted that the proposals contained in my 2008 report on port State control have become key principles underpinning EMSA's work. They relate, for example, to ship inspections and coordination of the various national control systems by the Agency. The sea is an area that belongs to all Europeans, and it is part of our heritage. By promoting the exchange of good practice, relentlessly combating pollution and illegal activities at sea, and preventing accidents, we will be able to benefit from the sea's growth potential for a long time yet.

Angelika Werthmann (NI), *in writing*. – (DE) The funding of the European Maritime Safety Agency was also cut in 2009, by 3.8%. The Agency's tasks, which include environmental disasters at sea, are of particular importance in view of the state of EU waters. I voted in favour of discharge since the deficiencies listed mainly concerned procurement and staff selection procedures, while the European Court of Auditors gave a positive verdict on the annual accounts for 2009. However, these deficiencies must be remedied in 2010 and the 'very important' Internal Audit Service (IAS) recommendations must all be implemented if discharge is to be warranted in 2010.

Report: Georgios Stavrakakis (A7-0105/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Network and Information Security Agency for the financial year 2009. The Court of Auditors judged that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the Agency should strengthen its internal controls to make sure that contracts and procurement procedures are correctly applied. The Agency must also provide regular information on its financial circuits and the responsibilities of the relevant financial and operational actors. Deficiencies in Agency staff selection procedures still remain and put at risk the transparency of these procedures. The Agency must redress this situation and inform the European Parliament on the actions taken. I also agree that the Agency should put in place ex-post controls with the help of a professional supplier.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for this report. I did so because the Court of Auditors says it has sufficient assurances that the 2009 accounts of the European Network and Information Security Agency (ENISA) are reliable and that the underlying transactions are legal and regular, and because on 5 May 2010 Parliament granted the Executive Director of the ENISA discharge in respect of the implementation of its 2008 budget. However, I accept that it should improve transparency regarding estimates and who has responsibility for projects, procurement procedures, and follow-up of potential irregularities.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge to the European Network and Information Security Agency having read in this detailed report of the regularity of the procedures adopted and of the specific areas that appeared to lack transparency.

Diogo Feio (PPE), *in writing*. – (PT) The dematerialisation of contact between people and the increasing use of Web platforms make it advisable for the European Union to put cyber-safety in the ‘essential’ category. Indeed, ever greater amounts of information are being accumulated on the Internet, and people are making growing use of the net for a most diverse range of their day-to-day activities. Such circumstances bring an exponential rise in the risks of privacy violation and of illicit use of data, information, sounds or images by third parties. The Court of Auditors has attested to the reliability of its accounts, but highlights a range of corrections to be made.

Pat the Cope Gallagher (ALDE), *in writing*. – (GA) Since its foundation, the European Maritime Safety Agency has been giving extremely important support to the European Commission and to Member States, especially in terms of maritime safety and the prevention of pollution from ships.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the European Network and Information Security Agency for the financial year 2009. However, the Court of Auditors found deficiencies in procurement procedures, particularly with regard to the under-estimation of the budgets of a framework contract. The budget of the Agency for the year 2009 was 3.5% less than its budget for 2008. I believe that the current deficiencies must be redressed.

Giovanni La Via (PPE), *in writing*. – (IT) Financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by the European Parliament. Today’s vote sees discharge granted in respect of the implementation of the budget of the European Network and Information Security Agency for the financial year 2009, thereby closing the procedure for 2009. I voted in favour on the basis of the statements made by the Court of Auditors, which has confirmed that it has received reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Network and Information Security Agency and, in doing so, I note with disappointment that there has been no progress since the previous year concerning the refund of EUR 45 000 which is the amount of VAT paid in advance by the Agency to the tax authorities of the host Member State; urges, therefore, the Agency to inform the discharge authority when this refund is made by the host Member State.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors’ report on the annual accounts of the European Network and Information Security Agency (ENISA) for the financial year 2009, together with the ENISA’s replies, I voted for this decision, which grants the Executive Director of the ENISA discharge in respect of the implementation of the ENISA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the European Network and Information Security Agency discharge in respect of the implementation of the Agency’s budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today’s resolution Parliament grants the Executive Director of the European Network and Information Security Agency discharge in respect of the implementation of the Agency’s budget for the financial year 2009.

Parliament underlines that the Court of Auditors has stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular.

Angelika Werthmann (NI), *in writing*. – (DE) I did not vote in favour of the discharge. The deficiencies listed by the Internal Audit Service (IAS) are too numerous and too serious. To name but one: after a re-examination of procurement by the European Network and Information Security Agency more weaknesses were found in this area. The 18 recommendations by the IAS to improve the Agency's services must be implemented comprehensively and without delay. Since the Agency has refused a full five of the 18 recommendations, however, it seems that even the will required for this is lacking.

Report: Georgios Stavrakakis (A7-0125/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the European Railway Agency for the financial year 2009. The Court of Auditors informed the European Parliament that it has obtained reasonable assurances that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that using two locations (Lille and Valenciennes) for carrying out its activities exposes the Agency to additional costs. I therefore believe that action must be taken by the Council to change the decision obliging the Agency to have a double seat. I believe that the Agency should set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the European Parliament to assess the Agency's performance from one year to the next more effectively. I congratulate the Agency, following the Court of Auditors' comments, on implementing a centralised system for registration of incoming invoices. This measure is necessary to ensure the timely recording of all invoices and contributes to avoiding delays in processing payments. I welcome the Agency's initiative to set up an Internal Audit Capability that is dedicated to providing support and advice to its Director and management on internal control, risk assessment and internal audit.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for discharge of the implementation of the budget of the European Railway Agency for the financial year 2009, because Parliament granted its director discharge in May. However, I agree – as the report says – that the carryover of appropriations needs to be better managed because they are in breach of the budgetary principle of annuality. I also agree with the observations by the Court of Auditors about delays in procurement procedures. I have a positive take on the effort made to bring in a centralised system for registration of incoming invoices, which is necessary to improve their management.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 general budget of the European Railway Agency since, as the report shows, it managed its resources well overall. I also agree on the need to make a number of improvements in the area of auditing the accounts and managing the budget in order to reduce the level of carryovers and cancellations, which is still too high.

Diogo Feio (PPE), *in writing*. – (PT) The European railways sector suffers from the incompatibility of national technical and safety rules, representing a serious disadvantage for its development. It is for the agency to reduce this gulf and to establish common safety

objectives. Having two separate headquarters leads to increased costs, which perhaps should not be the case. The delay in carrying out a number of activities calls into question the principle of budgetary annuality, which has caused the carryover of budgetary appropriations.

Juozas Imbrasas (EFD), *in writing*. – (LT) I abstained from the vote on this document, although the Committee responsible decided to approve the closure of the accounts of the European Railway Agency for the financial year 2009. The budget of the Agency for the year 2009 was 16.6% less than its budget for 2008. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. It is worrying that concern was expressed over the weaknesses in procurement procedures revealed by the Court of Auditors' audit – cancellations and delays in procurement procedures, recurrent delays in the execution of payments and significant changes made to the work programme during the year. The Court of Auditors identified shortcomings in the management of the fixed assets' inventory, but notes the Agency's assurance that this will be remedied in the 2010 accounts. I feel that uncertainty about the location of fixed assets is another illustration of the problems and additional costs arising from using two sites. This is also the reason for my abstention.

Giovanni La Via (PPE), *in writing*. – (IT) Through today's resolution Parliament has granted the Director of the European Railway Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Unfortunately, the audit process revealed cancellations and delays in procurement procedures, recurrent delays in the execution of payments and significant changes made to the work programme during the year. I believe that such problems ought to be avoided in future years. To this end, I am very pleased with the Agency's creation of an Internal Audit Capability (IAC) that is dedicated to providing support and advice on internal control.

Bogdan Kazimierz Marcinkiewicz (PPE), *in writing*. – (PL) I voted in favour of granting discharge in respect of the implementation of the budget of the European Railway Agency for the financial year 2009. Nevertheless, I believe that the Council should take steps to eliminate one of the agency's sites, since this is a source of unnecessary additional costs, and the agency does not need two sites to take efficient action. Furthermore, I am concerned by the fact that the agency's staff regulations and their implementing rules have not been followed.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Railway Agency for its 2009 budget. However, I regret the shortcomings in the management of the fixed assets' inventory identified by the Court of Auditors but note the Agency's assurance that this will be remedied in the 2010 accounts; considers that uncertainty about the location of fixed assets is another illustration of the problems and additional costs arising from using two sites.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Railway Agency (ERA) for the financial year 2009, together with the ERA's replies, I voted for this decision, which grants the Executive Director of the ERA discharge in respect of the implementation of the ERA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Railway Agency discharge in respect of the implementation of the agency's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Railway Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament is concerned that the Court of Auditors has again highlighted cancellations and delays in procurement procedures, recurrent delays in the execution of payments and significant changes made to the work programme during the year.

Angelika Werthmann (NI), *in writing*. – (DE) I abstained from voting in this instance because I would have preferred the discharge to be postponed. This report shows that the annual activity report contains insufficient information on the planning, allocation and use of human resources. Moreover, if a report on the non-deployment and planned use of resources is only required for next year, this takes only limited account of the concern expressed by the European Court of Auditors regarding the repeated cancellations and delays in procurement procedures.

Report: Georgios Stavrakakis (A7-0109/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Training Foundation for the financial year 2009. The Court of Auditors informed the European Parliament that the Foundation's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I welcome the Foundation's intention to improve the performance of Vocational Education and Training systems in the Foundation partner countries and to develop a common methodology with international organisations and bilateral donors to improve its role. I feel that the Foundation must set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the European Parliament to assess the Foundation's performance from one year to the next more effectively. I agree with the rapporteur that the Foundation must draw up budgetary procedures more rigorously. This would help avoid the considerable number of budgetary transfers. I also welcome the Foundation's initiative to provide the European Parliament with the Internal Audit Service's Annual Internal Audit Report on the Foundation.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for this report. I did so because the Court of Auditors says it has sufficient assurances that the 2009 accounts of the European Training Foundation (ETF) are reliable and that the underlying transactions are legal and regular, and because on 5 May 2010 Parliament granted the Executive Director of the ETF discharge in respect of the implementation of its 2008 budget. I agree with the entire content of the report and I would highlight the ETF's initiative of providing the discharge authority with the Internal Audit Service (IAS) Annual Internal Audit Report, as it is a sign of transparency to be followed by all other agencies.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge in respect of the European Training Foundation since, as the report underlines, the management of the accounts and the transactions was, taken as a whole, legal and regular. However, I think the lack of transparency in recruitment procedures and the inquiry opened by the European

Anti-Fraud Office (OLAF) are worrying. I hope that the Foundation will take the appropriate action on this issue in order to improve its performance.

Diogo Feio (PPE), *in writing.* – (PT) The objective of the European Training Foundation (ETF) is to contribute to the development of professional training systems, by strengthening cooperation regarding professional training and ensuring the coordination of aid. The activities of the ETF cover candidate countries for accession to the European Union, the countries of the Western Balkans, of Eastern Europe and Central Asia, and Mediterranean partner countries. There is a need for both caution and rigour when spending the available funds on issues related to professional training involving countries in the developing world.

Juozas Imbrasas (EFD), *in writing.* – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the European Training Foundation for the financial year 2009. However, worryingly, concern was expressed over the findings of the Court of Auditors as regards the lack of transparency in recruitment procedures and the intervention of the European Anti-Fraud Office (OLAF), which has opened an inquiry (OF/2009/0370). All deficiencies must be overcome in order to achieve greater transparency and to eliminate any uncertainty concerning the work of the European Training Foundation.

Giovanni La Via (PPE), *in writing.* – (IT) In view of the Court of Auditors' statement that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable, and that the underlying transactions are legal and regular, I voted in favour of granting discharge in respect of the implementation of the budget of the European Training Foundation for the financial year 2009. Clearly, every debate on discharge has its own particular context, and the context of today's debate is the economic and financial crisis, which has caused financial and budgetary problems for a number of Member States. Despite these difficulties, I congratulate the Foundation on its intention to improve the performance of Vocational Education and Training (VET) systems in the Foundation partner countries ('Torino Process') while at the same time undertaking a thorough review of its recruitment procedures.

David Martin (S&D), *in writing.* – I voted to give the European Training Foundation discharge for its 2009 budget and welcome the Foundation's initiative of providing the discharge authority with the IAS Annual Internal Audit Report concerning the Foundation. Parliament considers this to be a sign of transparency and a best practice to be followed by all other Agencies.

Paulo Rangel (PPE), *in writing.* – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Training Foundation (ETF) for the financial year 2009, together with the ETF's replies, I voted for this decision, which grants the Executive Director of the ETF discharge in respect of the implementation of the ETF budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This grants the Director of the European Training Foundation discharge in respect of the implementation of the foundation's budget for the 2009 financial year.

Angelika Werthmann (NI), *in writing.* – (DE) Discharge has been granted. The report comments positively that the 2009 budget provides a true picture of the Foundation's financial situation. The budget was reduced by 0.5% compared with 2008. Further potential savings can be made through increased cooperation with the European Centre for the

Development of Vocational Training (CEDEFOP). The Foundation hopes to deal with the criticised lack of transparency in staff recruitment by means of a thorough review of the process.

Report: Georgios Stavrakakis (A7-0104/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work for the financial year 2009. The Court of Auditors informed the European Parliament that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the Agency must set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the European Parliament to assess the Agency's performance from one year to the next more effectively. I welcome the Agency's initiative of launching foresight on the safety and health impact of technological innovations in green jobs by 2020. I believe that the Agency must reduce the increased cancellation rate and inform the European Parliament of the actions taken. The Agency must also pay particular attention to the commitments still open at year-end with a view to using unspent funds to cover the subsequent financial and legal obligations.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 budget of the European Agency for Safety and Health at Work because I think that, despite some inconsistencies identified by the Court of Auditors in the management of some funds and irregularities with respect to a procurement procedure, it can be said that the management on the whole has been good. Furthermore, I support the Court of Auditors' comments regarding the need for improvements in the programming and monitoring of activities with a view to using the available appropriations as efficiently as possible.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the report on discharge of the budget of the European Agency for Safety and Health at Work for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. The effects of funding from this agency on measures relating to the health and safety of working women should be highlighted.

Diogo Feio (PPE), *in writing*. – (PT) This agency is responsible for providing useful technical, scientific and economic information on health and safety in the workplace to the Union authorities, to the Member States and to interested parties. This information is essential to enable assessment of health and safety conditions in the workplace in the Union, and of what Europe's current best practices in this field are.

Despite the Court of Auditors stating that the agency's accounts are reliable, and the fact that the agency effectively coordinated the network of agencies during the process of discharging the budget for the financial year 2009, the rapporteur singled out that it had not provided sufficient information for comparing actions carried out with subsequent years. I deem such information relevant and there should be an accompanying table annexed to the next report by the Court of Auditors, as is suggested.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the European Agency for Safety and Health at Work for the financial year 2009. The Court of Auditors

identified an irregularity with respect to a procurement procedure (use of a framework contract beyond its maximum value). The Agency's budget for 2009 was EUR 15 100 000, which is an increase of 0.6% from its budget of 2008. I believe that it is necessary for the European Agency for Safety and Health at Work to address the weaknesses in the procurement procedures.

Giovanni La Via (PPE), *in writing*. – (IT) In view of the Court of Auditors' statement that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable, and that the underlying transactions are legal and regular, I voted in favour of granting discharge in respect of the implementation of the budget of the European Agency for Safety and Health at Work for the financial year 2009. Clearly, every debate on discharge has its own particular context, and the context of today's debate is the economic and financial crisis, which has caused financial and budgetary problems for a number of Member States. Notwithstanding these difficulties, I commend the Agency on the progress it has made, despite a few mistakes, and on its effective work as coordinator of the network of Agencies during the 2009 discharge procedure.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Agency for Safety and Health at Work. I welcome the Agency's initiative of providing the discharge authority with the Internal Audit Service (IAS)'s Annual Internal Audit Report. I congratulate the Agency on its considerable progress in this respect. Parliament acknowledges that all 'very important' recommendations issued by the IAS to the Agency were adequately implemented and closed, except the recommendation on validation of accounting systems, which was downgraded to 'important' as a result of its partial implementation; it calls, accordingly, on the accounting officer of the Agency to describe the methodology used in the validation of its accounting system; and it supports the idea of developing cooperation within the existing Inter-Agency Accountants Network in order to come up with common requirements and develop a common methodology for validation of the accounting systems in agencies.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the European Agency for Health and Safety at Work for the financial year 2009, together with the agency's replies, I voted for this decision, which grants the Executive Director of the European Agency for Health and Safety at Work discharge in respect of the implementation of the agency budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Agency for Safety and Health at Work discharge in respect of the implementation of the agency's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Agency for Safety and Health at Work discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament welcomes the Agency's initiative of launching 'foresight' on the safety and health impact of technological innovations in 'green jobs' by 2020. Parliament notes also that data were collected on the safety and health of women at work.

Angelika Werthmann (NI), *in writing*. – (DE) Discharge has been granted. The European Agency for Safety and Health at Work, in which both employers and employees are represented and which advises companies on simple and effective ways to improve working conditions, is struggling with irregularities in the area of procurement as well as with the

budgeting principle of annuality. On the other hand, the Agency has already given its assurance that it will pay particular attention to these difficulties; moreover, it has ensured maximum transparency by providing the Annual Internal Audit Report.

Report: Georgios Stavrakakis (A7-0144/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed discharge in respect of the implementation of the budget of the Euratom Supply Agency for the financial year 2009. The Court of Auditors informed the European Parliament that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. In the absence of an autonomous budget, the Agency is de facto integrated into the Commission. I agree with the rapporteur that this situation is at odds with the Agency's Statutes and that it raises the issue of the need to maintain the Agency in its current form and organisation.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge to the Euratom Supply Agency because it has managed its finances accurately and carefully. However, I think it is necessary, as the report states, to revise the legal position of the Agency, since it is still integrated into the Commission.

Diogo Feio (PPE), *in writing*. – (PT) The European Atomic Energy Community (Euratom) works in areas linked to atomic energy, specifically research, and drawing up guidelines for the safe and peaceful use of nuclear energy. Through the creation of this agency, Euratom aimed to ensure a regular and equitable supply of ores, raw materials and special combustible materials in the European Union. Despite recent concerns deriving from the accident at the Fukushima plant, nuclear energy forms part of the European 'energy mix'. The supply of whatever materials enable the agency's objectives to be achieved is therefore essential if Euratom is to remain active.

The rapporteur has confirmed that the agency is, in fact, part of Euratom and has no budget of its own, which is cause for reflection about the usefulness of it remaining organised as it is. I do not have enough information to adopt a position, but I think that the solution that costs the EU least, and offers the greatest efficiency and transparency, should be chosen.

Catherine Grèze (Verts/ALE), *in writing*. – (FR) When the budget for Euratom is EUR 5.5 billion, compared to EUR 1.2 billion for renewable energy sources, I refuse, on principle, to grant discharge to the management of Euratom. It is about time this trend was reversed, hence I abstained on this report.

Giovanni La Via (PPE), *in writing*. – (IT) Firstly, I should like to thank the rapporteur for the superb work he has accomplished. As we know, financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by the European Parliament. Today's vote concludes the financial control procedure with the discharge granted in respect of the implementation of the 2009 budget of the Euratom Supply Agency, whose accounts were found to be legal and reliable.

David Martin (S&D), *in writing*. – I voted to give discharge to the Euratom Supply Agency. In doing so, I note that, in 2009, the agency did not receive any subsidy to cover its operations. The Commission bore all expenses incurred by the agency for the implementation of the 2009 budget. This situation has persisted since the creation of the agency in 2008. In the absence of an autonomous budget, the agency is de facto integrated

into the Commission. To me, this raises the issue of the need to maintain the agency in its current form and organisation.

Paulo Rangel (PPE), *in writing*. – (PT) Taking into account the Court of Auditors' report on the annual accounts of the Euratom (European Atomic Energy Community) Supply Agency (ESA) for the financial year 2009, together with the ESA's replies, I voted for this decision, which grants the Executive Director of the ESA discharge in respect of the implementation of the ESA budget for the financial year 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director-General of the Euratom Supply Agency discharge in respect of the implementation of the agency's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director-General of the Euratom Supply Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament underlines that the Court of Auditors has stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable, and that the underlying transactions are legal and regular.

Angelika Werthmann (NI), *in writing*. – (DE) I abstained from voting on the discharge of the Euratom Supply Agency, which has the task of ensuring the European Union is provided with fissile materials (including any stores). According to this report, there are currently inconsistencies as regards the present organisation of the Agency and its legal form. This raises the issue of whether the Agency needs to be maintained in its current form and with its current organisation. I would have liked to have seen this matter clarified, particularly in view of the current Europe-wide rethink on nuclear power.

Report: Georgios Stavrakakis (A7-0108/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2009. The Court of Auditors informed the European Parliament that the Foundation's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I welcome the Foundation's intention to set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year. This will enable the European Parliament to assess more effectively its performance from one year to the next. I believe that the ex-post assessment exercise of the Foundation's 2005-2008 work programme is extremely useful for the Foundation. This exercise gives the Foundation helpful lessons and recommendations with regard to the challenges facing its future programming phase. I agree with the rapporteur that the Foundation must further develop its Eurofound Performance Monitoring System to ensure that the results of its performance monitoring are fed back into management decision-making and planning. I also believe that the Foundation must take steps to improve its evaluation and review procedure in the area of procurement to avoid future repetition of the assessment errors and inconsistencies identified by the Court of Auditors. Furthermore, the Foundation must make sure that funds are only used when appropriations are approved.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 budget of the European Foundation for the Improvement of Living and Working Conditions because the audit conducted by the Court of Auditors on the accounts and the

underlying transactions shows that the Foundation has done correct, timely and transparent work. Notwithstanding some weaknesses in recruitment and procurement procedures, I remain steadfast in my belief that there are good prospects for future improvement and that the Foundation is committed to putting them into action.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the report on discharge of the budget of the European Foundation for the Improvement of Living and Working Conditions (Eurofound) for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. Although the Court of Auditors has declared the activities in relation to its annual accounts legal and regular, it should be highlighted that there were major gaps in the first accounts submitted by Eurofound. In future, Eurofound should correctly implement year-end procedures, and respect the deadlines for submitting its accounts, by means of additional training and resources.

Diogo Feio (PPE), *in writing*. – (PT) The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite Union body, set up in 1975 with the aim of contributing to planning and establishing better working and living conditions in Europe. More specifically, it assesses and analyses working and living conditions, it gives authorised opinions and advice to key actors in the field of EU social policy, it contributes to improving quality of life, and it provides information on developments and trends, especially those that bring about changes.

The rapporteur was concerned about the transparency of Eurofound's human resources management, and these concerns were echoed by the other members of the Committee on Budgets. I think there would be advantage in those concerns being dispelled.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2009. The Foundation's budget for the year 2009 was EUR 20 200 000, which is a decrease of 3.8% from the financial year 2008. However, the Court of Auditors revealed errors and anomalies in the evaluation of one open procurement procedure which affected its quality. The Foundation must therefore take steps to improve its evaluation and review procedure to avoid the repetition of such errors in the future. It is regrettable that the Court of Auditors was compelled to comment on the budgetary and financial statement of the Foundation, especially to the effect that the initial provisional accounts presented by the Foundation contained serious shortcomings, pointing to significant weaknesses in the financial organisation of the Foundation. I believe that the observations made and concern expressed must be taken into account and appropriate action taken.

Giovanni La Via (PPE), *in writing*. – (IT) Both the Court of Auditors and the Committee on Budgetary Control issued a positive opinion on the implementation of the budget of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2009. For these reasons, Parliament today voted to grant discharge for the financial year 2009. However, I feel it is important to highlight the presence of some errors and anomalies that the Court of Auditors revealed in its evaluation of one open procurement procedure, which affected its quality. I therefore add my voice to the call for the European Foundation for the Improvement of Living and Working Conditions to take steps to improve its evaluation and review procedure.

David Martin (S&D), *in writing*. – I voted to give discharge to European Foundation for the Improvement of Living and Working conditions but call on the Foundation to make

sure that appropriations are made available only when the corresponding assigned revenue has been received; notes, in fact, that the Court of Auditors reported that, contrary to its Financial Regulation (Article 19), the Foundation's budget did not provide for specific headings for various programmes financed from assigned revenue; notes, moreover, that under a programme financed by assigned revenue, the Foundation committed EUR 184 000, although the assigned revenue actually received was only EUR 29 000. I regret that the Court of Auditors was compelled to comment on the budgetary and financial statement of the Foundation, especially to the effect that the initial provisional accounts presented by the Foundation contained serious shortcomings, pointing to significant weaknesses in the financial organisation of the Foundation; welcomes the Foundation's confirmation that it will ensure, through additional training and resources, that its implementation of year-end procedures and its adherence to the deadlines for the presentation of its accounts is correct

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Foundation for the Improvement of Living and Working Conditions discharge in respect of the implementation of the Foundation's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Foundation for the Improvement of Living and Working Conditions discharge in respect of the implementation of the Foundation's budget for the financial year 2009. Parliament notes that the Court of Auditors revealed errors and anomalies in the evaluation of one open procurement procedure which affected its quality. Parliament therefore calls on the Foundation to take steps to improve its evaluation and review procedure to avoid repetition of such errors in the future.

Angelika Werthmann (NI), *in writing*. – (DE) I abstained from voting on this discharge. The report lists a series of deficiencies, but at the same time it refers to assurances by the European Foundation for the Improvement of Living and Working Conditions that it will effectively remedy these. While this is to be welcomed, in view of the quality of the deficiencies (shortcomings in recruitment procedures were found as far back as 2006, the provisional accounts submitted to the European Court of Auditors contained serious errors resulting from weaknesses in the financial organisation) it is not possible to vote in favour of discharge. Qualified personnel should subject the Foundation in Dublin to a detailed audit, and we should vote on discharge only after the necessary changes resulting from this have been made.

Report: Georgios Stavrakakis (A7-0133/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed discharge in respect of the implementation of the budget of Eurojust for the financial year 2009. According to information provided by the Court of Auditors, Eurojust's annual accounts for the financial year 2009 are reliable and the underlying transactions are legal and regular. I welcome the Agency's initiative to include Key Performance Indicators in its 2010 unit plans. I agree with the rapporteur that the Agency must inform the European Parliament on these key indicators and their links to Eurojust's objectives, budget and work programme. Linking indicators to the objectives, budget and work programme of the Agency will allow stakeholders to evaluate Eurojust's performance better. It is noted that the Court of Auditors did not comment on the level of carryovers and cancellations of appropriations in 2009. I congratulate the Agency on establishing measures to estimate

the market value of relevant products and services before commencing a procurement procedure.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of granting 2009 discharge to Eurojust since, as the report shows, it has managed its resources extremely well and, by using many indicators to explain its financial situation, has also done so extremely transparently. I do however regret the continued requests that the Court of Auditors has had to make regarding public procurement and recruitment procedures, which have still not received an adequate response or solution.

Diogo Feio (PPE), *in writing.* – (PT) Eurojust is a European Union body which helps researchers and the representatives of public prosecutors across the EU work together in the fight against cross-border criminal activity. It plays a key role in the exchange of information and in extradition processes. The particular importance and sensitivity of these issues makes it necessary that Eurojust have means enabling it to pursue them effectively, although the necessary means are never enough, as is obvious when dealing with justice and crime fighting.

Effective human resources management appears to be Eurojust's main problem. The fact that 24% of posts in Eurojust are vacant and various management positions are occupied by ineffective personnel gives rise to fears about the continuity and efficient pursuit of Eurojust's activities.

Juozas Imbrasas (EFD), *in writing.* – (LT) I abstained from the vote on this document, although the Committee responsible decided to approve the closure of the accounts of Eurojust for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I abstained because the Court of Auditors again found deficiencies in procurement procedures, as in the previous three years. The Court of Auditors has once again also noted shortcomings in the planning and implementation of recruitment procedures, while the subsidy to the Agency in 2009 was 6.4% more than in 2008.

Giovanni La Via (PPE), *in writing.* – (IT) Financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by Parliament. Today's vote sees Eurojust granted discharge in respect of the implementation of its budget for the financial year 2009. I voted in favour because, following audits carried out by the Court of Auditors and the Committee on Budgetary Control, the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular.

David Martin (S&D), *in writing.* – I voted to give discharge to Eurojust and congratulate the agency for establishing measures to estimate the market value of relevant products/services before commencing a procurement procedure. I consider this initiative an important practice to be followed by other agencies. I welcome, in addition, the agency's annual procurement plan for 2009 which greatly helped Eurojust's units and services in the management of their tenders. I consider that these initiatives improve the authorising officer's guidance and control.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Administrative Director of Eurojust discharge in respect of the implementation of Eurojust's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Administrative Director of Eurojust discharge in respect of the implementation of Eurojust's budget for the financial year 2009. Parliament notes with satisfaction that the Court of Auditors does not comment on the level of carryovers and cancellations of appropriations in 2009 and that the discharge for the implementation of the budget for the Agency should be further based on its performance throughout the year.

Angelika Werthmann (NI), *in writing*. – (DE) I did not vote in favour of the discharge. This was mainly because, according to the report, just four of the 26 recommendations made by the Internal Audit Service in 2008 have been implemented and the implementation of 15 of the other recommendations is already more than 12 months overdue. This circumstance must be remedied immediately before any further discharge can be granted.

Report: Georgios Stavrakakis (A7-0145/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this document and endorsed discharge in respect of the implementation of the budget of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) for the financial year 2009. The Court of Auditors reported that the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. In June 2009, the Management Board of the Agency adopted a multiannual plan for the period 2010-2013, which will enable the Agency to plan its activities and risk-assess them more effectively. I welcome the Agency's initiative of launching, in 2009, the so-called Frontex Performance Management System to better inform the Agency's Governing Board by providing it with data on the impact of the Agency operations. I also agree with the rapporteur that it is necessary for the Agency to improve its financial management with regard to the reimbursement of costs incurred by Member States by identifying, with those Member States, deficiencies and difficulties so as to implement, together, the appropriate solutions.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) because, as the report states, its accounts and transactions, taken as a whole, are shown in the analysis to be positive, regular and legal. However, I must agree with the report where it states that due to a number of inconsistencies, procedures lacking transparency and carryovers revealed in the budget, the Agency should improve its financial management.

Diogo Feio (PPE), *in writing*. – (PT) The duties of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) are to support Member States in the training of border guards, including the establishment of common training guidelines; to carry out risk analysis; to monitor the development of relevant research on the subject of controlling and observation of external borders; to support the Member States in any circumstances requiring increased operational and technical assistance at external borders; and to provide the Member States with the necessary support in the area of mass return operations.

The increasing migration pressure on the Union's borders and the need for coordination between Member States amply justifies Frontex being equipped with sufficient means for carrying out the duties with which it has been entrusted. However, I share the rapporteur's concerns about the 27% overstatement of the pre-financing costs to border authorities highlighted by the Court of Auditors and the advances made in excess.

Juozas Imbrasas (EFD), *in writing*. – (LT) I abstained from the vote on this document, although the Committee responsible decided to approve the closure of the accounts of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I abstained because the European Parliament is concerned that the Court of Auditors has reported carry-overs which were already reported in its 2006, 2007 and 2008 annual reports, and regrets, in particular, the high level of carry-overs and cancellations since 2006. The Court of Auditors also reported, for the second year running, that the Agency paid out amounts on the basis of unilateral grant decisions signed by the Agency, while the rules in force make no provision for this type of instrument. The Court of Auditors reported the overstatement by 27 % of the costs for pre-financing to border authorities in the 8 cases audited. For the activities which ended in 2009, more than 40 recovery orders had to be issued to recover advances made in excess. The Agency's budget for the year 2009 was nearly 28% greater than the previous year. I believe that the observations made and concern expressed must be taken into account and appropriate action taken.

Giovanni La Via (PPE), *in writing*. – (IT) Financial control on implementing the European Union budget takes place on three levels: internal control, within each institution; external control, carried out by the European Court of Auditors; and a discharge procedure carried out by Parliament. I voted in favour of granting discharge in respect of the implementation of Frontex's budget for the financial year 2009 because the audits carried out by the Court of Auditors and the Committee on Budgetary Control showed that the Agency's transactions were all perfectly legal and regular.

David Martin (S&D), *in writing*. – I voted to give discharge to Frontex, but observe that the Court of Auditors reported, for the second year running, that the agency paid out amounts on the basis of unilateral grant decisions signed by the agency, while the rules in force make no provision for this type of instrument. I note that the amount paid out was more than EUR 28 000 000 in 2009, and was EUR 17 000 000 in 2008. I welcome, nevertheless, the agency's initiative, made in response to the Court's observation, of signing a framework Partnership Agreement with Member State border authorities.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union discharge in respect of the implementation of the Agency's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Director of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union discharge in respect of the implementation of the Agency's budget for the financial year 2009. Parliament underlines that the Court of Auditors has stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions

are legal and regular. Parliament calls on the Agency to improve its financial management with regard to the reimbursement of costs incurred by Member States by identifying, with those Member States, the roots of the problem so as to adopt shared solutions.

Nikolaos Salavrakos (EFD), *in writing.* – (EL) Due to increased immigration flows, Frontex is required to play an active role in guarding the European borders. According to Frontex, 95% of illegal immigrants entering Europe enter via Greece. Deporting an illegal immigrant costs EUR 6 500 and, under Dublin II, the country of entry is responsible for their deportation. The Member States on the external borders of the EU are all under pressure from immigration and have turned into ‘immigration camps’ for Europe. We need to support Frontex both financially and operationally and make the external borders of the EU more secure. We also need a mechanism for allocating the overall number of immigrants between all Member States.

Dominique Vlasto (PPE), *in writing.* – (FR) The vote on this budget discharge definitively approves the increase in the expenditure of the European agency Frontex on its task of controlling our external borders. That significant increase in the budget between 2006 and 2009 was both necessary and legitimate. It corresponds to a need to strengthen coordination of the Member States in the fight against illegal immigration. As the symbol of EU migration policy, Frontex must ensure that its budget is spent on concrete measures to control migration flows. I welcome, in this connection, the launch of a performance management system to give the agency’s operations greater visibility. The outcome-oriented system helps to compare operations over time and hence to evaluate them. This ‘yes’ vote is also, in my view, a strong political message from the European Parliament in favour of the European immigration policy developed under the French Presidency of the Union. A sovereign responsibility that previously fell to the Member States, border security is now handled at European level. This shared management of borders is an essential safeguard allowing for the full exercise of one of the EU’s fundamental freedoms: the free movement of persons within the Schengen area.

Angelika Werthmann (NI), *in writing.* – (DE) I abstained from voting. The annual accounts for 2009 have been declared reliable on all essential points. Frontex also initiated new initiatives to analyse its measures, including their impact, and to improve the transparency and objectivity of staff selection. However, the European Court of Auditors found deficiencies again in 2009 that had already been highlighted every year since 2006. This repeated failure to address these deficiencies and successfully remedy them is unacceptable.

Report: Georgios Stavrakakis (A7-0103/2011)

Zigmantas Balčytis (S&D), *in writing.* – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European GNSS Supervisory Authority for the financial year 2009. The Court of Auditors judged that the Authority’s annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I welcome the fact that most of the activities and assets related to the EGNOS and Galileo programmes were transferred to the Commission in December 2009. It is noted that the final budget for 2009 did not include information on the Authority’s revenue. Irregularities were also found in staff selection procedures. The Agency must redress these deficiencies and inform the European Parliament as laid down.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 budget of the European GNSS Supervisory Authority because it has been well managed in accounting terms and the figures provided are considered reliable. However, some irregularities remain in the field of human resources, particularly in terms of staff selection procedures, which are thought to lack transparency. I therefore hope that the aforementioned Authority will strive to make improvements in this area.

Diogo Feio (PPE), *in writing*. – (PT) The duties of the Global Navigation Satellite Systems (GNSS) Supervisory Authority are to oversee the management of public interest with regard to related European programmes and to act as their regulatory body. The competences of the Galileo joint venture, which came to an end on 31 December 2006, were transferred to it from 1 January 2007. Temporarily based in Brussels, the regulation provides for it undertaking, *inter alia*, the following duties, which are currently being revised: management of the contract with the operator charged with running the European Geostationary Navigation Overlay Service (EGNOS), inherited from the Galileo joint venture; coordination of action by Member States on the frequencies necessary for the system to operate; cooperation with the Commission on drawing up proposals in relation to the programme; modernisation of the system; management of all aspects in relation to the system's protection and safety; activities as European authority for GNSS safety approval; and management of the research activities necessary for developing and promoting European GNSS programmes.

This list of competences denotes the importance conferred on the GNSS Supervisory Authority and reinforces the demands placed on it to keep its activities and spending within the assigned budget, and to keep to the rules governing the budget's implementation.

Juozas Imbrasas (EFD), *in writing*. – (LT) I abstained from the vote on this document, although the Committee responsible decided to approve the closure of the accounts of the European GNSS Supervisory Authority for the financial year 2009. The Authority's budget for the year 2009 was EUR 44 400 000, which is a decrease of 64% from the financial year 2008. I abstained because Parliament regrets the deficiencies in staff selection procedures, which put at risk the transparency of these procedures. It is necessary to make procedures more transparent, so that in future uncertainty as regards the activities of this Authority can be eliminated.

Giovanni La Via (PPE), *in writing*. – (IT) Through today's vote Parliament has granted the Executive Director of the European GNSS Supervisory Authority discharge in respect of the implementation of the Authority's budget for the financial year 2009. I voted in favour on the basis of the evaluations and reports completed by the Court of Auditors and the Committee for Budgetary Control, which declared that they have obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular.

David Martin (S&D), *in writing*. – I voted to give discharge to the European GNSS Supervisory Authority because the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the European GNSS Supervisory Authority discharge in respect of the implementation of the Authority's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing.* – (IT) Through today's resolution Parliament grants the Executive Director of the European GNSS Supervisory Authority discharge in respect of the implementation of the Authority's budget for the financial year 2009. Parliament stresses deficiencies in staff selection procedures, which often put the transparency of these procedures at risk. Parliament notes also that the final budget published by the Authority on 31 March 2010 did not reflect the final budget for 2009 approved by the Administrative Board and did not include its revenue. Parliament therefore urges the Authority to remedy the situation and inform the discharge authority of the change.

Report: Georgios Stavrakakis (A7-0126/2011)

Zigmantas Balčytis (S&D), *in writing.* – (LT) I voted in favour of this document and discharge in respect of the implementation of the budget of the Artemis Joint Undertaking for the financial year 2009. According to information provided by the Court of Auditors, the Joint Undertaking's annual accounts for the financial year 2009 are reliable and the underlying transactions are legal and regular. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. The introduction of these systems needs to be successfully completed as a matter of urgency. In 2009 the Joint Undertaking's utilisation rates for commitment and payment appropriations were 81% and 20% respectively. I agree with the rapporteur that the Joint Undertaking is still in a start-up period and therefore understand the relatively low utilisation rate for payment appropriations. I also feel that, in view of the size of its budget and the complexity of its tasks, the Joint Undertaking should consider establishing an audit committee, reporting directly to the governing board.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of granting 2009 discharge to the Artemis Joint Undertaking because it has managed its finances extremely well for an agency which is still in the start-up period. I therefore think that improvements can be made in the future and that the inconsistencies reported in the accounts for this financial year can be corrected.

Diogo Feio (PPE), *in writing.* – (PT) The Artemis Joint Undertaking will implement a common technological initiative (CTI) in the area of incorporated information technology systems. This public-private partnership is essentially aimed at supporting the cofinancing of research initiatives at European level, as well as improving cooperation between the various operators in the sector. As the rapporteur rightly points out, it was created with a view to defining and implementing a 'research agenda' for the development of key technologies for embedded computing systems across different application areas in order to strengthen European competitiveness and sustainability, and allow the emergence of new markets and societal applications. The company is still in its infancy, allowing us great expectations in relation to its future achievements, and for the hope that it will do to the investment being made justice.

Juozas Imbrasas (EFD), *in writing.* – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the Artemis Joint Undertaking for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. The Joint Undertaking final 2009 budget included commitment appropriations of EUR 46 000 000 and payment appropriations of EUR 8 000 000, and the utilisation rates for commitment and payment appropriations were 81% and 20% respectively. I believe that the Joint Undertaking is still

in a start-up period and therefore understand the relatively low utilisation rate for payment appropriations.

Giovanni La Via (PPE), *in writing*. – (IT) Both the Court of Auditors and the Committee on Budgetary Control issued a positive opinion on the implementation of the budget of the Artemis Joint Undertaking for the financial year 2009. For these reasons, Parliament today voted to grant discharge for the financial year 2009. The audits carried out showed that the accounts of the Joint Undertaking were reliable and that the underlying transactions were legal and regular. I do however think it would be helpful if the Joint Undertaking heeded the call for it to improve its documentation of IT processes and activities and the mapping of IT risks, and also to develop a business continuity plan and a data protection policy.

David Martin (S&D), *in writing*. – I voted to grant discharge to the Artemis Joint Undertaking but I believe that, in view of the size of its budget and the complexity of its tasks, the Joint Undertaking should consider establishing an audit committee reporting directly to the governing board.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the Artemis Joint Undertaking discharge in respect of the implementation of the Joint Undertaking's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Executive Director of the Artemis Joint Undertaking discharge in respect of the implementation of the Joint Undertaking's budget for the financial year 2009. Parliament underlines that the Joint Undertaking was set up in December 2007 to define and implement a 'Research Agenda' for the development of key technologies for embedded computing systems across different application areas in order to strengthen European competitiveness and sustainability, and allow the emergence of new markets and societal applications.

Report: Georgios Stavrakakis (A7-0128/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the Clean Sky Joint Undertaking for the financial year 2009. According to information provided by the Court of Auditors, the Joint Undertaking's annual accounts for the financial year 2009 are reliable and the underlying transactions are legal and regular. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. The introduction of these systems needs to be completed. I agree with the rapporteur's opinion that, in view of the size of its budget and the complexity of its tasks, the Joint Undertaking should consider establishing an audit committee, reporting directly to the governing board. I also believe that the Joint Undertaking must further develop provisions on membership and cofinancing. I hope that in future the Clean Sky Joint Undertaking will accelerate the development, validation and demonstration of clean air transport technologies in the EU, so that these can be deployed at the earliest opportunity.

Slavi Binev (NI), *in writing*. – (BG) I have a few comments to make about the operation of the Clean Sky Joint Undertaking, which is why I am not supporting the discharge in respect of the implementation of its budget for the financial year 2009. First of all, ever since the Joint Undertaking was set up in 2007, no agreement has been signed yet with Belgium concerning office accommodation, privileges and immunities and other support. How can a company operate properly without these basic needs being guaranteed? It comes

as no surprise that the research activities pre-financed in 2008 were not fully implemented during 2009 and that only 65% of the pre-financing was used. However, what concerns me the most is that the Joint Undertaking had not yet fully established its internal control and financial reporting systems, which jeopardises transparency in the spending of money coming from European taxpayers.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 budget of the Clean Sky Joint Undertaking because, despite a number of irregularities in the Undertaking's budget, I think that we can be confident of future improvements in its auditing performance since it is still in the start-up phase.

Diogo Feio (PPE), *in writing*. – (PT) The creation of the Clean Sky Joint Undertaking is due to the need to promote the development, validation and demonstration of clean air transport technologies in the EU, to be implemented as soon as possible. As with the Artemis Joint Undertaking, it is only just starting out. This does not mean that there are not already procedures and practices in need of correction, in particular in areas concerning budgetary structure, as is rightly highlighted by the rapporteur.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the Clean Sky Joint Undertaking for the financial year 2009. The Clean Sky Joint Undertaking was set up in December 2007 to accelerate the development, validation and demonstration of clean air transport technologies in the EU, so that these can be deployed at the earliest opportunity. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. The Joint Undertaking final 2009 budget included commitment appropriations of EUR 91 000 000 and payment appropriations of EUR 60 000 000, and the utilisation rates for commitment and payment appropriations were 98% and 1% respectively. I believe that the Joint Undertaking is still in a start-up period and therefore understand the relatively low utilisation rate for payment appropriations.

Giovanni La Via (PPE), *in writing*. – (IT) Both the Court of Auditors and the Committee on Budgetary Control have issued a positive opinion on the implementation of the budget of the Clean Sky Joint Undertaking for the financial year 2009. For these reasons, Parliament today voted to grant discharge for the financial year 2009. The audits carried out showed that the budget of the Joint Venture was reliable and that the underlying transactions were legal and regular. I do however think it would be helpful if the Joint Undertaking heeded the call for it to complete the implementation of its internal controls and financial information system, above all in view of the size of its budget and the complexity of its tasks.

Bogdan Kazimierz Marcinkiewicz (PPE), *in writing*. – (PL) Mr President, I voted in favour of granting discharge in respect of the implementation of the budget of the Clean Sky Joint Undertaking for the financial year 2009. I am aware that the Joint Undertaking is still in a start-up period. Unfortunately, there have been many delays in the projects at this stage, with 65% of pre-financing having been used. In addition, no decisions have yet been taken regarding the headquarters in Belgium, which makes it significantly more difficult for the Clean Sky Joint Undertaking to function efficiently.

David Martin (S&D), *in writing*. – I voted to grant discharge to the Clean Sky Joint Undertaking. I recognise that the Joint Undertaking is still in a start-up period. I am concerned, nevertheless, that the research activities pre-financed by the Commission in

2008 on behalf of the Joint Undertaking were not fully implemented during 2009 and that, as a result of delays in the projects, only EUR 8 700 000 or 65 % of the EUR 13 600 000 pre-financing was used. I am particularly concerned that the adoption, structure and presentation of the approved budget of the Joint Undertaking for 2009 were not in line with Regulation (EC) No 71/2008 setting up the Clean Sky Joint Undertaking, or with the Financial Rules of the Joint Undertaking. I therefore urge the Joint Undertaking to rapidly remedy this grave deficiency.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the Clean Sky Joint Undertaking discharge in respect of the implementation of the Joint Undertaking's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Executive Director of the Clean Sky Joint Undertaking discharge in respect of the implementation of its budget for the financial year 2009. Parliament is of the opinion that, in view of the size of its budget and the complexity of its tasks, the Joint Undertaking should establish an audit committee, reporting directly to the Governing Board.

Report: Georgios Stavrakakis (A7-0129/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this document and discharge in respect of the implementation of the budget of the Joint Undertaking for the implementation of the Joint Technology Initiative on Innovative Medicines for the financial year 2009. According to information provided by the Court of Auditors, the Joint Undertaking's annual accounts for the financial year 2009 are reliable and the underlying transactions are legal and regular. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. The introduction of these systems needs to be completed. I agree with the rapporteur that the Joint Undertaking should further develop provisions on membership and cofinancing and complete the implementation of its internal controls and financial information system. I hope that in future the Innovative Medicines Initiative Joint Undertaking will improve the efficiency and effectiveness of the drug development process and will help the pharmaceutical sector produce more effective and safer innovative medicines.

Slavi Binev (NI), *in writing*. – (BG) In my view, the Joint Undertaking for the implementation of the Joint Technology Initiative on Innovative Medicines ought to be completely financed by pharmaceutical companies or by its other members who have the biggest interest in the operation of this undertaking. For this reason, I do not support the discharge in respect of the implementation of this undertaking's budget for the financial year 2009.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge to the Joint Undertaking for the Implementation of the Joint Technology Initiative on Innovative Medicines because, as the report shows, the Court of Auditors has deemed the Undertaking's accounts and the underlying transactions to be reliable. I think, however, that even though it is to some extent justifiable as it is still in the start-up phase, the Undertaking should complete the implementation of its control systems and operate more carefully and transparently in the coming years.

Diogo Feio (PPE), *in writing*. – (PT) The Joint Undertaking is aimed at the process of developing pharmaceuticals that are more effective and efficient, so that the pharmaceutical sector can produce innovative medicines that are safer and more effective. Therefore, the

Joint Undertaking's objectives are to contribute to the delivery of the Seventh Framework Programme, and to supporting pharmaceutical research and development in Member States, and in countries associated with the Seventh Framework Programme. It encourages participation by small and medium-sized enterprises in its activities, and cooperation between the private sector and universities. It is still at the embryonic stage, so we cannot foresee clearly how its budgeting will be implemented in future. However, it should continue to finish off its internal control and information systems, in particular.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the Joint Undertaking for the implementation of the Joint Technology Initiative on Innovative Medicines for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. The Innovative Medicines Initiative Joint Undertaking was set up in February 2007 to significantly improve the efficiency and effectiveness of the drug development process with the long-term aim of helping the pharmaceutical sector to produce more effective and safer innovative medicines. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. At the same time, the Joint Undertaking final 2009 budget included commitment appropriations of EUR 82 000 000 and payment appropriations of EUR 82 000 000, and the utilisation rates for commitment and payment appropriations were 97% and 1% respectively.

Giovanni La Via (PPE), *in writing*. – (IT) In view of the Court of Auditors' statement that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable, and that the underlying transactions are legal and regular, I voted in favour of granting discharge in respect of the implementation of the budget of the Joint Undertaking for the Implementation of the Joint Technology Initiative on Innovative Medicines for the financial year 2009. As we know, every debate on discharge has its own particular context, and the context of today's debate is the economic and financial crisis, which has caused financial and budgetary problems for a number of Member States. Therefore, also in view of more effective controls, I join in the request made to the Joint Undertaking to include in its Financial Rules a specific reference to the powers of the Internal Audit Service of the Commission as its internal auditor.

David Martin (S&D), *in writing*. – I voted for discharge in respect of the implementation of the budget of the Joint Undertaking for the implementation of the Joint Technology Initiative on Innovative Medicines for the financial year 2009. I urge the Joint Undertaking to complete the implementation of its internal controls and financial information system as a matter of urgency.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Executive Director of the Joint Undertaking for the implementation of the Joint Technology Initiative on Innovative Medicines discharge in respect of the implementation of the Joint Undertaking's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants Executive Director of the Joint Undertaking for the Implementation of the Joint Technology Initiative on Innovative Medicines discharge in respect of the implementation of its budget for the financial year 2009. Parliament calls on the Joint Technology Initiative to include in its Financial Rules a specific reference to the powers of the Internal Audit Service of the

Commission as its internal auditor, on the basis of the provision set out in the framework Financial Regulation for Community bodies.

Report: Georgios Stavrakakis (A7-0124/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and discharge in respect of the implementation of the budget of the SESAR Joint Undertaking. According to information provided by the Court of Auditors, SESAR's annual accounts for the financial year 2009 are reliable and the underlying transactions are legal and regular. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. The introduction of these systems needs to be completed. I agree with the rapporteur that the Joint Undertaking must begin to put in place an integrated management system, allowing costs to be allocated to specific work packages and funding sources of operational costs to be identified. Furthermore, it is important to set out the conditions under which unspent funds would be transferred to the following year.

Slavi Binev (NI), *in writing*. – (BG) The Joint Undertaking to develop the new generation European air traffic management system (SESAR) is an important initiative. However, at a time of financial crisis and difficulties in many Member States, I do not think that it is appropriate for us to be spending millions of euros in this manner.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge to the SESAR Joint Undertaking because that recently formed undertaking has convinced the Court of Auditors of its reliability. The effort that the institution is making to complete the implementation of its internal control systems is already well known, but I think further endeavours ought to be made in this area in order to guarantee the transparency and reliability of the accounts.

Diogo Feio (PPE), *in writing*. – (PT) This Joint Undertaking aims to modernise the European air traffic management system, and it should bring together the Union's efforts towards research and development under the scope of the Single European Sky Air Traffic Management (ATM) Research (SESAR).

The safety of Europeans, who increasingly use the services of airlines, as well as of airline employees, necessitates a particular level of performance in seeking the best solutions for managing this type of traffic, as well as monitoring and comparing the methodologies already applied in the various Member States, with a view to everyone adopting the best practices and safe, economical and innovative solutions.

As with other companies in their early life, SESAR has not yet completely put its internal controls or its financial information systems in full working order. It will need to do so as soon as possible.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because the Committee responsible decided to approve the closure of the accounts of the SESAR Joint Undertaking for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. The Joint Undertaking final 2009 budget included commitment appropriations of EUR 325 000 000 and payment appropriations of EUR 157 000 000, and the utilisation rates for commitment and payment appropriations were 97.1% and 43.2% respectively. The Court of Auditors found that

important steps were taken in 2009 to establish control systems, but expresses concern that an integrated tool to manage financial, budget and operational information was not in place at year-end. However, in response the Joint Undertaking stated that financial systems were ready and in place by May 2010. Cases where internal controls do not operate correctly must be eliminated.

Giovanni La Via (PPE), *in writing.* – (IT) Notwithstanding a few gaps and irregularities revealed by the Court of Auditors during its analysis and assessment of the budget of the SESAR Joint Undertaking, I voted in favour of granting discharge for the financial year 2009. However, I think that, in order to avoid the same mistakes being made in future procedures, SESAR should complete and implement internal control systems and a financial information system which would allow for the most reliable and accurate assessment possible of the budgetary transactions for each financial year.

David Martin (S&D), *in writing.* – I voted for discharge in respect of the implementation of the budget of the SESAR Joint Undertaking for the financial year 2009. Nevertheless, I am concerned that an integrated management system – allowing costs to be allocated to specific work packages and funding sources for operational costs to be identified – was not in place by December 2009.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This grants the Executive Director of the SESAR Joint Undertaking discharge in respect of the implementation of the Joint Undertaking's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing.* – (IT) Through today's resolution Parliament grants the Executive Director of the SESAR Joint Undertaking discharge in respect of the implementation of its budget for the financial year 2009. Parliament welcomes the fact that the Court of Auditors found the Joint Undertaking's annual accounts for 2009 to be reliable and the underlying transactions to be, in all material respects, legal and regular.

Report: Bernhard Rapkay (A7-0152/2011)

Sebastian Valentin Bodu (PPE), *in writing.* – (RO) Responsibility for public statements made by MEPs lies, first and foremost, with the people who make them. Intervention from Parliament in terms of analysing the context, the occasion or whether the person who made the public statement was entitled to do so or not only happens in exceptional cases. However, this action is obligatory when the person who made the statement is held accountable for the content of the idea expressed. Such an exceptional case, which it was the European Parliament's duty to investigate, is that involving MEP Luigi de Magistris, summoned before the courts in his own country in connection with an interview given to an Italian newspaper as a member of a political party represented in European structures. Looking beyond making the statement or its implications in domestic policy terms, the right of an MEP to express himself or herself must be recognised as a freedom and therefore defended.

Just like Luigi de Magistris, any other MEP enjoys immunity from any inquiry or detention resulting from opinions expressed or votes cast. In this respect, any attempt to prevent MEPs from expressing their opinions on matters of public interest cannot be approved in a democratic society.

José Manuel Fernandes (PPE), *in writing.* – (PT) This report is on the request for defence of the immunity and privileges of our fellow Member, Mr De Magistris, requested under

the terms of Articles 8 and 9 of the Protocol on the Privileges and Immunities of the European Union, and Article 68 of the Constitution of the Italian Republic, as amended by Constitutional Law No 3 of 29 October 1993, because he was summoned before the Court of Benevento by a Member of this House, Mr Mastella, following an interview with an Italian newspaper. Taking into account established practice in this Parliament, considering that the legal proceedings are of a civil or administrative law nature, and mindful of the Opinion of the Committee on Legal Affairs, I am voting in favour of waiving the parliamentary immunity of our fellow Member, Mr De Magistris.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this report, because the Committee on Legal Affairs believes that in giving the interview in question, Mr Luigi de Magistris was acting in performance of his duties as a Member of the European Parliament and carrying out political activities by expressing his opinion on a matter of public interest to his constituents. Attempts to prevent Members of Parliament from expressing their opinions on matters of legitimate public interest and concern, and from criticising their political opponents, by bringing legal proceedings are unacceptable in a democratic society and represent a breach of Article 8 of the Protocol, which is intended to protect Members' freedom of expression when performing their duties in the interests of Parliament as an institution of the European Union. On the basis of the above considerations and pursuant to Article 6(3) of the Rules of Procedure, after considering the reasons for and against defending the Member's immunity, the Committee on Legal Affairs recommends that the European Parliament should defend the parliamentary immunity of Mr Luigi De Magistris.

David Martin (S&D), *in writing*. – I voted for this report because the committee responsible considers that, in giving the interview in question, Luigi de Magistris was acting in the performance of his duties as Member of the European Parliament and carrying out political activities by expressing his opinion on a matter of public interest to his constituents. To seek to prevent Members of Parliament from expressing their opinions on matters of legitimate public interest and concern and from criticising their political opponents by bringing legal proceedings is unacceptable in a democratic society and in breach of Article 8 of the Protocol, which is intended to protect Members' freedom of expression in the performance of their duties in the interests of Parliament as an institution of the European Union.

Alexander Mirsky (S&D), *in writing*. – Mr de Magistris was summoned to court on charges of slander. In connection with this, he asked the European Parliament for protection of his parliamentary immunity and privileges. In line with the report, the Committee on Legal Affairs recommends that the European Parliament should protect the immunity of Mr de Magistris. I voted 'in favour'.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) Parliament has received a request to waive the parliamentary immunity of our fellow Member, Mr De Magistris, who has been summoned by the Court of Benevento, on behalf of Mr Mastella, Member of the European Parliament, in relation to an interview which Mr De Magistris gave to an Italian newspaper, on 31 October 2009.

The Committee on Legal Affairs has made a statement on the issue, having adopted a report in which it was decided not to lift parliamentary immunity. In fact, it was thought Mr De Magistris was carrying out his duties as a Member of the European Parliament when he made his comments. According to the report, he was acting in performance of his duties

as Member of the European Parliament and carrying out political activities by expressing his opinion on a matter of public interest to his constituents.

I voted in favour because I advocate freedom of expression for Members when performing their duties, and in order to defend the interests of the European Parliament as an institution. However, I should add that I believe those with political responsibilities in general, including Members, should always tell the truth and use language respectful of their interlocutors, which does not always happen.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This is to defend the immunity of Mr de Magistris, as in giving the interview in question Mr de Magistris was acting in performance of his duties as an MEP and carrying out political activities by expressing his opinion on a matter of public interest to his constituents.

Report: Bernhard Rapkay (A7-0154/2011)

Slavi Binev (NI), *in writing*. – (BG) I defend the privileges and immunity of Bruno Gollnisch and I think that the persecution he is being subjected to is of a purely political nature. His immunity must be defended so that he can continue to carry out his duties as a fully-fledged Member of the European Parliament. In such cases, a vote is taken on defending an MEP's immunity during a part-session (naturally when he or she belongs to a large political group), which leads me to think that double standards are occasionally applied in the European Parliament, thereby sweeping away confidence in the entire institution.

Anne Delvaux (PPE), *in writing*. – (FR) You know how committed I am to democratic values ... Bruno Gollnisch, MEP and intellectual guru of the *Front National*, has requested the defence of his parliamentary immunity in connection with measures applied by the French authorities as part of a criminal investigation involving Mr Gollnisch in his role as President of the *Front National* in the Rhône-Alpes Regional Council and in which the International League against Racism and Anti-Semitism brought a claim for compensation in January 2009 for incitement to racial hatred.

Article 8 of the chapter on law and procedure on the immunity of Members of the European Parliament stipulates that the latter shall not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties. Article 26(2) of the Constitution of the French Republic stipulates the same thing.

At a time when the *Front National* is riding high in the French polls and when one may question that party's move into the mainstream (in both media and political terms), I am satisfied that the European Parliament will not defend Mr Gollnisch's parliamentary immunity and have called for it to be lifted so that the courts can do their job.

José Manuel Fernandes (PPE), *in writing*. – (PT) This report is on the request for the defence of the privileges and immunity of our fellow Member, Mr Gollnisch. The request was made when the French police attempted to arrest him, in order to appear before the French judicial authorities in a case concerning the expression of political opinions. The case concerns an accusation of incitement to racial hatred made by the International League against Racism and Anti-Semitism (LICRA) following the publication of a press release on the site of the *Front National* Group in the Rhône-Alpes Regional Council, of which Mr Gollnisch was president. Taking into account established practice in this Parliament and the Opinion of the Committee on Legal Affairs, I agree with the rapporteur's position

and am voting in favour of waiving the parliamentary immunity of our fellow Member, Mr Gollnisch.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this report, because Article 8 of the Protocol on the Privileges and Immunities of the European Union was not invoked by Bruno Gollnisch in his request for defence of immunity and it is not applicable in this case. In order to decide whether or not to defend parliamentary immunity, Parliament applies its own consistent principles. The Committee responsible has found no evidence of a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member.

Secondly, the case does not come within the scope of Bruno Gollnisch's political activities as member of the European Parliament. It concerns instead activities of a purely regional and local nature of Bruno Gollnisch as regional councillor for Rhône-Alpes, a mandate which is distinct from that of a Member of the European Parliament. Thirdly, Bruno Gollnisch has given an explanation of the publication of the incriminated press release by his political group in the Rhône-Alpes Regional Council, stating that it had been written by the Front National team in that region, including its head of communications. The application of parliamentary immunity to such a situation is considered to constitute an undue extension of those rules, which are intended to avoid any interference with the functioning and independence of Parliament. Finally, it is not for Parliament but for the competent judicial authorities to decide, whilst respecting all democratic guarantees, to what extent French law on incitement to racial hatred has been broken and what the judicial consequences might be. Having considered all the arguments, the Committee on Legal Affairs recommends that the European Parliament should waive the parliamentary immunity of Bruno Gollnisch.

David Martin (S&D), *in writing*. – After considering the reasons for and against defending the Member's parliamentary immunity, I agree with the recommendation of the Committee on Legal Affairs that Parliament should not defend the immunity of Bruno Gollnisch.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) Stigmatisation and incitement to hatred on the grounds of religious affiliations are considered offences in France and this situation is equivalent to *flagrante delicto*. Mr Gollnisch publicly took a stand in support of an outrageous press release. This press release equates Muslims with thugs. It talks about 'invasion and destruction of our cultural values by Islam'. Mr Gollnisch will be able to present his defence. Waiving his immunity allows this to happen. I am therefore voting against his request to protect his parliamentary immunity.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) Mr Gollnisch has requested that the European Parliament defend his parliamentary immunity in connection with measures which he claims restrict his freedom applied by the French authorities as part of the judicial investigation of an action and claim for compensation (*plainte avec constitution de partie civile*) brought by the International League Against Racism and Anti-Semitism on 26 January 2009 against an unnamed person for incitement to racial hatred. It was concluded that the case does not fall within the scope of Mr Gollnisch's political activities as Member of the European Parliament, concerning instead activities of a purely regional and local nature as a Rhône-Alpes regional councillor, a mandate to which Mr Gollnisch was elected by direct universal suffrage and which is distinct from that of Member of the European Parliament. There is no evidence in the investigation carried out of *fumus persecutionis*: in other words, the intention of causing political damage to the Member. I

voted for this report, which decides not to defend Mr Gollnisch's privileges and immunity, leaving it to the competent judicial authorities to decide, whilst respecting all democratic guarantees, to what extent French law on incitement to racial hatred has been broken and what the judicial consequences might be.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – The case concerned does not fall within the scope of Mr Gollnisch's political activities as an MEP but it relates to his purely regional and local capacity as Rhône-Alpes regional councillor. Thus we have decided not to defend the immunity.

Report: Bernhard Rapkay (A7-0155/2011)

Slavi Binev (NI), *in writing*. – (BG) I defend the privileges and immunity of Bruno Gollnisch and I think that the persecution he is being subjected to is of a purely political nature. His immunity must be defended so that he can continue to carry out his duties as a fully-fledged Member of the European Parliament. This is why I voted against the withdrawal of his immunity.

Andrew Henry William Brons (NI), *in writing*. – I voted against the removal of the Parliamentary immunity of Bruno Gollnisch because: 1. I believe in free speech and the words complained of were not incitements to violence and were not abusive or insulting. The comments were about the intolerance of Islamic regimes towards people deemed to be heretics. 2. No debate was allowed before these most important votes (dealing with the fundamental rights of an MEP) were taken. 3. The proposal to lift Bruno Gollnisch's immunity (and the eventual decision to lift it) were inconsistent with the proposal to allow the German MEP Elmar Brok to retain his immunity from prosecution for an (alleged) greed offence of tax evasion. It is clear that the prosecution is a vexatious one, by a private organisation, designed to deprive Mr. Gollnisch of his elected position and his good name.

Philip Claeys (NI), *in writing*. – (NL) The mere fact that a fellow member of ours who risks losing his parliamentary immunity has not been given the chance to defend himself in plenary is reason enough to vote against this report which argues for the abolition of such immunity. It is, moreover, outrageous and not in keeping with the nature that members of parliament should lose their immunity and be taken to court for expressing their opinions. If the European Parliament wants to be taken seriously by the voters in the future, then it must, unambiguously and without any compromise, stand up for the right of its own members and of all of Europe's citizens to freedom of expression.

José Manuel Fernandes (PPE), *in writing*. – (PT) This report is on the request to waive the privileges and immunity of our fellow Member, Mr Gollnisch, submitted to the European Parliament by the Prosecutor at the Court of Appeal of Lyon concerning the investigation carried out as a result of an action and claim for compensation brought, on 26 January 2009, by the International League against Racism and Anti-Semitism (LICRA) regarding the publication of a press release on the site of the *Front National* Group in the Rhône-Alpes Regional Council, of which Mr Gollnisch was president. Taking into account established practice in this Parliament, given that the application for parliamentary immunity is misused in this case, and in the light of the Opinion of the Committee on Legal Affairs, I agree with the rapporteur's position and am voting in favour of waiving the parliamentary immunity of our fellow Member, Mr Gollnisch.

Nick Griffin (NI), *in writing*. – I voted to oppose the removal of the Parliamentary immunity of Bruno Gollnisch because: 1. Free speech is a core value of our society and the

cornerstone of our democracy. It should not be curtailed by political opponents. The comments attributed to Mr Gollnisch were not incitements to violence and were not abusive or insulting. The comments were about the intolerance of Islamist regimes towards Unbelievers. 2. No debate was allowed before the votes on this issue, which affect the fundamental rights of an MEP. 3. The proposal to lift Bruno Gollnisch's immunity (and the politically motivated decision to lift it) were inconsistent with the proposal to allow the German MEP Elmar Brok to retain his immunity from prosecution for an (alleged) greed offence of tax evasion.

It is clear that the prosecution is a vexatious one, by a private organisation, designed to deprive Mr Gollnisch of his elected position and his good name. It is equally clear that, in the increasingly intolerant atmosphere of Political Correctness that is permeating the Parliament, some MEPs are more equal than others.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this document, because firstly, the Committee responsible has found no evidence of a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member.

Secondly, the case does not come within the scope of Bruno Gollnisch's political activities as a Member of the European Parliament. It concerns instead activities of a purely regional and local nature of Bruno Gollnisch as regional councillor for Rhône-Alpes, a mandate which is distinct from that of a Member of the European Parliament.

Thirdly, Bruno Gollnisch has given an explanation of the publication of the incriminated press release by his political group in the Rhône-Alpes Regional Council. The application of parliamentary immunity to such a situation is considered to constitute an undue extension of those rules, which are intended to avoid any interference with the functioning and independence of Parliament.

Finally, it is not for Parliament but for the competent judicial authorities to decide, whilst respecting all democratic guarantees, to what extent French law on incitement to racial hatred has been broken and what the judicial consequences might be. It is noted that by adopting a decision to waive the Member's immunity, the European Parliament is allowing the competent national authority to hold the person accountable (given that there is no interference with the functioning and independence of the institution) and by no means does this decision confirm the Member's guilt or express an opinion as to whether certain actions or views justify investigation. Having considered all the arguments, the Committee on Legal Affairs recommends that the European Parliament should waive the parliamentary immunity of Bruno Gollnisch.

Jean-Marie Le Pen (NI), *in writing*. – (FR) My long spell as a parliamentarian both in the French National Assembly and in the European Parliament (27 years) enables me to say that the attitude of the latter in lifting Mr Gollnisch's parliamentary immunity was particularly abhorrent. The MEP was not allowed to take the floor to defend himself before his fellow Members, who incidentally did not take the trouble to read up on the facts of the case. Had they done so, they would have learnt that Mr Gollnisch was only indirectly responsible in this affair and that it related to his freedom of political expression. To give lessons on democracy and respect for human rights is one thing; to respect them in one's own institution is quite another.

Marine Le Pen (NI), *in writing*. – (FR) Using a judicial procedure to try to prevent Members of Parliament from expressing their point of view on matters of legitimate public interest

and concern and from criticising their political opponents is unacceptable in a democratic society and constitutes a breach of Article 8 of the Protocol on Privileges and Immunities of the European Union, which aims to protect its members' freedom of expression. I wholly support this concept. However, as far as Mr Rapkay is concerned it only applies to Mr De Magistris, who is being prosecuted for libel, and not to Bruno Gollnisch, who is being prosecuted for expressing political opinions. This is a case of double standards. How is it more in the public interest and more democratic for us to know what Mr De Magistris thinks of a fellow Member than for us to know what the *Front National* thinks about the riots in Romans or the dangers of mass immigration? It is precisely because the opponents of Bruno Gollnisch did not like the press release in question, even though it is of greater public interest, that he is losing his immunity. Freedom of expression for this Parliament's elected representatives should not be a movable goalpost and should not depend on whether or not a person's face fits. It is unworthy of you to adopt this report.

David Martin (S&D), *in writing*. – I support the waiver of Bruno Gollnisch's immunity so that he can stand trial for the offence of incitement to racial hatred.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) Stigmatisation and incitement to hatred on the grounds of religious affiliations are considered offences in France and this situation is equivalent to *flagrante delicto*. Mr Gollnisch publicly took a stand in support of an outrageous press release. This press release equates Muslims with thugs. It talks about 'invasion and destruction of our cultural values by Islam'. Mr Gollnisch will be able to present his defence. Waiving his immunity allows this to happen. I am therefore voting against his request to protect his parliamentary immunity.

Andreas Mölzer (NI), *in writing*. – (DE) I voted against the waiver of Bruno Gollnisch's immunity because the explanatory statement given by the Committee on Legal Affairs, which recommended the waiver to plenary, was entirely arbitrary. If Mr Gollnisch is charged over a press release written by the political office of the *Front National*, then of course this activity should be seen as falling within the scope of his EU mandate. The argument that this took place as part of his activities as a regional councillor is not decisive because the EU mandate cannot be seen as a part-time occupation or similar. Had Mr Gollnisch made the same statement in a part-session of the European Parliament or in one of his committees, would the same argument be being made? The content of the press release serving as a basis for extradition is moreover 100% covered by freedom of expression. If politically unpopular statements are now to form a basis for extraditions then it shows once again what the European Parliament thinks of real democracy.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) This report is on the waiver of the parliamentary immunity of our fellow Member, Mr Gollnisch, at the request of a French public prosecutor, so that a complaint alleging incitement to racial hatred can be investigated and so that, if appropriate, Mr Gollnisch can be tried before the French Court of First Instance, Appeal Court and Court of Cassation. The waiver of Mr Gollnisch's immunity relates to an alleged offence of incitement to racial hatred as a result of a press release issued on 3 October 2008 by the Rhône-Alpes Region *Front National* Group, of which Mr Gollnisch was president, so these activities were of a purely regional and local nature as a Rhône-Alpes regional councillor, a mandate to which Mr Gollnisch was elected by direct universal suffrage and which is distinct from that of Member of the European Parliament. There is no evidence in the investigation carried out of *fumus persecutionis*: in other words, the intention of causing political damage to the Member. I voted for this report, which decides not to defend Mr Gollnisch's privileges and immunity, leaving it to the competent judicial

authorities to decide, whilst respecting all democratic guarantees, to what extent French law on incitement to racial hatred has been broken and what the judicial consequences might be.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – The case is identical to the previous one (see A7-0154/2011), but here the request for the waiver of immunity was forwarded by the French authorities.

Recommendation: Kriton Arsenis (A7-0078/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) The Prespa Lakes basin (Prespa Park) is shared between Greece, the former Yugoslav Republic of Macedonia (FYROM) and Albania. The first is a Member State of the European Union, the second is a candidate for EU accession and the third is a potential candidate for EU accession. Albania and the FYROM have concluded a Stabilisation and Association Agreement with the EU, and the development of a sustainable economy and green infrastructure, which will naturally lead to job creation at local level, will create a significant potential for employment, thereby contributing to the realisation of the Europe 2020 Strategy. Furthermore, better use of resources, sustainable economic development and nature conservation can and must go hand-in-hand, and should likewise reinforce cooperation with neighbouring countries for their integration into Europe. For all of the aforementioned reasons, I am voting for this draft agreement.

Mara Bizzotto (EFD), *in writing*. – (IT) I am in favour of consenting to the European Union's participation in the Agreement on the Protection and Sustainable Development of the Prespa Park Area entered into by Greece, the former Yugoslav Republic of Macedonia and Albania. I take this view because the park is a natural area of international importance, owing to its geomorphology, ecology, biodiversity and cultural significance. I also support the objectives and the principles outlined in the agreement, which are based on the sustainable use of natural resources, a focus on the conservation of ecosystems and biodiversity, and the prevention, control and reduction of water pollution in the Prespa Lakes.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) I welcome the efforts made by Member States to work alongside non-EU countries to make resource use more sustainable. As such, I am voting to conclude the Agreement on the Protection and Sustainable Development of the Prespa Park Area, since I believe it is important for the development of the three countries that share it: Greece, the former Yugoslav Republic of Macedonia and Albania. I also believe this park is important for the environment, for natural conservation and for a whole series of positive knock-on effects that could arise from this type of collaboration, not least the strengthening of good relations in the Balkans region.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the conclusion of the Stabilisation and Association Agreement between the European Union, Albania and the former Yugoslav Republic of Macedonia (FYROM), which aims to establish cooperation between all those sharing the Prespa Lakes basin, so as to ensure integrated protection of the ecosystem and the park's sustainable development. This agreement demonstrates the successful application of the Union's Water Framework Directive, to protect the environment, to raise the standard of living of the region's inhabitants and to lead to cooperation between the three countries: Greece, Albania and the FYROM. This will strengthen the spirit of good neighbourliness between the parties, in this particularly sensitive region of the Balkans.

José Manuel Fernandes (PPE), *in writing.* – (PT) This recommendation is on the draft Council decision concerning the conclusion, on behalf of the European Union, of the Agreement on the Protection and Sustainable Development of the Prespa Park Area, which has been classified as such since 1977 and designated a protected cross-border area under the declaration of 2 February 2000, issued by the Prespa countries: Greece, Albania and the Republic of Macedonia. The European Union is aware of the urgent need to protect and safeguard natural resources, so, starting in the 1970s, it has adopted a legislative package, the ultimate expression of which is the 2000 Water Framework Directive. The objective of the agreement concerned is to establish cooperation between the EU and the above countries in order to promote the region's sustainable development and to protect its ecosystem, in particular through plans for the integrated management of the Prespa hydrographic basin. At a time when disasters resulting from climate change are increasing, I congratulate the Council on this project and would like to see it concluded as soon as possible.

João Ferreira (GUE/NGL), *in writing.* – (PT) The Prespa Lakes basin (Prespa Park) is shared between Greece, the former Yugoslav Republic of Macedonia and Albania. It is extremely important to establish a living habitat for the conservation of many rare and/or endemic species of flora and fauna, also as a nesting place for birds threatened at global level, and as a place with a wealth of important cultural and heritage assets.

The objective of the agreement is to establish cooperation in order to guarantee the integrated protection of the ecosystem and the sustainable development of the Prespa Park area, including the development of plans for the integrated management of the hydrographic basin. To this end, the countries involved in the agreement undertake to adopt the necessary measures, individually or in cooperation, in accordance with the principles of sovereign equality, territorial integrity, mutual benefit and good faith, with a view to the management of the waters of the Prespa, the prevention, control and reduction of pollution, the protection and conservation of the biodiversity, protection of the soil, the prudent use of natural resources and sustainable development.

Therefore, we vote in favour of this report.

Ilda Figueiredo (GUE/NGL), *in writing.* – (PT) Prespa Park, or the Prespa hydrographic basin, shared between Greece, the former Yugoslav Republic of Macedonia and Albania, is extremely important for establishing a living habitat for the conservation of numerous rare and/or endemic flora and fauna species, also as a nesting place for birds threatened at global level, and as a place with a wealth of important cultural and heritage assets.

The objective of the agreement is to establish cooperation in order to guarantee the integrated protection of the ecosystem and the sustainable development of the Prespa Park area, including the development of plans for the integrated management of the hydrographic basin.

To this end, the countries involved in the agreement undertake to adopt the necessary measures, individually or in cooperation, in accordance with the principles of sovereign equality, territorial integrity, mutual benefit and good faith, with a view to the management of the waters of the Prespa, the prevention, control and reduction of pollution, the protection and conservation of the biodiversity, protection of the soil, the prudent use of natural resources and sustainable development.

Therefore, we vote in favour of this report.

Monika Flašíková Beňová (S&D), *in writing*. – On February 2010, in the presence and with the participation of the European Union, Greece, the Former Yugoslav Republic of Macedonia and Albania signed the Agreement on the protection and sustainable development of the Prespa Park Area. The aim of this Agreement is to ensure the protection of Prespa Park Area and also a comprehensive ecosystem protection. Not only do lakes and their surroundings have ecological importance, but also this area is naturally unique due to its geomorphological, ecological, biodiversity and cultural significance. It is a vital habitat for the conservation of numerous rare fauna and flora species, as a nesting place of globally threatened birds, and as a depositary of significant archaeological and traditional heritage. It was therefore desirable to obtain the consent of Parliament to make sure that Agreement could be adopted.

Lorenzo Fontana (EFD), *in writing*. – (IT) The Prespa area river basin on the borders between Greece, the former Yugoslav Republic of Macedonia and Albania is an important natural area. The agreement to be signed by the European Union will contribute towards reaching some of the important objectives for protecting this area, defending the ecosystem and introducing the sustainable use of renewable energy. That is why I will vote in favour of the recommendation.

Juozas Imbrasas (EFD), *in writing*. – (LT) I endorsed this report, because the purpose of this agreement is to establish cooperation so as to ensure the integrated protection of the ecosystem and the sustainable development of the Prespa Park Area, including the drawing up of integrated river basin management plans, in accordance with international and EU standards. The Prespa Lakes Basin (Prespa Park Area) is shared between Greece, the Former Yugoslav Republic of Macedonia and Albania. The first is a Member State of the European Union, the second a candidate country for EU membership and the third a potential candidate country for EU membership. Albania and the FYROM have also concluded a Stabilisation and Association agreement with the EU. The Prespa Park Area is a natural area of international importance owing to its biodiversity and geomorphologic, ecological, and cultural significance. It is vitally important as a habitat for the conservation of numerous rare and/or endemic flora and fauna species, as a nesting place of globally threatened birds, and as a depositary of significant archaeological and traditional heritage.

For these reasons, on 2 February 2010 these three countries signed the Agreement on the Protection and Sustainable Development of the Prespa Park Area, with the participation of the EU, which also requires the consent of the European Parliament. In order to attain this objective, the parties have committed themselves to taking the necessary measures and applying the best available techniques, individually and in cooperation, on the basis of sovereign equality, territorial integrity, mutual benefit and good faith.

David Martin (S&D), *in writing*. – I welcome this agreement on the protection and sustainable development of Prespa Park. The Prespa Park area is a natural area of international importance owing to its geomorphological, ecological, biodiversity and cultural significance. It is a vital habitat for the conservation of numerous rare and/or endemic fauna and flora species, as a nesting place of globally threatened birds, and as a depositary of significant archaeological and traditional heritage.

Willy Meyer (GUE/NGL), *in writing*. – (ES) This report is on the Prespa Lakes basin, whose geomorphological, ecological, biodiversity and cultural significance make it an internationally important natural space. It is a habitat vital to the conservation of numerous rare or endemic species of flora and fauna, as a nesting place for birds endangered at global

level, and as a repository for valuable heritage in terms of archaeology and tradition. As such, an agreement is being concluded between Greece, Albania and the Former Yugoslav Republic of Macedonia, which share this natural space, so as to establish cooperation on managing the waters of these lakes to prevent, control and reduce their pollution; to protect and conserve the area's biodiversity and protect its soil from erosion; to promote the sensible use of natural resources and sustainable development; to prevent the introduction of alien animal and plant species; and to regulate human activities with a negative impact on the area. I am convinced of the need to increase cooperation between the involved parties, always on the basis of respect for the principle of equality, of territorial integrity and of mutual benefit, so as to protect this area of exceptional value. I am therefore voting for this agreement.

Maria do Céu Patrão Neves (PPE), *in writing.* – (PT) The basis of this report is the draft decision of the Council relating to the signing of the agreement on the Protection and Sustainable Development of the Prespa Park Area; the Prespa hydrographic basin. The European Union has longstanding legislation protecting its waters, namely the 2000 Water Framework Directive, which establishes the objective of protecting all waters – rivers, lakes, ground-waters and coastal waters – and which, in the case of shared hydrographic basins extending beyond administrative and political borders, provides for the coordination of efforts in order to achieve this objective. The Prespa hydrographic basin is shared between Greece, the former Yugoslav Republic of Macedonia (FYROM) and Albania. The FYROM is a candidate for EU accession and Albania is a potential candidate. It has therefore become necessary to establish an international agreement for pursuing the objectives of the Water Framework Directive, namely protecting biodiversity and the ecosystem services of this area. I voted in favour of this report, previously adopted unanimously by the Committee on the Environment, Public Health and Food Safety.

Paulo Rangel (PPE), *in writing.* – (PT) The Prespa hydrographic basin is shared between Greece, Albania and the former Yugoslav Republic of Macedonia. As a source of biodiversity of undisputable ecological interest, and therefore also as a natural climate regulator, its protection is worthy of the efforts of the European Union in line with the Water Framework Directive (2000/60/EC). Pursuant to this directive, in the case of a hydrographic basin that extends beyond the territorial limits of the Union, it is necessary to implement coordination efforts between the countries involved and for this reason, on 2 February 2010 the Agreement on the Protection and Sustainable Development of the Prespa Park Area was concluded; the Commission was also involved, representing the EU. However, its final adoption by the Council requires the consent of the European Parliament. For the above reasons, I voted to adopt this agreement.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – The Prespa Park area is a natural area of international importance owing to its geomorphological, ecological, biodiversity and cultural significance. It is a vital habitat for the conservation of numerous rare and/or endemic fauna and flora species, as a nesting place of globally threatened birds, and as a depositary of significant archaeological and traditional heritage. For these reasons, the three countries concerned signed the Agreement on the Protection and Sustainable Development of the Prespa Park Area on 2 February 2010, with the participation of the EU. The purpose of the agreement is to establish cooperation so as to ensure the integrated protection of the ecosystem and the sustainable development of the Prespa Park area, including the drawing up of integrated river basin management plans, in accordance with international and EU standards. Under Article 218(6)(a) of the Treaty on the Functioning

of the European Union, the Council must secure the consent of the European Parliament in order to adopt the agreement.

Licia Ronzulli (PPE), *in writing.* – (IT) The European Union is equipped with long-standing legislation protecting its waters, of which the most important part is the Water Framework Directive. Under this legislation, where river basins extend beyond the territory of the Union, Member States shall endeavour to establish coordination with the non-Member States which share the river basin district. Where coordination takes the form of an international agreement, participation of the European Union as a Party is necessary to the extent that the agreement covers matters falling within the Union's competence.

The Prespa Park Area is a natural area of international importance owing to its geomorphology, ecology, biodiversity and cultural significance. The text adopted today aims to establish cooperation so as to ensure the integrated protection of the ecosystem and the sustainable development of the Prespa Park Area, including the drawing up of integrated river basin management plans, in accordance with international and EU standards. The Agreement will contribute to the successful implementation of the Water Framework Directive, to protecting the environment, improving the living standards of local inhabitants and strengthening good neighbourly relations in a particularly sensitive area of the Balkans.

Daciana Octavia Sârbu (S&D), *in writing.* – Last year the Commission and the other EU institutions reflected on the fact that we have not met our biodiversity targets. This is a deeply regrettable situation which must be changed, quickly and effectively, in order to protect biodiversity and the invaluable eco-services it provides us with. Cooperation with third countries is to be encouraged as much as possible, as this is also a global problem, so this agreement is to be warmly welcomed.

Recommendation: Carmen Fraga Estévez (A7-0142/2011)

Luís Paulo Alves (S&D), *in writing.* – (PT) I am voting for Mrs Fraga Estévez's recommendation welcoming the European Commission's efforts toward the approval of the resolutions based on the Port State Measures Agreement by the Regional Fisheries Management Organisations (RFMOs). In the course of the plenary session of the Indian Ocean Tuna Commission (IOTC) held in March 2010 in Busan, South Korea, a port state measures resolution tabled by the EU was adopted (resolution 2010/11). Similar proposals were also tabled by the EU in other RFMOs, with a view to strengthening the port state measures they currently have in force and bringing them in line with the requirements of the agreement. Unfortunately, they could not be adopted in several cases owing to the opposition of a number of countries, such as some Latin American and small Pacific island countries.

As advocated by the rapporteur, I too urge the European Commission to continue applying pressure to approve these proposals, as the measures provided for in the agreement will only be truly effective at combating illegal, unreported and unregulated (IUU) fishing if and when they are applied in a comprehensive, uniform and transparent manner, in order to avoid loopholes that could be easily exploited by the IUU fishing operators.

Antonello Antinoro (PPE), *in writing.* – (IT) I supported the recommendation because the European Union must send out a strong message against illegal, unregulated and unreported fishing. The European Union is a major international player on issues regarding the management of fishing. As such it must lend its support to anything relating to the enforcement of international rules on infringements. Mrs Fraga Estévez has welcomed the

efforts made by the European Commission for the adoption of resolutions based on the United Nations Food and Agriculture Organisation's Port State Measures Agreement. In committee, we strongly supported the idea of continuing to push for these proposals. Indeed, illegal fishing includes declared ships that fish for undersized species as well as fishing by unauthorised boats in protected areas or too close to coastlines.

Unfortunately, illegal fishing accounts for some 60% of the products that arrive on our markets, and this causes uncertainties about their quality and makes them difficult to trace. This is why we believe that Europe should set an example to all other countries operating in this sector, which end up gaining an advantage on international markets because they do not have to respect any of the limits imposed on our fishermen.

Izaskun Bilbao Barandica (ALDE), *in writing*. – (ES) I voted for Mrs Fraga's recommendation on the draft Council decision on the approval of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. I voted in favour because the content of the initiative will be a crucial contribution to the current global struggle against illegal fishing. Its content will be effective if it is comprehensively, uniformly and transparently applied.

Mara Bizzotto (EFD), *in writing*. – (IT) The shortage of fish stocks at global level and not, therefore, only in our own seas, is gradually becoming an urgent problem. We know that marine life is essential not only for a substantial part of the human diet, but also for the health of the entire ecosystem. It is therefore important that all levels of government – from the regions and central governments right up to the European Union – should do everything in their power to bring in regulatory measures and legislative instruments that will help protect fish stocks, which is the only guarantee of the long-term sustainability of fishing activities.

I voted in favour of this parliamentary recommendation to the Council so that the Council may proceed, on behalf of the EU, to adopt the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. If implemented correctly by national bodies, this international agreement will be an important tool for ensuring the long-term protection of marine life and the sustainable exploitation of fish stocks.

Vilija Blinkevičiūtė (S&D), *in writing*. – (LT) I voted for this report, because with it the European Parliament consented to the approval of the United Nations Food and Agriculture Organisation Agreement, which would promote responsible exploitation of fishery resources and marine eco-systems. This agreement provides for specific instruments to combat illegal, unreported and unregulated (IUU) fishing in EU territorial waters more effectively. These instruments provide for minimum standards which should underpin the adoption of measures by States in order to monitor, control and inspect foreign-flagged fishing vessels wishing to use their harbours. The instruments in this agreement could be applied not only to fishing vessels, but also vessels used for fishing related activities, such as transport vessels which may be used to carry fisheries products. The fight against IUU fishing constitutes an essential component of the common fisheries policy and the EU should be able to foster international cooperation on this matter by participating actively and constructively in the adoption of an international instrument on port state measures.

Sebastian Valentin Bodu (PPE), *in writing*. – (RO) Illegal, unreported and unregulated fishing is considered as one of the main threats to the resources of the fishing market where the European Union enjoys an important global position. In this case, devising a common

EU-level fisheries policy, aimed at protecting the sustainable exploitation of living aquatic resources is an absolutely natural concern. The agreement being proposed to the Council for adoption has been drafted precisely to meet these international requirements on preventing, deterring and eliminating illegal, unreported and unregulated (IUU) fishing through the implementation of effective measures by the state where the port is located. These are measures which, once the Agreement has been adopted, should go from being a voluntary model to a package of mandatory minimum standards for port states, with the aim of monitoring, controlling and inspecting foreign-flagged fishing vessels using their harbours.

The fact that the set of measures whose implementation comes under the remit of the port states are produced, all the same, by an international instrument is a bonus. The global overview of this practice of IUU fishing can result in better monitoring of fishing activities overall. It is more cost-effective in terms of organisation and implementation.

Vito Bonsignore (PPE), *in writing*. – (IT) I voted in favour of the text presented by Mrs Fraga Estévez, to whom I should like to express my appreciation for the work carried out. Indeed, I believe that the European Union should use every instrument at its disposal to prevent and combat illegal trade while at the same time preserving the fishing market, which has always been a robust pillar of the common fisheries policy.

It is therefore high time for stringent rules to be adopted and, above all, respected. Ships that do not observe European and international rules on fishing should be banned and greater information on all ships that request access to ports should be guaranteed. Let us not forget that Europe – which is ranked third among the world's fishing powers – has been working for years to ensure that Member States and third countries respect the rules, in order to guarantee a sustainable fishing market and protect the marine environment from possible damage.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) I agree with the draft Council decision on the approval, on behalf of the European Union, of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. I believe that the effectiveness of such measures is essential to guaranteeing the conservation and sustainability of marine ecosystems, and therefore to the exploitation of the seas and corresponding industries. To guarantee this effectiveness, it is necessary for these measures to be applied harmoniously by the Member States by controlling the unloading of boats, transshipments and other operations performed at their ports. Therefore, I wish to emphasise the importance of the point proposed relating to the information-sharing mechanism, which must underpin this agreement.

Diogo Feio (PPE), *in writing*. – (PT) Illegal fishing is a phenomenon that endangers all the measures that the international community and the European Union in particular have taken to allow robust and dynamic fishing activity to be balanced with the necessary replenishment of fish stocks.

In 2007, the Committee for Fisheries of the Food and Agriculture Organisation of the United Nations (FAO) agreed to draw up a legally binding international instrument on port state measures to deter illegal, unreported and unregulated fishing. Later, in 2009 an agreement was adopted in Rome, and the intention now is to approve it on behalf of the EU.

In view of the importance of this issue, particularly for a maritime nation such as Portugal, I am voting to approve this agreement.

José Manuel Fernandes (PPE), *in writing.* – (PT) In 2001, the United Nations Organisation for Food and Agriculture (FAO) created an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU). In 2005, the FAO approved a series of measures that port states for fishing or fish-transportation vessels must adopt to combat illegal fishing. The preservation of natural resources, particularly marine resources, is a constant concern of the European Union, which seeks to prevent illegal fishing with all the means at its disposal. It has therefore closely followed all the measures approved by the FAO, playing an active and constructive role, not least in drawing up the agreement adopted at the 36th session of the FAO Conference held in Rome 18-23 November 2009. I agree with the position adopted by the rapporteur with regard to urging the European Commission, not only to conclude the present agreement, but also to continue to apply pressure to international agencies, particularly the FAO, with a view to the approval of the envisaged measures.

João Ferreira (GUE/NGL), *in writing.* – (PT) This agreement was approved at the 36th session of the United Nations Food and Agriculture Organisation (FAO) Conference held in Rome in November 2009, rounding off a debate process that had been preceded by a set of other agreements and codes of conduct adopted over the last two decades under the umbrella of the FAO.

Illegal, unreported and unregulated (IUU) fishing constitutes a global threat to the sustainable exploitation of live aquatic resources. Therefore, the fight against IUU fishing must be a central concern of any fisheries policy, as well as an essential element of international fisheries management of at the competent forums.

The objective of this agreement is to prevent, deter and eliminate IUU fishing through the use of effective port state measures, thereby guaranteeing the long-term conservation and sustainable use of living marine resources and marine ecosystems. Experience proves the good cost-effective relationship and the crucial role played by port state measures, in conjunction with other instruments, in the fight against IUU fishing. This agreement also supports an expanded definition of IUU fishing, in order to include a wide range of unregulated fishing operations.

Therefore, we voted in favour of this report.

Ilda Figueiredo (GUE/NGL), *in writing.* – (PT) This agreement was approved at the 36th session of the United Nations Food and Agriculture Organisation (FAO) Conference held in Rome in November 2009, rounding off a debate process that had been preceded by a set of other agreements and codes of conduct adopted over the last two decades under the umbrella of the FAO.

Illegal, unreported and unregulated (IUU) fishing constitutes a global threat to the sustainable exploitation of live aquatic resources. Therefore, the fight against IUU fishing must be a central concern of any fisheries policy, as well as an essential element of international fisheries management of at the competent forums.

The objective of this agreement is to prevent, deter and eliminate IUU fishing through the use of effective port state measures, thereby guaranteeing the long-term conservation and sustainable use of living marine resources and marine ecosystems.

Experience proves the good cost-effective relationship and the crucial role played by port state measures, in conjunction with other instruments, in the fight against IUU fishing.

Therefore, we voted in favour of this report.

Monika Flašíková Beňová (S&D), *in writing*. – In November 2009, the FAO Conference approved the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing that may help to minimize this type of fishing and ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems, as well. As the European Union is one of the main representatives of international fisheries and one of the main global markets for fishery products, it is suitable and appropriate to promote the adoption of such proposals by the European institutions, too.

Pat the Cope Gallagher (ALDE), *in writing*. – (GA) The aim of the FAO Conference, to which this decision relates, is to prevent, deter and eliminate illegal, unregulated and unreported (IUU) fishing through effective port state measures. Basically, ‘port state measures’ means those measures that coastal states may apply to vessels that are not allowed to fly their flags in port or are seeking permission to enter a port.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the objective of the agreement is to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing through the implementation of effective port state measures, thereby ensuring the long-term conservation and sustainable use of living marine resources and marine ecosystems.

The agreement will be applied by parties, in their capacities as port states, for vessels not entitled to fly their flags, while seeking entry to ports or while they are in port. It covers not only fishing vessels, but also vessels used for fishing related activities, such as transport vessels which may be used to carry fisheries products. It also endorses a broad definition of IUU fishing, so as to include a wide range of unregulated fishing operations. The annexes, as an integral part of the agreement, specify the information to be provided in advance by vessels seeking entry to the parties’ ports as well as guidelines for inspection procedures, the handling of inspection results, information systems and training requirements. Parties should cooperate to establish an information-sharing mechanism, preferably coordinated by the Food and Agriculture Organisation (FAO), in conjunction with other relevant multilateral and intergovernmental initiatives, and to facilitate the exchange of information with existing databases relevant to the agreement.

Jarosław Kalinowski (PPE), *in writing*. – (PL) According to scientific forecasts, by the mid-21st century it will become normal for Earth’s seas and oceans to be empty, as a result of our unwise management of the natural resources of fish and seafood. In spite of the restrictions and bans which have been introduced, much illegal fishing goes on, or even fishing that can be considered pillaging. It is therefore necessary to step up monitoring, in order to prevent the destruction of aquatic ecosystems, and a subsequent ecological disaster. A rational fisheries policy is particularly important in view of the food crisis, which is a threat we are facing at the same time as the human population is growing. As the largest market for such products, the European Union should therefore support measures aimed at preventing violations of fisheries legislation.

David Martin (S&D), *in writing*. – I welcome this agreement, the objective of which is to prevent, deter and eliminate IUU fishing through the implementation of effective port

State measures, thereby ensuring the long-term conservation and sustainable use of living marine resources and marine ecosystems.

Willy Meyer (GUE/NGL), *in writing*. – (ES) I voted for this report on the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, because I believe that this type of fishing implies a serious global threat to living aquatic resources. The market is insatiable and exhausts natural resources. We must curb industrial, pillaging fishing techniques. The exhaustion of fisheries resources is an environmental problem, but also a social one. I therefore welcome this positive report on the agreement adopted by the 36th session of the United Nations Food and Agriculture Organisation (FAO) Conference, which brings to a close a long period of debate that had already led to the adoption of a number of codes of conduct. I believe that combating illegal, unreported and unregulated fishing must be a key element of any fisheries policy worthy of the name. I am therefore voting for this report on an agreement whose established goals are to prevent, deter and eliminate illegal fishing by applying effective measures in the port state and, in this way, to enable long-term conservation, and the rational and sustainable exploitation of marine ecosystems.

Alexander Mirsky (S&D), *in writing*. – I know that the objective of the Agreement is to prevent, deter and eliminate IUU fishing through the implementation of effective port state measures, thereby ensuring the long-term conservation and sustainable use of living marine resources and marine ecosystems. As of 31 January 2011, 23 FAO Members had signed the Agreement and two instruments of accession had been deposited. As the European Union is a major player in international fisheries and one of the main global markets for fishery products, the rapporteur proposes that Parliament gives its consent to the conclusion of the Agreement and firmly supports and encourages the European Commission to continue to push for the adoption of these proposals. I voted 'in favour'.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) The objective of the agreement concerned is to prevent, deter and eliminate illegal, undeclared and unregulated (IUU) fishing through the use of effective port state measures, thereby ensuring the long-term conservation and sustainable use of living marine resources and marine ecosystems, including not only fishing vessels, but also ships that may be used to transport fish products. It also supports an expanded definition of IUU fishing to include a wide range of unregulated fishing operations.

This agreement is part of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU), created by the United Nations (UN) Food and Agriculture Organisation (FAO) as part of the UN code of conduct on responsible fishing.

Since IUU fishing is one of the major scourges of the current fishing industry, this agreement is particularly important, especially at a time when the EU is working on the new common fisheries policy (CFP).

I therefore voted for this report.

Phil Prendergast (S&D), *in writing*. – The approval of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the Agreement) is to be welcomed. The Agreement is a vital tool in ensuring that the EU is well equipped to combat illegal, unreported and unregulated (IUU) fishing in our waters. Ireland, and in particular Ireland South, has a thriving fishing industry and this Agreement will

help to fight against IUU fishing as one of the most serious global threats to the sustainable exploitation of living aquatic resources. It is incredibly important that the EU has participated in this process from the start and has played an active and constructive role in the drafting of the Agreement, as the fight against IUU fishing constitutes an essential component of the common fisheries policy.

Paulo Rangel (PPE), *in writing*. – (PT) Illegal, unreported and unregulated fishing constitutes a serious obstacle to sustainable development in so far as it may affect ‘living aquatic resources’. The Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing has been concluded, under the aegis of the United Nations Food and Agriculture Organisation (FAO), and it requires European Parliament approval to be permanently binding for the Union, so I voted in favour of concluding this agreement, as it is a central point of the common fisheries policy.

Frédérique Ries (ALDE), *in writing*. – (FR) By adopting the report by Mrs Fraga Estévez at lunchtime today, Parliament has given its approval for the European Union to enter into a binding international agreement to combat illegal fishing, thereby demonstrating its commitment to responsible fishing also. It is worth reminding ourselves that illegal fishing is still one of the greatest threats to sustainable exploitation of marine biological resources and is as great a threat as intensive fishing. To combat this type of fishing, which depletes marine biological resources and ecosystems, is a vital goal for the European Union. Commissioner Damanaki’s recent announcement of a new fishing control system, which will mean fish can be traced from their place of capture to the dinner table, is encouraging. The introduction of a new points system (building up to suspension of a licence) on 1 January 2012 is particularly important. This system aims to ensure that serious infringements are dealt with in the same way, with deterrent fines of a minimum of five times the market value of the illegally caught fish. This system of traceability, combined with control and sanction powers for inspectors deployed throughout European territory, is a vital tool for curbing illegal fishing.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – Illegal, unreported and unregulated (IUU) fishing remains one of the most serious global threats to the sustainable exploitation of living aquatic resources. The fight against IUU fishing is an essential component of the common fisheries policy, and the EU should be able to foster international cooperation on this matter by participating actively and constructively in the adoption of an international instrument on port state measures.

The EU is a member of the United Nations Food and Agriculture Organization and of 13 regional fisheries management organisations (RFMOs). Port state mechanisms adopted within RFMOs have been implemented through EU law, which also provides for comprehensive rules on access to port services, landings and transshipments of fisheries products by third-country vessels in EU ports, and cooperation and assistance mechanisms between the EU and third countries.

Licia Ronzulli (PPE), *in writing*. – (IT) Illegal fishing represents one of the most serious global threats to the sustainable exploitation of living aquatic resources. The fight against this form of exploitation constitutes an essential component of the common fisheries policy and the EU should be able to foster international cooperation on this matter by participating actively and constructively in the adoption of an international instrument on port state measures.

In 2001, the Food and Agriculture Organisation developed an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. The plan adopted a holistic approach, elaborating actions to be taken by flag, coastal and port states. The document adopted today aims to prevent, deter and eliminate illegal fishing through the implementation of effective port state measures, thereby ensuring the long-term conservation and sustainable use of living marine resources and marine ecosystems.

Daciana Octavia Sârbu (S&D), *in writing*. – Port State Measures are an important tool in the fight against illegal, unreported and unregulated (IUU) fishing. IUU fishing is an international criminal activity which is damaging our marine ecosystems, threatening our food security, and ruining the livelihoods of those in the legitimate fishing industry. But our action against IUU fishing must not only comprise Port State Measures; we must also campaign to end the use of ‘flags of convenience’, which often allow vessels to operate illegally and with impunity. A global registry of fishing vessels could also be an important step, as could traceability of fishery products.

Nuno Teixeira (PPE), *in writing*. – (PT) Preventing, deterring and eliminating illegal, unreported and unregulated (IUU) fishing is a fundamental priority for the success of the common fisheries policy (CFP). The objective of the agreement is to prevent, deter and eliminate IUU fishing through the use of effective port state measures, thereby ensuring the long-term conservation and sustainable use of living marine resources and marine ecosystems. IUU fishing continues to be one of the most serious global threats to the sustainable exploitation of living aquatic resources, and the EU has had an active and constructive role in the preparation of the present draft agreement.

Through the facility provided by the international instrument relating to port state measures, the parties will deny entry to their ports if they have sufficient proof that the ship intending to enter has been involved in IUU fishing or related activities. In view of these considerations, I regard the agreement mentioned as an important contribution to the current international fight against IUU fishing and I am voting in favour of its approval.

Viktor Uspaskich (ALDE), *in writing*. – (LT) Although Lithuania is small, the fishing sector plays an important economic and social role for small communities in my country. Illegal, unreported and unregulated fishing poses a major threat to the sustainability of fishing in Lithuania. Fish stocks are wasted, the marine environment is destroyed and honest fishermen find themselves in an uncomfortable position. In the Baltic Sea alone, 3800 jobs are under threat because of illegal, unreported and unregulated fishing. According to the Pew Environment Group, unreported fishing costs Lithuanian fishermen more than EUR 1.1 million every year. This is a huge sum of money given the size of my country and the fact that these problems can be avoided. Unregulated fishing is particularly destructive for cod fishing in the Baltic Sea, which is already in a poor state. Cod is the most valuable fish in the Baltic Sea and the majority of Lithuanian fishermen are dependent on cod stocks. However, our cod fishermen are faced with illegal, unreported and unregulated catches of 40% above official landings. If illegal, unreported and unregulated fishing came to an end, cod fishing in the Baltic Sea could recover. However, for that to happen we must fill the gaps enabling illegal operators to profit from their activities. We must impose harsher penalties against offenders.

Report: Arlene McCarthy (A7-0147/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) Millions of Europeans use the right to trade in the EU Internal Market, and to live, work and travel throughout the EU. The EU has

legislation that allows cross-border claims and the mutual recognition of national courts' judgments. However, obtaining a legal judgment is only part of the process: citizens and companies must have the right to ensure that these judgments are effectively enforced. A necessary component of effective enforcement is that the courts may, as an interim measure, act swiftly to order disclosure and freezing of the debtor's assets. Without such a measure, rogue traders and other debtors can evade their responsibilities by simply moving their assets to another jurisdiction, thereby denying the creditor effective enforcement of the judgment in the Single Market. The citizen or small business will have spent both money and time in securing a court judgment, only to have to go before another Member State's courts with no guarantee of success or justice. This report therefore indicates the need for an effective regime for freezing and disclosure of debtors' assets, as such I am voting for it.

Alfredo Antonozzi (PPE), *in writing.* – (IT) The Internal Market is without doubt the most important instrument that the European Union has to foster growth in the wake in the recent financial crisis. The millions of citizens and businesses that reap the benefits of the Internal Market must be able to exercise their rights and be able to travel, work and live freely anywhere in Europe. This is why they must also have access to effective remedies if they intend to make a claim against another citizen or business that endangers these rights.

Today, the European Union has instruments in place to enable cross-border claims and the mutual recognition of judgments of national courts. However, the actual right to have judgments enforced is still lacking. Establishing an effective system for the freezing and disclosure of debtors' assets, and stepping up cooperation between enforcement authorities in the Member States, are the best ways of filling these gaps. That is why I voted in favour of Mrs McCarthy's report.

Raffaele Baldassarre (PPE), *in writing.* – (IT) One necessary component of effective enforcement of judgments is that courts must be able, as an interim measure, to act swiftly to order a disclosure of the debtor's assets and to freeze them. Without such a measure, rogue traders and other debtors may evade their responsibilities by simply moving their assets to another jurisdiction, thus denying the creditor effective enforcement of the judgment in the Single Market.

That is why we need to establish a genuine 28th system, by which I mean an additional, autonomous European protection mechanism to go alongside those available in the national courts. This preventive measure will also provide a further deterrent against payment delays and will force the disclosure of assets in cross-border claims.

Sebastian Valentin Bodu (PPE), *in writing.* – (RO) This report is important in terms of extending the Single Market to the area of cross-border pre-financing. At the moment, this activity is partially blocked due to the reluctance of creditors in one Member State to grant loans to debtors living in another Member State. One specific example is where a resident of one Member State wants to take out a mortgage with a bank located in another Member State. At present, this transaction is not possible, which means that consumers do not actually have the right to purchase products (banking, in this case) from any EU Member State. The reason for a bank refusing to give mortgages to anyone other than residents of the same Member State (even when the relevant bank is a multinational and is represented in a number of Member States by subsidiaries or branches) is that, in the event of a default on the loan, the bank is obliged to proceed with a forced execution procedure in accordance with *lex rei sitae* (the law of the state where the property for which the mortgage has been arranged by the lending bank is located) and not with the law of the state where the creditor

has its registered office. If a 28th regime procedure is going to be instituted, in keeping with this report, this would facilitate cross-border credit-based transactions.

Philippe Boulland (PPE), *in writing.* – (FR) The level of success in recovering unpaid debts is remarkably low. The removal of the debtor's assets to another country has become a major problem for many creditors.

A regulation providing for free-standing remedies that would allow interim measures to be ordered before, during and after the main proceedings will represent significant progress for European citizens in the fight against these dishonest debtors.

The majority of European citizens are employees, and during this time of economic crisis they are becoming caught up too often in insolvency proceedings as the companies they work for go bankrupt.

As shadow rapporteur on Mrs Girling's draft opinion on insolvency proceedings, I felt there was a need for employees to be given greater legal protection and certainty, which should be harmonised, and above all to have effective remedy.

I propose that when main insolvency proceedings are begun against an employer who is in debt the receiver should be allowed within a six-month period to order the preservation of assets, with backdated effect, where the company has taken steps to move its funds.

Jan Březina (PPE), *in writing.* – (CS) I agree that the European Order for the Preservation of Assets (EOPA) and the European Order for the Disclosure of Assets (EODA) should be independent corrective resources supplementing the resources available under national law, and should be applied only in transboundary cases. The issuing of an EOPA should be wholly at the discretion of the national court. The burden of proof should also rest with the applicant, who should submit proper evidence of the legal plausibility (*fumus boni juris*) and urgency (*periculum in mora*) of a case. These criteria should be assessed by national courts on the basis of the existing case-law of the European Court of Justice. The effect of an EOPA must apply only to the freezing of bank accounts and the temporary freezing of bank deposits, and it should not grant creditors any form of ownership rights to the assets of the debtor. Further thought should be given as to whether the order might apply to other kinds of asset, such as immovable property or a future asset (a receivable due soon or an inheritance).

Cristian Silviu Buşoi (ALDE), *in writing.* – (RO) A very large number of companies in the EU carry out their business activities within the Internal Market, while European citizens enjoy the right to settle, work or travel freely throughout the EU. As we also pointed out when we discussed the Single Market Act intended to deepen the Internal Market and promote cross-border transactions, including e-commerce, we need guarantees to be able to recover any cross-border debts. I fully support the notion in this report of asking the Commission to propose more effective instruments for implementing the legislation, to supplement those which already exist for dealing with cross-border claims, such as the Brussels I Regulation or the Small Claims Procedure. Courts should have the necessary instruments available to act swiftly and freeze the assets of the debtor or alleged debtor, however not under any circumstances. We must strike a balance between protecting creditors and protecting the rights of debtors to avoid any arbitrary situation.

The possibility of obtaining an EOPA without any notification and prior hearing for the relevant party is an infringement on the debtor's rights and is contrary to current case law

of the Court of Justice of the European Union. The report does not therefore provide the necessary balance as better protection is required for the rights of debtors.

Alain Cadec (PPE), *in writing*. – (FR) I voted in favour of Mrs McCarthy's report, which requests the Commission to propose a European Order for the Preservation of Assets and a European Order for the Disclosure of Assets. Both instruments should be free-standing remedies additional to those available under national law.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) There is a need for an effective system to prevent and penalise non-payment situations when these occur between subjects whose assets are located in different countries, because otherwise, the free movement of persons, goods, services and capital within the EU would compromise the legal certainty of the European public. Therefore, I welcome and agree with the recommendations to the Commission on the proposed measures relating to the freezing and disclosure of debtors' assets in cross-border cases.

Marielle De Sarnez (ALDE), *in writing*. – (FR) Late payments and unpaid debts harm businesses and consumers alike. Even when the courts have delivered a judgment, in practice it is often difficult for creditors to recover debts if no information is available on the whereabouts of the debtor and his assets. It is even more difficult when the debtor is domiciled in another Member State. At present the number of cross-border debts successfully recovered is particularly low, and the cost of cross-border debt recovery can be prohibitive and can deter parties from engaging in legal proceedings. The time has come to simplify and speed up the recovery procedure. In order to improve debt recovery within the European Union and thereby protect consumers more effectively and encourage trade between Member States, the Commission must propose new legislation on the freezing and transparency of debtors' assets.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of this report, because it tables a range of measures that will help to prevent rogue traders and other debtors from evading their responsibilities by transferring their assets to other jurisdictions, thereby denying the creditor effective enforcement of the judgment in the Single Market.

Diogo Feio (PPE), *in writing*. – (PT) At the time of the adoption of the Stockholm Programme, the Commission was asked to table specific proposals aimed at a simple and autonomous European system for the seizure of bank accounts and the temporary freezing of bank deposits. Current European legislation allows cross-border claims and the mutual recognition of national courts' judgments, but still fails to ensure that the resultant legal judgments are effectively enforced.

As such, and following Parliament's adoption of various resolutions reinforcing this idea, in this own-initiative report, the rapporteur asks the Commission to introduce two instruments – a European Order for the Preservation of Assets (EOPA) and a European Order for the Disclosure of Assets (EODA) – to be implemented in national law and to concern only cross-border cases. These instruments aim to ensure the rapid implementation of measures by the courts, enabling the freezing of debtors' assets and preventing the relocation or transfer of their assets.

Therefore, I congratulate the rapporteur and believe that these are necessary measures, ensuring greater legal certainty and security, and also defending a better functioning of the Internal Market.

José Manuel Fernandes (PPE), *in writing*. – (PT) The opportunism and greed of members of the public and certain businesspeople are leading them to take advantage of the freedom of movement of people and goods throughout the European Union to harm third parties. In spite of current regulations, such as the Brussels I Regulation, the European Enforcement Order, the European small claims procedure and the order for payment procedure, it is not always not possible – and certainly not fast – to achieve effective enforcement of a legal judgment in the Single Market. This report, containing a set of recommendations to the European Commission relating to the proposals tabled on the freezing and disclosure of debtors' assets in cross-border cases earns my full support, and I hope that in June, we will have a specific proposal with the measures to be adopted in this respect.

João Ferreira (GUE/NGL), *in writing*. – (PT) We acknowledge the need to defend consumer rights in the EU Internal Market, particularly those of the most vulnerable. The EU currently already has legislation in place enabling cross-border claims and the mutual recognition of national courts' judgments, including the Brussels I Regulation, the European Enforcement Order, the European small claims procedure and the order for payment procedure. However, obtaining a legal judgment is only part of the process. The aim of this report is for members of the public and businesses to have the right to ensure these judgments are effectively enforced.

A necessary component of effective enforcement is that the courts may, as an interim measure, act swiftly to order disclosure and freezing of the debtor's assets. There is a need for this measure, to guarantee the rights of individuals and small and medium-sized enterprises (SMEs). Naturally, this does not bring an end to our opposition to and reservations about fundamental aspects of the Single Market, its nature, objectives and impact.

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) In the Internal Market created by the European Union, it is becoming increasingly necessary to defend the rights of consumers, particular those lacking adequate resources.

The EU has legislation in place enabling cross-border claims and the mutual recognition of national courts' judgments, including the Brussels I Regulation, the European Enforcement Order, the European small claims procedure and the order for payment procedure. However, obtaining a judgment is only one part of the process.

The rapporteur's aim with this report is for members of the public and businesses to have the right to ensure these judgments are effectively enforced. A necessary component of effective enforcement is that the courts may, as an interim measure, act swiftly to order disclosure and freezing of the debtor's assets.

Without such a measure, rogue traders and other debtors may evade their responsibilities by simply moving their assets to another jurisdiction, thus denying the creditor effective enforcement of the judgment in the Single Market.

The individual or small business will have spent both money and time in securing a legal judgment, only to have to go before another Member State's courts with no guarantee of success or justice.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the EU has legislation in place to enable cross-border claims and the mutual recognition of judgments of national courts, including the Brussels I Regulation, the European Enforcement Order, the Small Claims Procedure and the Order for Payment Procedure.

However, getting the judgment is only one part of the process; citizens and businesses must have the right to have their judgments effectively enforced. One necessary component of effective enforcement is that courts must be able, as an interim measure, to act swiftly to order a disclosure of the debtor's assets and freeze them. Without such a measure, rogue traders and other debtors may evade their responsibilities by simply moving their assets to another jurisdiction, thus denying the creditor effective enforcement of the judgment in the Single Market. The European Institutions have drawn attention to the need for an effective regime for freezing and disclosure of debtors' assets.

Edvard Kožušník (ECR), *in writing*. – (CS) I am personally in favour of the European Order for the Preservation of Assets and the European Order for the Disclosure of Assets becoming part of EU law. This is particularly true in view of legislative developments in recent years, when measures such as the European Enforcement Order, the Small Claims Procedure and the European Payment Order were incorporated into Union law, because these measures cannot be fully realised without the implementation of the European Order for the Preservation of Assets and the European Order for the Disclosure of Assets.

Although I support the Commission's call to submit a proposal for legislative amendments to both measures, this does not mean automatic support for the Commission proposal. In assessing this proposal I will place emphasis above all on its specific form, stressing its use exclusively in transboundary cases, the jurisdiction for the exercise of these measures and also the restriction on the exercise of these measures only to cases where it is absolutely necessary.

David Martin (S&D), *in writing*. – I welcome this report which, if followed through by the Commission, should help victims of fraud. The current legal set-up protects the fraudster, leaving the victim lost in a quagmire of paperwork and expensive legal action. These proposals would reverse this unfair situation, giving victims a better chance of getting their money back.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) This report raises the problem of the banks' debt reimbursement guarantees. Banks benefit from preferential interest rates in order to guarantee their profits. However, they continue to levy disproportionately high rates on the debts of States and citizens. The urgent need is to save citizens and States who are victims of the banks, not the reverse.

I shall vote against this report.

Willy Meyer (GUE/NGL), *in writing*. – (ES) In the current context of the European Internal Market, it is increasingly important to defend the rights of consumers, in particular those who are less well-off. European legislation allows for cross-border claims, as well as the mutual recognition of the decisions of national courts, but the current procedure for cross-border debt recovery is arduous and prohibitively expensive. The purpose of the report with recommendations on proposed interim measures for the freezing and disclosure of debtors' assets in cross-border cases is for European citizens and businesses to have the right for these decisions to actually be enforced. The lack of this type of measure sends a signal of impunity to recalcitrant debtors and makes it easier for rogue traders to evade their responsibilities, as they can simply move their assets to another jurisdiction to prevent a court judgment from actually being enforced. This forces citizens to go before another Member State's courts, with no guarantee that this costly process will have a favourable outcome. I have therefore been unable to vote against this report, which sets out measures aimed at protecting these rights.

Georgios Papanikolaou (PPE), *in writing*. – (EL) Freedom of trade and the smooth operation of the Internal Market in the EU come with rights and obligations attached. One of the public's basic rights is to suitable means of recourse in the event that they have a claim against an individual or against a company that has caused them a loss.

In addition, care must be taken to ensure that any court judgments are enforced quickly, so that the individuals or companies responsible and liable for compensation have no margin to evade their responsibility by simply transferring their assets to another jurisdiction, thereby denying effective enforcement of the judgment on the debtor within the Single Market. This practical, yet important, loophole is identified in the own initiative report, which I voted in favour of.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) The most important instrument that the EU has to promote growth in the heat of the financial crisis is its Internal Market. At the moment, EU law is not effectively applied, particularly in the area of civil justice. In fact, the current level of payment of cross-border debts is very low, both with regard to the assets of private individuals and of businesses. This fact in itself discourages cross-border trade by sending a message of impunity to debtors, and damages the economic performance of the EU. In fact, the cost of the cross-border settlement of debts is currently prohibitive for creditors in cases where the debtor has assets in different Member States. This prevents the Internal Market from working properly. European Union measures are essential, in order to put an end to this situation and provide EU citizens with effective recourse should they have a claim against another citizen or company; measures that simplify and accelerate this payment process. Therefore, I voted in favour of this report, in which the European Parliament calls on the Commission to table legislative proposals on measures for the freezing and disclosure of the assets of debtors and alleged debtors in cross-border cases.

Paulo Rangel (PPE), *in writing*. – (PT) To create a Single Market, parties must be given the necessary mechanisms that allow their debts to be settled throughout the Union. This concept gave rise to the Brussels I Regulation, for example, with the aim of setting up a single system for recognising legal judgments within the EU. However, it continues to be extremely difficult for a creditor to enforce a debt if the debtor's assets are divided between several Member States, which – there is no harm in repeating it – creates serious difficulties for the implementation of a true Single Market. The European Order for the Preservation of Assets (EOPA) and the European Order for the Disclosure of Assets (EODA) may prove to be good instruments for this requirement. Therefore, I voted for this report.

Evelyn Regner (S&D), *in writing*. – (DE) I voted in favour of the report because millions of citizens of the European Internal Market need effective legal means of asserting their claims against other citizens or against enterprises. People who exercise their right to live, work and travel within the EU should not in future be allowed to fall victim to unscrupulous profiteers and other debtors who evade their responsibilities simply by moving their assets to another country. In such cases creditors are often refused enforcement of the judgment in the Internal Market, as a result of which citizens or small enterprises lose money and time because they are referred to courts of other Member States once court proceedings have already been initiated. Moreover, to guarantee effective enforcement the courts must be able to order the disclosure and freezing of the debtor's assets within the context of measures to provide interim legal protection.

The current legal provisions in the European Union, which allow the reciprocal recognition of national court rulings and cross-border claims, are not sufficient. Citizens and enterprises

also need to have the right to have such rulings enforced effectively. This report signifies an important step against swindlers and in favour of the citizens and enterprises of the European Internal Market.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – Millions of businesses make use of the right to trade in the EU's Internal Market. Millions of citizens make use of the right to live, work and travel across the EU. It is essential that in the Internal Market citizens have effective remedies in the event they have a claim against another citizen or business.

The EU has legislation in place to enable cross-border claims and the mutual recognition of judgments of national courts, including the Brussels I Regulation, the European Enforcement Order, the Small Claims Procedure and the Order for Payment Procedure. But getting the judgment is only one part of the process; citizens and businesses must have the right to have their judgments effectively enforced. One necessary component of effective enforcement is that courts must be able, as an interim measure, to act swiftly to order the disclosure of the debtor's assets and freeze them.

Licia Ronzulli (PPE), *in writing*. – (IT) Millions of businesses operate in the European Union's Internal Market and millions of citizens make use of the right to live, work and travel in all Member States. It is therefore essential that in the Internal Market citizens have access to necessary and effective remedies in the event they have a claim against another citizen or business.

Today, the European Union has legislation in place to enable cross-border claims and the mutual recognition of judgments of national courts. However, obtaining a judgment is often only one part of the process. The more than 500 million European citizens and their businesses must have the right to effective enforcement of judgments. One necessary component of effective enforcement is that courts must be able, as an interim measure, to act immediately to order a disclosure of the debtor's assets and to freeze them. The aim of the report we are adopting today is to call on the Commission to swiftly bring forward proposals on interim measures for the freezing and disclosure of debtors' assets in cross-border disputes.

Catherine Stihler (S&D), *in writing*. – I support this own-initiative report because it supports the creation of a European Order for the Preservation of Assets and a European Order for the Disclosure of Assets.

Report: Jorgo Chatzimarkakis (A7-0134/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) I am voting for this proposal, because I agree with the discharge procedures, with suitable appropriations being proposed for each heading.

Bastiaan Belder (EFD), *in writing*. – (NL) I cannot support discharge being granted to the European Commission or to the other institutions and bodies. The most important reason for that is that the error percentage remains too high. The report on the European Commission by rapporteur Chatzimarkakis spells out the areas of concern brilliantly. However, the Committee on Budgetary Control has failed to conclude that the grant of discharge should be postponed, despite the fact that that is exactly the tool we should be using to exert pressure on the European Commission and Member States to make improvements. For example, the national declarations of assurance. They help improve shared management, and that also means structural funds.

The many complicated rules connected with structural funds and research grants present another major difficulty. This is why I have tabled an amendment to the report by Mr Garriga Polledo from the Special Committee on the Policy Challenges and Budgetary Resources for a Sustainable European Union after 2013. With my amendment, I request that the European Commission ensures every proposal is accompanied by an impact assessment. That impact assessment must be carried out independently, not by the European Commission itself. To conclude, reduction of the regulatory burden and national declarations of assurance should lead to fewer errors in financial management. By granting discharge, the European Parliament is throwing away the most important tool it has ever had at its disposal. The Chatzimarkakis report deserved a better fate.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of granting 2009 discharge to the European Commission because, despite the difficulties in managing these funds, the result obtained by the Court of Auditors shows objective improvements. The greater audit transparency and the improved performance shown by all those involved in the management of European funds are the two main reasons that lead me to support this discharge.

Marielle De Sarnez (ALDE), *in writing.* – (FR) The vote on granting discharge to the Commission for the 2009 financial year has come at a very significant political moment, since the negotiations on the next multiannual financial framework will be marked by a revision of the financial regulation. This was therefore an opportunity for Parliament to give new impetus and vitality to a procedure that is not always taken seriously. Parliament has approved the Commission's budget spending for 2009, having obtained undertakings aimed at giving Member States more responsibility and improving control by national authorities of Union expenditure. More effective management and control systems must be established. In future, national political bodies will be obliged to sign national management declarations making them accountable for the way in which Union funds have been spent in their countries. The financial crisis that is currently shaking Europe also has implications for the EU budget. We cannot tolerate any scandal or mismanagement of expenditure.

Göran Färm, Anna Hedh, Olle Ludvigsson, Marita Ulvskog and Åsa Westlund (S&D), *in writing.* – (SV) We Swedish Social Democrats have chosen to grant discharge to the Commission for the financial year 2009.

However, we chose not to support the paragraphs relating to the EU's Staff Regulations. We believe that there may be a need for Commission staff to have additional travel days – some can have long distances to travel and may need to change planes or other forms of transport several times. In addition, changes to the EU's Staff Regulations can only be made within the framework of a codecision procedure between Parliament and the Council. Therefore, the discharge process is not the right forum for these issues. The reform of the Staff Regulations will be dealt with at a later date in the European Parliament's Committee on Legal Affairs.

Diogo Feio (PPE), *in writing.* – (PT) I welcome the continuous improvements made in the last few years by the Court of Auditors with regard to the performance of all those in charge of funds. The transparency, sound management and responsibility of all the entities involved must always be a priority and example of the European Union.

However, there is still a need to create real Member State responsibility with regard to their role in the shared management of Union cohesion funds, whilst it remains essential to

introduce a system for analysing the viability of data submitted by national agencies and a mandatory national management declarations system. It is crucial that the Member States take responsibility for the proper use of EU funds, and develop serious and transparent control and simplification policies.

Louis Grech (S&D), *in writing*. – I voted in favour of the report on the 2009 Commission discharge because it gives an assurance of better management of payments in cases where funds are misused. I could not support some of the paragraphs from the report, which referred to the forthcoming review of the Staff Regulations of Officials of the European Communities. The reasons behind my decision are that revision of the Staff Regulations goes beyond the remit of the Committee on Budgetary Control and does not belong in the 2009 discharge report, but falls instead within the competence of the Legal Affairs Committee, which will be dealing with these issues in the near future. I believe that we have to take an overall approach and make a comprehensive review of the Regulations as a whole, rather than a fragmented one with various reports addressing various regulations.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of the report on discharge in respect of the implementation of the budget of the Commission for the financial year 2009, because it provides a better guarantee of management as regards payments, particularly when funds are misused. By adopting this decision the European Parliament grants the Commission discharge in respect of the implementation of the general budget of the European Union for the financial year 2009 and sets out its comments in related documents. I feel that it is necessary to simplify and reduce public procurement rules in order to reduce the overall incidence of errors. Governance problems between the Financial Regulation and the cohesion regulations can be avoided by better alignment of eligibility rules across various policies. Simplification, in particular in connection with the revision of the Financial Regulation, needs to ensure stable rules and management schemes in the long term. I regret that in considering the implementation of the budget for the 2009 financial year, the Court of Auditors has again chosen to focus on energy and research policies rather than on transport policy. There is nevertheless a need for greater transparency through the provision of proper information to taxpayers and budget authorities, and for regional and transport policies to be more closely coordinated, as at present only cursory consideration is given to the potential European added value of projects and, consequently, funds are not used as effectively as possible to eliminate bottlenecks and problems relating to border crossings or inadequate connections.

David Martin (S&D), *in writing*. – I strongly believe this report indicates the need for the Commission to undertake a thorough spending review in order to identify possible savings which would reduce pressure on the budget during this period of austerity.

Paul Murphy (GUE/NGL), *in writing*. – I voted against the proposals to discharge the Commission of its obligation to report on its expenditure because the report was unclear. I did vote in favour of the motion for a resolution, as the general idea of cost efficiency in the EU is raised many times. I am in favour of cutting costs in relation to the Commission and its agencies. However, this may not be at the expense of rank-and-file workers in the Commission, as was suggested in Paragraph 81. I do not accept that workers should be forced to work longer as a result of cuts, regardless of who their employer is. Workers' rights should be guaranteed and defended. If their function has become obsolete, they should have access to similar jobs with the same conditions. Elected representatives enforcing a slashing of living standards for workers should, at the very least, accept that their own privileges undergo the same treatment. I will continue to urge that public

representatives be paid an average skilled worker's wage and to advocate the elimination of unnecessary costs, perks, benefits and other privileges.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Commission discharge in respect of the implementation of the general budget of the European Union for the financial year 2009, and sets out its observations in the resolution that forms an integral part of the Decisions on discharge in respect of the implementation of the general budget of the European Union for the financial year 2009, Section III – Commission and executive agencies, and in its resolution on conclusions concerning the special reports issued by the Court of Auditors.

Licia Ronzulli (PPE), *in writing*. – (IT) Under Article 17(1) of the Treaty on European Union, the Commission shall execute the budget and shall do so, under Article 317 of the Treaty on the Functioning of the European Union, in cooperation with the Member States, on its own responsibility, having regard to the principles of sound financial management. By adopting this report, Parliament approves the granting of discharge to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2009.

Angelika Werthmann (NI), *in writing*. – (DE) I have neither granted nor refused discharge for the Commission. The reason for this is that, on the one hand, the European Court of Auditors was once again unable to issue a positive statement for the Commission in 2009; on the other, the report makes it sufficiently clear that this is mainly due to the inadequate cooperation of the Member States as recipients of funding. Granting discharge to a deficient system does nothing to help this situation. Controls must be ensured before funds are handed out.

Anna Záborská (PPE), *in writing*. – (SK) The Court of Auditors estimates that financial irregularities or even possible embezzlement of resources in 2009 account for 2-5% of all payments. This is far more than the annual contribution of Slovakia to the EU budget. We are expected to approve the accounts of the 27 European agencies, although I suspect that Europe would be better off without these agencies. What is more, in the draft budget for next year we are going to increase precisely those sectors in which the audit found the greatest discrepancies. Saddest of all is the fact that it makes no difference whether this Parliament gives or does not give its blessing to the management of the European agencies and institutions. Everything will continue as usual. The stricter rules for the redistribution and accounting of these resources will solve nothing, because they will lead to more bureaucracy and slower payments, thereby ultimately undermining the effectiveness of support programmes. I would therefore like to advocate a phasing out of redistribution, which is becoming a less than transparent instrument for the social engineering of today. It distorts the market, reduces competitiveness and deprives people of initiative and responsibility for how and where they live. The less money we redistribute on the basis of political priorities, the less risk of corruption there will be and the more viable will be Europe's regions and our entire economy.

Report: Jorgo Chatzimarkakis (A7-0135/2011)

Liam Aylward (ALDE), *in writing*. – (GA) I support this report, especially what it says about the Special Report of the Court of Auditors on the reform of the sugar sector. That report drew attention to the significant problems evident in the sugar sector since it was reformed in 2006 and to the problems that former sugar producers now face. Without

the report of the Court of Auditors those difficulties would not be reported. The sugar plants played an important role in the agricultural sector, particularly in Ireland, where there were processing plants in Cork and in Carlow, and it could be argued that the reform put an end to the sugar sector in Ireland.

As stated in the report, insufficient information was provided about the impact on the processing regions, the impact of quota refusals on local economies, the jobs that would be lost and the distribution of compensation. There was a lack of transparency and information associated with the reform process for those working in the sector and for European taxpayers and there must now be clarity and honesty about the impact of the reform throughout the European agricultural sector.

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report. Every year the Court of Auditors presents special reports in the context of the Commission discharge. These special reports are of great importance when reflecting on and changing and adapting programmes and projects because they can result in a more efficient use of human and budgetary resources. On the basis of these reports, the Commission can take prompt action to remedy most of the shortcomings noted by the Court of Auditors. I was the rapporteur responsible for the working document of the Committee on Budgetary Control on the Special Report of the European Court of Auditors entitled “Improving transport performance on Trans-European rail axes”. I believe that the Commission must take the necessary action in order to adapt the rail infrastructure to cater for trans-European services while creating missing links at cross-border locations, replacing or upgrading the old rail infrastructure and helping the Member States to alleviate various complications related to the different gauges and providing the necessary financial assistance.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting 2009 discharge in respect of the general budget of the European Union because I take the view that the funds have been managed in a transparent and, overall, efficient way, including in the light of the particular circumstances that the European economy encountered in the period in question.

Diogo Feio (PPE), *in writing*. – (PT) I view the assessment made by the Court of Auditors in these special reports positively, because it is through these reports that we are able to access more clearly the information relating to how funds are spent, and also the need to reassess or adapt programmes and projects. All the information now provided by the Court of Auditors must be taken into consideration by the EU, particularly by the Commission as the main executive and management body of the EU budget. We must aspire to an exemplary optimisation of how the funds are handled and spent, based on simple and transparent rules founded on the principle of direct responsibility.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the Court of Auditors has managed to produce, every year, more and better special reports. Unfortunately, they do not always get the political attention they deserve because of the rules applicable in Parliament. These special reports are of great importance when reflecting on and changing and/or adapting programmes and projects, because they can result in a more efficient use of human and budgetary resources. I appreciate the positive attitude of the Commission to these processes and its willingness to take prompt action to remedy most of the shortcomings noted by the Court of Auditors in these reports.

David Martin (S&D), *in writing*. – I voted for this report, which underlines the need for more rigorous examination of projects at the application stage in order to prevent shortcomings, and, accordingly, invites the Commission to further improve the use of

guidance and checklists by providing clearer criteria for assessing grant applications in order to enhance the effectiveness and consistency of the procedures and their results, and to ensure proper follow-up action in cases of non-provision of required information or action.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This welcomes the fact that the Court of Auditors has managed to produce, every year, more and better special reports; regrets the fact that, unfortunately, they do not always get the political attention they deserve because of the rules applicable in Parliament; points out that those special reports are of great importance when reflecting on and changing and/or adapting programmes and projects, because they can result in a more efficient use of human and budgetary resources; and appreciates the positive attitude of the Commission to those processes and its willingness to take prompt action to remedy most of the shortcomings noted by the Court of Auditors in those reports.

Licia Ronzulli (PPE), *in writing*. – (IT) By adopting this report Parliament emphasises the fact that the Court of Auditors has managed to produce, every year, more and better special reports. Unfortunately these reports do not always receive the political attention they deserve, even though they are of great importance when reflecting on, changing and adapting programmes and projects because they can result in a more efficient use of human and budgetary resources.

Today's text underscores once again our appreciation of the positive attitude of the Commission and its willingness to take prompt action to remedy most of the shortcomings noted by the Court of Auditors in the reports in question.

Report: Ville Itälä (A7-0094/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) I am voting for this proposal, because I agree with the discharge procedures, with suitable appropriations being proposed for each heading.

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Parliament for the financial year 2009. The Court of Auditors found the payments as a whole to be free from material error. It found no material weaknesses when assessing the compliance of supervisory and control systems with the Financial Regulation. The Secretary-General of the European Parliament certified his reasonable assurance that Parliament's budget has been implemented in accordance with the principles of sound financial management and that the control framework put in place provides the necessary guarantees as to the legality and regularity of the underlying operations. I agree with the rapporteur that it is necessary for Parliament, along with all Union institutions, to find the most cost effective ways of using financial and staff resources, including possible savings, as well as electronic tools and methods, to provide efficient services. I believe that the Secretary-General of the European Parliament must propose arrangements to ensure that use of the general expenditure allowance is transparent in all cases and that it is used for the purposes intended. I also agree that Parliament should only have one workplace in the same location as the other Union institutions. Currently the decision to change this situation - and to make some EUR 160 000 000 of savings annually, as well as to considerably lessen Parliament's carbon footprint - lies exclusively with the European Council. We need to further rationalise the missions between the three working places, justifying and monitoring them better in order to avoid unnecessary missions and costs.

Jean-Luc Bennahmias (ALDE), *in writing.* – (FR) I voted for this discharge. As far as I am concerned, the European Parliament's operating budget is in keeping with the financial climate. Several of the comments on increasing transparency are along the right lines. I also consider it reasonable for Parliament to award prizes, especially for the purpose of supporting European cinema. Added to this, the sums in question are basically symbolic.

Izaskun Bilbao Barandica (ALDE), *in writing.* – (ES) I voted for the report on discharge in respect of the implementation of the European Union general budget for the financial year 2009, in relation to the European Parliament. I should like to stress that, in the section on major changes in budget management during 2009, I voted for item 5 because I understand that the general expenditure allowance paid into our accounts must be handled transparently in all cases and must be used for the purposes intended. Therefore and to that end, I agree that it should be the Secretary-General who adopts the appropriate measure.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of granting Parliament discharge in respect of its 2009 budget because I take the view that, overall, the resources have been managed wisely. I remain highly sceptical about the division between the three places of work: it creates waste and stress and, symbolism aside, I think there is a fairly urgent need to take steps to get rid of this tripartite system, which has an economic and environmental cost.

Marielle De Sarnez (ALDE), *in writing.* – (FR) In view of the current economic situation, the European Parliament has a duty to set an example in terms of cutting costs. Among the intended cost-saving measures, it has been decided that an interpretation service will automatically be provided for meetings of working groups in six languages only (French, German, English, Polish, Spanish and Italian), whilst other languages will only be made available if Members request them. Other demands include rules restricting long distance journeys by official Parliament cars. The resolution also calls for a long-term review of Parliament's budget with a view to reducing costs. This vote also provided an opportunity to revive the debate on where the seat of the European Parliament should be. However, this situation is linked to a historical background and to legal statutes that cannot be challenged on the basis of often mistaken attacks concerning the costs or problems associated with the dispersal of the European Parliament's premises. There is no question of choosing between Strasbourg and Brussels in this instance, since according to the Treaties that founded our Union in the beginning, Strasbourg is the rule and Brussels the exception.

Anne Delvaux (PPE), *in writing.* – (FR) Once again, I voted in favour of this report which points out that real savings could be made if Parliament only had one workplace, in the same city as the European Union's other institutions (in other words Brussels). The report of the Secretary-General on Parliament's preliminary draft estimates for 2011 itself draws attention to the huge annual costs arising from the geographical split of Parliament, estimated at some EUR 160 000 000, which accounts for 9% of Parliament's total budget.

It is true that at present the decision to change this situation, and in doing so to make some EUR 160 000 000 of savings per year, whilst at the same time considerably lessening Parliament's carbon footprint, lies solely with the Council. However through this vote, I call upon Parliament's President and the Members who are negotiating the Union budget on behalf of Parliament to suggest to the Council that it take steps to ensure that the Union can make these savings.

Edite Estrela (S&D), *in writing.* – (PT) I voted for the report on discharge of the European Parliament budget 2009, since it contributes to scrutiny of how funds are used by the

European institutions. I believe that it would be useful to review the European Parliament budget in the long term, in order to reduce costs and create resources for the efficient functioning of the Parliament in the context of its increased competences arising from the Treaty of Lisbon.

Göran Färm (S&D), *in writing*. – (SV) I would like to emphasise that, as a public institution, the European Parliament must strive to demonstrate as much openness and transparency as possible.

I also believe, particularly in view of the current economic situation, that Parliament must review its expenditure and identify savings and ways to increase efficiency. Parliament ought to have a more in-depth debate on these issues, which is why I would like to provide more room for the discharge debate. I also have a positive view of the principle that the European Parliament should have a common air miles system to provide the benefit of cheaper air travel.

Finally, I do not believe it is wrong for Parliament to award cultural prizes. However, I am highly critical of Parliament's Prize for Journalism, and I do not believe that it is appropriate for Parliament to award prizes to journalists whose task it is to critically examine the European Parliament. I therefore believe that this prize should be abolished.

Louis Grech (S&D), *in writing*. – On the discharge Report of the European Parliament for 2009, I voted in line with my political Group against paragraph 143 on airmiles. The same concept is already covered by paragraph 199 on which I voted in favour. Paragraph 119 is more comprehensive and more practical for implementation purposes.

Anna Hedh, Olle Ludvigsson, Marita Ulvskog and Åsa Westlund (S&D), *in writing*. – (SV) We Swedish Social Democrats have chosen to grant discharge to the European Parliament for the financial year 2009.

We would like to emphasise that, as a public institution, the European Parliament must strive to demonstrate as much openness and transparency as possible. We therefore chose to support paragraph 5, which calls for greater transparency with regard to Members' expenditure allowance.

We also believe, particularly in view of the current economic situation, that Parliament must review its expenditure and identify savings and ways to increase efficiency. Parliament ought to have a more in-depth debate on these issues, which is why we would also like to provide more room for the discharge debate. We also have a positive view of the principle that the European Parliament should have a common air miles system to provide the benefit of cheaper air travel, even though we find it difficult to see how this could be implemented in practice.

Finally, we do not believe it is wrong for Parliament to award cultural prizes. However, we are highly critical of Parliament's Prize for Journalism, and do not believe that it is appropriate for Parliament to award prizes to journalists whose task it is to critically examine the European Parliament. We therefore believe that this prize should be abolished.

Juozas Imbrasas (EFD), *in writing*. – (LT) I abstained from the vote on this document, although the audit of the Court of Auditors states that, as regards administrative expenditure in 2009, all the institutions satisfactorily operated the supervisory and control systems required by the Financial Regulation and the transactions tested were free from material error. The Secretary-General also certified, on 2 July 2010, his reasonable assurance that

Parliament's budget has been implemented in accordance with the principles of sound financial management and that the control framework put in place provides the necessary guarantees as to the legality and regularity of the underlying operations. I believe that the current financial situation necessitates that the Parliament, along with all Union institutions, finds the most cost effective ways of using financial and staff resources, including possible savings, as well as electronic tools and methods, to provide efficient services. We need to carry out a long-term review of the European Parliament budget and determine the money that can be saved in the future, in order to reduce costs and find the funds to enable Parliament to operate efficiently as one of the legislative bodies. I would also point out that citizens have the right to know how the money they pay in taxes is spent and how the Union's institutions and political bodies use the powers they are given.

Anne E. Jensen (ALDE), *in writing.* – (DA) The Danish Liberal Party is opposed to paragraph 112. It is vital that there continues to be equality for the European languages in the EU. Apart from this paragraph, the report contains a number of sensible initiatives.

Karin Kadenbach (S&D), *in writing.* – (DE) As regards paragraph 129 of the report on the '2009 discharge: EU general budget – European Parliament', which concerns the 'voluntary pension fund', I wish to state that I am categorically voting against this because it involves using taxpayers' money to finance pension funds for Members of the European Parliament (paragraph 129(i)). There is no reason not to raise the retirement age for the Scheme from 60 to 63 (paragraph 129(ii)). It is a good thing for the managers of the Fund to be called upon to adopt a more prudent and balanced investment strategy (paragraph 129(iii)). As a matter of principle I am in favour of phasing out the present pension scheme.

Jörg Leichtfried, Evelyn Regner and Hannes Swoboda (S&D), *in writing.* – (DE) As regards paragraph 129 of the report on the '2009 discharge: EU general budget – European Parliament', which concerns the 'voluntary pension fund', I wish to state that I have categorically voted against this because it involves using taxpayers' money to finance pension funds for Members of the European Parliament (paragraph 129(i)). There is no reason not to raise the retirement age for the Scheme from 60 to 63 (paragraph 129(ii)). It was a good thing for the managers of the Fund to be called upon to adopt a more prudent and balanced investment strategy (paragraph 129(iii)). As a matter of principle I am in favour of phasing out the present pension scheme.

David Martin (S&D), *in writing.* – I voted for the amendment which calls for greater transparency when signing off MEPs' General Expenditure Allowance.

Iosif Matula (PPE), *in writing.* – (RO) I voted for this report as I think that some measures are needed, aimed at both making MEPs' activities more efficient and improving the performance of the institution's officials and infrastructure in terms of security, IT, visitor access and reducing the carbon footprint. The security policy must be reviewed by implementing a smart, state-of-the-art security system for Parliament, using measures inside buildings and access control procedures, as well as in the area of the EU institutions. On the ICT front, improvements are required with regard to wireless network access inside the institution's buildings. On the other hand, the ICT department should propose specific measures for replacing hard copy administrative documents with environmentally-friendly, electronic versions. The EU's institutions are a major tourist attraction in Brussels.

Surveys show that the influx of tourists is higher during holiday periods and at weekends. The operation of the visitors centre and visit programme ought to be adapted to these demands. Meeting the 30% reduction target in carbon emissions by 2020 is a priority. I

support the initiative in favour of replacing the current car fleet with environmentally-friendly vehicles, given the small distances travelled, which is appropriate for the battery life of electric vehicles.

Paul Murphy (GUE/NGL), *in writing*. – I voted in favour of the motion for a resolution as the general idea of cost efficiency in the EU is brought up. I am in favour of cutting costs related to the European Parliament. However, savings cannot be made at the expense of ordinary workers working in the European Parliament; their rights should be safeguarded at all times.

I support spending on the promotion of accessible artistic and cultural events which can enrich the lives of the population; this is why I supported the LUX film prize, despite misgivings on the seemingly large budget spent on this particular award. Savings can, and should, be made by limiting the expenses and wages of MEPs, for instance by linking the daily allowance to vouched-for expenses.

I also supported the raising of the retirement age for MEPs from 60 to 63. I feel that representatives enforcing a slashing of living standards for workers should at the very least accept that their privileges undergo the same treatment. However, I do not agree that the retirement age for workers should be raised. I will continue to support workers and trade unionists in their struggle against the increase in the retirement age.

Franz Obermayr (NI), *in writing*. – (DE) I cannot vote for the discharge of the European Parliament budget on the basis that the wandering circus between Brussels and Strasbourg alone is unsustainable for taxpayers. The European Parliament should have a single location rather than relocating lock, stock and barrel for one week a month.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – Among other things, the adopted text establishes that the EP takes note of the budgetary constraints many Member States face as a result of the financial and economic crisis and the need to critically review potential savings at all levels including at Union level; and, in light of this situation, stresses that real savings could be achieved if Parliament only had one workplace in the same location.

Licia Ronzulli (PPE), *in writing*. – (IT) The audit carried out by the Court of Auditors indicates that, as regards administrative expenditure in 2009, all the institutions satisfactorily operated the supervisory and control systems required by the Financial Regulation, and the transactions tested were free from material error.

On 2 July 2010, the Secretary-General certified with reasonable confidence that Parliament's budget had been implemented in accordance with the principles of sound financial management and that the control framework put in place provides the necessary guarantees as to the legality and regularity of the underlying operations. The report that we are adopting today grants the President discharge in respect of the implementation of the European Parliament budget for the financial year 2009.

Catherine Stihler (S&D), *in writing*. – I support greater transparency in the Parliament and I especially welcome transparency in regard to the GEA.

Marianne Thyssen (PPE), *in writing*. – (NL) I voted in favour of Mr Itälä's report, but I have reservations about recital 113. I totally disagree with this recital, which proposes a new system for interpretation services for 'working groups'. I cannot agree with it, because the proposed system: does not square with the principle of equal treatment of the Union's official languages and of their users; will eventually undoubtedly lead to the exclusion of

languages other than the six mentioned; will, in practice, be impossible to run in a workable fashion, for the simple reason that the member concerned will have to submit a request for interpretation in a supplementary language before they get to see the agenda; risks turning the language policy into a power game. If we really want to make savings when it comes to languages, then we should demand that this system apply equally to everyone.

If we cease to attach so much importance to the principle that some members should be allowed to speak in their own language, this will become less important for other members, too. There is, therefore, only one alternative if we have to economise on interpretation services in the 'working groups': use of English, and English only, as the medium of both speaking and listening. In that case, everyone will be equal before the law and we will be able to make savings.

Derek Vaughan (S&D), *in writing*. – I was unable to support granting discharge to the European Parliament as some concerns remained unresolved. Although Parliament has taken steps to improve its budget and make savings, questions remain over some issues such as funding for prizes, which are currently paid for by the tax payer. In addition to this, the final report failed to acknowledge the amount of money being wasted on Strasbourg. The report did, however, show that some progress is being made. Following today's vote, new rules will need to be put in place to ensure that MEPs from all EU countries take steps to ensure the transparency of their office expenses. The report also called for a review of Parliament's expenditure in order to guarantee savings are made in future.

Report: Crescenzo Rivellini (A7-0088/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) I am voting for this proposal, because I agree with the discharge procedures, with suitable appropriations being proposed for each heading.

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and agreed that the European Parliament should postpone its decision to grant discharge in respect of the implementation of the budget of the Council for the financial year 2009. The Council has not accepted any invitation to officially and formally meet Parliament's Committee on Budgetary Control, responsible for the discharge procedure, or its rapporteur to discuss matters concerning the Council budget execution for 2009. The Council also refused to provide a written answer providing Parliament with the information and documents it requested. I agree with the rapporteur that the Council must provide Parliament's Committee on Budgetary Control with comprehensive written answers, as well as all the required documents, by 15 June 2011 at the latest. The Council must also be accountable to the public for the funds entrusted to it, and in order to facilitate the exchange of information in the discharge procedure, it must follow the same approach as the other institutions.

Lara Comi (PPE), *in writing*. – (IT) I voted against granting discharge in respect of the 2009 general budget of the Council because the Council has refused to respond to questions from Parliament on this topic and has failed to provide the essential documents that Parliament has requested. I am therefore in favour of postponing the 2009 discharge.

Diogo Feio (PPE), *in writing*. – (PT) Once again, the decision just adopted reflects the persistent lack of cooperation by the Council in the implementation and transparency of its budget. In the name of transparency, which the public needs, and rigour, I do not consider the Council exonerated from its responsibility of publishing accounts for the funds available to it.

Therefore, I agree with the rapporteur regarding his decision to postpone the decision on discharge of the Council's accounts until the latter supplies the information and documents requested by the rapporteur and also a complete list of budget carryovers.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because it postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the Council budget for the financial year 2009. The reasons for the postponement of the discharge decision are as follows: Firstly, the Council has not accepted any invitation to officially and formally meet Parliament's Committee responsible for the discharge procedure or its rapporteur to discuss matters concerning the Council budget execution for 2009. Secondly, the Council refused to provide a written answer providing Parliament with the information and documents requested from the Council in the annex to a letter of 14 December 2010 signed by the rapporteur. Thirdly, Parliament has not received fundamental documents from the Council, such as the full list of budgetary transfers. I voted in favour of this decision, because it is my deep conviction that citizens have the right to know how the money they pay in taxes is spent and how the institutions and political bodies use the powers they are given.

Agnès Le Brun (PPE), *in writing*. – (FR) As required each year, the European Parliament has delivered its opinion on whether or not the Union budget has been properly implemented by the various agencies and institutions who are responsible for it. The allocated sums are earmarked for specific purposes, and the aim of the discharge procedure is to check in retrospect that these purposes have been adhered to. This is an important prerogative of Parliament, as illustrated for example by its influence on the resignation of the Santer Commission in 1999. This year, together with the vast majority of Members of the European Parliament, I refused to grant the Council of Ministers discharge in respect of its activity in the 2009 financial year. The institutions whose activities are audited by Parliament through the Committee on Budgetary Control, of which I am a member, are obliged to cooperate with that committee, for example by providing it with all the documents that are needed to ascertain that public money is being properly used. However, in this instance the Council's cooperation was completely inadequate. This is why we decided to postpone the discharge until the autumn, so that the checks required for the sake of budgetary transparency can be carried out.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – IN FAVOUR of the following: 1. Postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the Council budget for the financial year 2009; 2. Sets out its observations in the resolution below; 3. Instructs its President to forward this Decision and the resolution that forms an integral part of it to the Council, the Commission, the Court of Justice of the European Union, the Court of Auditors, the European Ombudsman and the European Data Protection Supervisor, and to arrange for their publication in the Official Journal of the European Union (L series).

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's report Parliament postpones its decision on granting the Secretary-General of the Council discharge in respect of the implementation of the Council budget for the financial year 2009.

Derek Vaughan (S&D), *in writing*. – I supported Parliament's decision to postpone granting discharge to the Council as I believe the Council has not provided Parliament with sufficient information regarding its accounts. The Council needs to be scrutinised in the same way as every other European institution, and written documents must be provided

in order for discharge to be granted. The report put a number of questions to Council, many of which have not been answered. Without concrete explanations from the Council on specific issues, it is not possible to give them the green light for their accounts. The decision to grant discharge will be taken at a later date, when sufficient information has been provided.

Angelika Werthmann (NI), *in writing*. – (DE) I voted in favour of postponing the decision on the Council discharge for 2009. In the light of the new situation created by the entry into force of the Treaty of Lisbon the continuing refusal of the Council to be subjected to a discharge procedure – thereby taking accountability into account – is unacceptable. The Council's expenditure needs to be monitored just as much as that of the other Union bodies if due account is to be taken of the European Transparency Initiative.

Report: Crescenzo Rivellini (A7-0138/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) I am voting for this proposal, because I agree with the discharge procedures, with suitable appropriations being proposed for each heading.

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the Court of Auditors for the financial year 2009. For the financial year 2009, the accounts of the Court of Auditors were audited by an external firm, PricewaterhouseCoopers. In its conclusions it did not make any significant observations relating to the Court of Auditors. I welcome the audit strategy of the Court of Auditors for the period 2009-2012 and support its priority goals - maximising the overall impact from its audits and increasing efficiency by making best use of resources. I expect the Court of Auditors to demonstrate the progress in this direction. I agree with the rapporteur that in future the Court of Auditors must include more complete information in its reports on the agencies, in particular as regards the conclusions of internal auditors' reports. I welcome the measures the Court of Auditors is taking to reform and continuously improve its role in line with Parliament's call for its assessments and audits to have a broader and deeper impact, and for its data to be more reliable. It is also noted that there has been steady improvement as regards the proportion of men and women on the staff of the Court of Auditors. There has been a reduction in the disparity at assistant, head of unit and director levels.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the 2009 general budget of the Court of Auditors because the majority of the pre-established objectives relating to the budget have been met, and detailed and transparent information has been provided.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the exhaustive analysis carried out by an external consultant, confirming that the financial statements of the European Court of Auditors give a true and fair picture of its financial situation, and also that funds were correctly used for their intended purposes. I also welcome the 2009-2012 audit strategy of the Court of Auditors, which aims to maximise the global impact of its audits and increase efficiency through better use of resources.

I therefore congratulate the Court of Auditors on its excellent performance in 2009 and agree with the rapporteur with regard to all his conclusions.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the Secretary-General of the Court of Auditors is granted discharge in respect of the implementation of the Court of Auditors budget for the financial year 2009. It is also important that the Court of Auditors is urged to consider the possibility of reorganisation, so that some members would be responsible for certain policy areas and other members for groups of Member States, if national audit authorities are unable to control expenditure from the Union budget effectively. It is also noted that recently the number of members of the Court of Auditors has practically doubled, while the number of policy areas have not, and the Court of Auditors could exercise this option. Independence, integrity, impartiality, excellence and professionalism are the core values of the Court of Auditors and, in my opinion, we need to underline and uphold them.

Giovanni La Via (PPE), *in writing*. – (IT) I voted in favour of granting discharge in respect of the European Union general budget for the financial year 2009, Section V – Court of Auditors. As we know, the external audit of the EU's budget is carried out by the Court of Auditors itself. Therefore, as in the two previous financial years, an external firm, PricewaterhouseCoopers, was appointed to audit its budget. The Court of Auditors was commended for the quality of its Annual Activity Report, which showed that its transactions and activities were legal and completely reliable.

David Martin (S&D), *in writing*. – I voted for this report and in doing so welcome the audit strategy of the Court of Auditors for the period 2009-2012 and support its priority goals (maximising the overall impact from its audits and increasing efficiency by making best use of resources). I expect the Court of Auditors to report on the steps taken to implement this audit strategy as well as to demonstrate the progress in this direction using the Key Performance Indicators (KPI), in particular with the introduction of KPI 1 to 4 in 2010. I particularly welcome the plan to publish follow-ups in respect of the special reports to increase their impact.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Secretary-General of the Court of Auditors discharge in respect of the implementation of the Court of Auditors budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Secretary-General of the Court of Auditors discharge in respect of the implementation of the Court of Auditors budget for the financial year 2009. Parliament is concerned by the decrease of detailed information in the Court of Auditors' specific annual reports on the agencies and encourages the Court of Auditors in the future to include more complete information in its reports on the agencies, in particular as regards the conclusions of internal auditors' reports.

Report: Crescenzo Rivellini (A7-0136/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted against the decision to grant discharge in respect of the implementation of budget of the European Economic and Social Committee for the financial year 2009. On 11 March 2011, the European Anti-Fraud Office (OLAF) decided to open an investigation into dubious practices by the EESC's secretariat. I agree with the rapporteur that the EESC and OLAF should report to the European Parliament on the progress and outcome of the case. The EESC and must cooperate fully with OLAF and provide all necessary assistance to OLAF agents to carry out their investigation. I believe that the European Parliament Committee on Budgetary

Control, responsible for the discharge procedure, must follow up the issue closely in order to obtain additional information on the impact of the OLAF investigation and to take into account the outcome in the 2010 discharge. Furthermore, I believe that the allegations presented to OLAF clearly affect the reputation of the Union, because they are directed against one of the European Union's institutions.

Slavi Binev (NI), *in writing*. – (BG) I did not support the discharge in respect of the implementation of the European Union general budget for the financial year 2009, Section VI – European Economic and Social Committee. Everyone is aware that this institution's 2009 budget was investigated by OLAF. I think that the European Parliament requires more information about events to be able to make the correct decision about this discharge. Based on the information provided so far, there are internal breaches in this European institution, described as serious problems relating to the operation of its secretariat.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of granting the European Economic and Social Committee discharge in respect of its 2009 budget because, despite the issues raised by the recent European Anti-Fraud Office (OLAF) investigation, I am confident that it is possible to clarify the aspects that were not transparent and to improve reporting procedures for the future.

Göran Färm, Anna Hedh, Olle Ludvigsson, Marita Ulvskog and Åsa Westlund (S&D), *in writing*. – (SV) We Swedish Social Democrats chose not to grant discharge at this stage to the European Economic and Social Committee for the financial year 2009. Following an internal notification OLAF decided to open an investigation, and therefore, in order to be in possession of all the necessary facts, we would like to await the result of this investigation before we grant discharge.

Diogo Feio (PPE), *in writing*. – (PT) It is with considerable concern that I note the whistle-blowing in the case of possible mismanagement of the European Economic and Social Committee (EESC), and that it is now the subject of a pending action of the European Anti-Fraud Office (OLAF). I agree with the rapporteur when he insists that both the EESC and OLAF keep the discharge authority informed about the progress and outcome of the case in question.

The allegations just made may have a detrimental effect on the EU's reputation, since they refer to the internal workings of one of its institutions, and we need to know whether the identified disruption practices are limited to an isolated action or represent continuous irregularities.

Nevertheless, I would congratulate the Court of Auditors on the report it has drawn up relating to the EESC and the developments it achieved during the financial year 2009, and I agree with the rapporteur's conclusions.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the Secretary-General of the European Economic and Social Committee is granted discharge in respect of the implementation of the European Economic and Social Committee budget for the financial year 2009. The European Economic and Social Committee is urged to carry out a comprehensive review of expenditure in 2011 in all areas of activity, in order to ensure that all expenditure pays off and it is possible to ascertain areas where savings might be made, which would reduce pressure on the budget in this period of austerity. I am pleased that the Court of Auditors indicated in its Annual Report that the audit did not give rise to any significant observations as regards the EESC. In 2009, the EESC had

commitment appropriations available amounting to a total of EUR 122 000 000 (EUR 118 000 000 in 2008), with a utilisation rate of 98.02 %, which is above the average of the other institutions (97.69 %).

David Martin (S&D), *in writing*. – In voting on this report I call on the EESC, and in particular on its Secretary-General, to cooperate fully with OLAF and to provide all necessary assistance to OLAF agents in carrying out their investigation in relation to allegations of maladministration.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Secretary-General of the European Economic and Social Committee discharge in respect of the implementation of the European Economic and Social Committee budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants the Secretary-General of the European Economic and Social Committee discharge in respect of the implementation of the European Economic and Social Committee (EESC) budget for the financial year 2009. Parliament considers that the allegations presented to the European Anti-Fraud Office (OLAF) clearly affect the reputation of the Union as they refer to the internal functioning of one its institutions, the EESC, and relate to a serious malfunctioning by its secretariat. Parliament also considers that the identified disruption practices are not limited to a single action, but may represent continuous irregularities that constitute an alleged case of maladministration.

Report: Crescenzo Rivellini (A7-0139/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant discharge in respect of the implementation of the budget of the Committee of the Regions (CoR) for the financial year 2009. The Court of Auditors indicated in its annual report that the audit did not give rise to any significant observations as regards the CoR. I welcome the fact that in 2009 the CoR updated its budget-analytical monitoring tool (BudgetWatch), providing more comprehensive information on the CoR's budget, facilitating the implementation of the CoR's budgetary resources and identifying the areas which require management attention. I agree with the rapporteur that CoR members must declare their financial interests, disclosing relevant information on declarable professional activities. The CoR must follow up this issue in its Annual Activity Report.

Slavi Binev (NI), *in writing*. – (BG) I do not support the discharge in respect of the implementation of the Committee of the Regions' budget because this institution is only a consultative body. As it is also a body representing the interests of the European regions, I think that its funding should come entirely from the regions.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of authorising discharge of the 2009 general budget of the Committee of the Regions. I did so not only because the annual activities reports been admirably prepared, but also because the techniques for editing and collecting information have been innovated and improved in pursuit of greater transparency.

Diogo Feio (PPE), *in writing*. – (PT) I welcome the conclusions of the audit of the Court of Auditors, whose annual report states that the audit did not give rise to any significant findings. I also welcome the excellent performance and high quality that continues to characterise the annual reports on the activities of the Committee of the Regions. Finally,

I agree with the rapporteur's conclusions and commend the Committee of the Regions on including the follow-up given to Parliament's previous discharge decisions.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the Secretary-General of the Committee of the Regions (CoR) is granted discharge in respect of the implementation of the CoR budget for the financial year 2009. The CoR is urged to carry out a comprehensive review of expenditure in 2011 in all areas of activity, in order to ensure that all expenditure is beneficial and to ascertain possible savings, because this would reduce pressure on the budget in this period of austerity. In 2009, the CoR had commitment appropriations available amounting to a total of EUR 88 000 000 (EUR 93 000 000 in 2008), with a utilisation rate of 98.37 %, which is above the average of the other institutions (97.69 %). At the same time, the Court of Auditors indicated in its annual report that the audit did not give rise to any significant observations as regards the CoR. I commend the CoR for the consistently high quality of its Annual Activity Reports, and welcome the inclusion of the follow-up to the Parliament's previous discharge decisions.

Giovanni La Via (PPE), *in writing*. – (IT) First of all, I would like to thank all those who worked on the text as well as to congratulate the Committee of the Regions, whose audit has not given rise to any significant observations. I would highlight, moreover, that in 2009 the Committee of the Regions had a total of EUR 88 million of available commitment appropriations (2008: EUR 93 million), with a utilisation rate of 98.37%, which is higher than the average of other institutions (97.69%). All transactions and activities carried out by the Committee of the Regions were completed in a wholly legal and regular manner.

David Martin (S&D), *in writing*. – I voted for this report giving discharge to the Committee of the Regions (CoR), and I am pleased that, in our resolution, Parliament 'reconfirms its position that, in the interests of transparency, declarations of financial interests of members of all Union institutions should be accessible on the Internet via a public register; reminds the CoR of its request that CoR members declare their financial interests, disclosing relevant information on declarable professional activities and remunerated posts or activities; notes with satisfaction the CoR response on the matter, in particular the letter of the president of the CoR of 11 February 2011; [and] requests the CoR to follow up this issue in its Annual Activity Report'.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Secretary-General of the Committee of the Regions discharge in respect of the implementation of the Committee of the Regions budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution, Parliament grants discharge to the Secretary-General of the Committee of the Regions for the implementation of the budget of the Committee of the Regions for the financial year 2009. Parliament commends the Committee of the Regions for the consistently high quality of its Annual Activity Reports and welcomes the inclusion of the follow-up to Parliament's previous discharge decisions.

Report: Bart Staes (A7-0140/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I voted in favour of this report and endorsed the European Parliament's decision to grant the Commission discharge in respect of the implementation of the budget of the Eighth, Ninth and Tenth European Development Funds (EDF) for the financial year 2009. The EDF is the main instrument for providing Union development aid to the people of the African, Caribbean and Pacific (ACP) countries

and the overseas countries and territories. The Court of Auditors judges that the final annual accounts of the Eighth, Ninth and Tenth EDFs present fairly, in all material respects, the financial position of the EDFs as of 31 December 2009. I also agree with the rapporteur that there should be EDF budgetisation, which will strengthen the democratic control, accountability and transparency of funding and will provide more coherence in Union policy concerning ACP countries. I also believe that, within the scope of the revision of the guidelines on budgetary support by the Commission, particular attention must be given to supervisory and control systems. The Commission must strengthen monitoring and annual reporting on compliance.

Slavi Binev (NI), *in writing.* – (BG) During a financial crisis, the European Union needs to focus its expenditure on dealing with the crisis. Around 15% of citizens in the European Union live below the poverty threshold. What significance do the Eight, Ninth and Tenth European Development Funds have for these people? I am not against the European Development Funds, but I think that, in order to support the other countries, the European Union needs to deal with its own problems first. I am sure that these 15% of European Union citizens expect the same.

Lara Comi (PPE), *in writing.* – (IT) I voted in favour of the authorisation to discharge the Eighth, Ninth and Tenth European Development Funds for 2009. I did so because, on reading the report, I was able to see how effectively the resources have been managed with respect to achieving the established objectives. Moreover, I agree with the development priorities and believe that the accounting procedures are perfectly calibrated for the ex-ante prevention of errors, fraud and hoarding by subjects with no entitlement.

Diogo Feio (PPE), *in writing.* – (PT) The European Development Funds (EDF) continue to constitute the principal instrument that the EU has for granting development aid to the African, Caribbean and Pacific (ACP) countries and the Overseas Countries and Territories (OCTs) and, though implemented according to specific financial rules, remain outside the EU budget. It therefore urgently needs to be integrated with the EU budget to enable increased democratic control, accountability and transparency of financing.

This report makes an exhaustive analysis of the budgetary situation of the eighth, ninth and tenth EDF, drawing attention to some important questions that urgently require the review and implementation of *ex ante* controls in the delegations and internal control systems of the partner countries, particularly with regard to public tender procedures.

Finally, this report shows once more that there is still a long way to go with regard to management of the EDF and their proper use, which is why I agree with all the rapporteur's conclusions and congratulate him on his work.

João Ferreira (GUE/NGL), *in writing.* – (PT) Greater consistency is needed in EU development aid and cooperation policy, particularly with regard to the African, Caribbean and Pacific (ACP) countries. This is even more important now, when these countries are faced with enormous pressures – and even blackmail – from the EU to accept impositions in the form of the 'Economic Partnership Agreements' that threaten their interests and compromise the effectiveness of the support provided under instruments such as the European Development Funds (EDF).

The rapporteur maintains that the incorporation of the EDF into the Union budget will strengthen democratic control, accountability and transparency of financing. We would stress the warning that this incorporation of the EDF into the EU general budget must not

lead to an overall reduction in development spending with regard to the two current finance instruments.

As the rapporteur mentioned it, we would also stress the need to study and assess the best ways to increase destination countries' capacities for absorbing EDF aid, which immediately means the profound involvement of both governments and peoples in outlining and implementing programmes, and in setting priorities. As the rapporteur says, full knowledge of appropriate expenditure is also necessary.

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) We are well aware that greater consistency is needed in EU development aid and cooperation policy, particularly with regard to the African, Caribbean and Pacific (ACP) countries. This is even more important now, when these countries are faced with enormous pressures – and even blackmail – from the EU to accept impositions that threaten their interests and compromise the effectiveness of the support provided under instruments such as the European Development Funds (EDF); the so-called Economic Partnership Agreements are a good example.

The report maintains that the incorporation of the EDF into the Union budget will strengthen democratic control, accountability and transparency of financing. We would stress the warning that this incorporation of the EDF into the EU general budget must not lead to an overall reduction in development spending with regard to the two current finance instruments.

As the rapporteur mentioned it, we would also stress the need to study and assess the best ways to increase destination countries' capacities for absorbing EDF aid, which immediately means the profound involvement of both governments and peoples in outlining and implementing programmes, and in setting priorities.

David Martin (S&D), *in writing*. – I voted to give discharge to the European Development Funds. I welcome the fact that Parliament, in its report, reiterates its support for EDF budgetisation, which will strengthen the democratic control, accountability and transparency of funding and will provide more coherence in Union policy in relation to the ACP countries.

The report refers to the Commission's statement to the effect that it wants to propose to incorporate the EDF into the Union budget during discussions on the next financial framework, and that it will keep Parliament's Committee on Budgetary Control fully informed of this initiative. Parliament insists, however, that the incorporation of the EDF into the Union budget must not lead to any overall reduction in development spending with respect to the two current funding instruments. It urges the Council and the Member States to respond positively to the Commission's proposal and to agree that the EDF will be fully incorporated in the Union budget from 2014 onwards, as part of the next financial framework. It believes this measure to be long overdue, and that budgetisation of the EDF should take place at the earliest possible date.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Commission discharge in respect of the implementation of the budget of the Eighth, Ninth and Tenth European Development Funds for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution, Parliament grants the Commission discharge for the execution of the budget of the Eighth, Ninth and Tenth European Development Funds (EDFs) for the financial year 2009. I stress that Parliament notes that the EDF is not integrated in the EU budget, despite being the main instrument

for providing Union development aid to the populations of the African, Caribbean and Pacific (ACP) countries as well as the Overseas Countries and Territories (OCT).

Angelika Werthmann (NI), *in writing.* – (DE) I voted in favour of Mr Staes' report, because among other things he speaks once again in favour of the European Development Funds (EDFs) being included in the budget, thereby fulfilling the principles of democratic control, accountability and transparency of funding. On the other hand, he was also critical of certain weaknesses found, such as those found by the European Court of Auditors relating to public procurement procedures and a wide variety of other controls.

Report: Georgios Stavrakakis (A7-0153/2011)

Zigmantas Balčytis (S&D), *in writing.* – (LT) I voted in favour of this report and agree that the European Parliament should postpone its decision to grant discharge in respect of the implementation of budget of the European Medicines Agency for the financial year 2009. In its report on the accounts of the Agency, the Court of Auditors qualified its opinion on the legality and regularity of the underlying transactions. The Court of Auditors found errors in the procurement procedures corresponding to a significant amount of the Agency's total budget for the financial year 2009. I agree with the rapporteur that the Agency must improve the quality of its procurement procedures in order to put an end to the shortcomings identified by the Court of Auditors. The Agency's Internal Audit Service found particularly serious shortcomings in the area of medicine evaluation. I find it unacceptable that the Agency does not apply the relevant rules effectively, meaning that there is no guarantee that the evaluation of human medicines is performed by independent experts. The Agency is not complying effectively with its code of conduct by setting out principles and guidance on independence and confidentiality applicable to the management board and committee members, experts and Agency staff. I agree that the Agency must inform the European Parliament of the steps it has taken since its inception to ensure the independence of its experts.

Lara Comi (PPE), *in writing.* – (IT) I voted against the authorisation to discharge the 2009 general budget of the European Medicines Agency. I did so because, as reported by the Court of Auditors, there were some irregularities in the transactions on which the accounts are based, which cause concerns about the correct use of funds. I am therefore in favour of postponing the closure of accounts for the financial year 2009 so that further management checks can be carried out.

Marielle De Sarnez (ALDE), *in writing.* – (FR) In the absence of sufficient guarantees as to the independence of the experts recruited to perform scientific assessments on medicines for human use, we have voted to postpone granting the Executive Director of the European Medicines Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009. In particular, this issue of independence concerns the assessment of the appetite suppressant benfluorex, the active ingredient in the product Mediator, which may have suffered from conflicts of interest. It appears that this drug may have been responsible for the deaths of an estimated 500–2 000 people and caused severe heart damage in thousands of others. This case reveals a degree of failure of expert assessments and raises the question of the experts' skill and independence in our risk society. We must therefore be seen to be extremely vigilant. This is why we refused to give our blanket approval.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the report on discharge of the budget of the European Medicines Agency for the financial year 2009, since it contributes to scrutiny of how funds are used by the European institutions. However, I consider it necessary to introduce improvements with regard to the identification and management of conflicts of interest, and to procurement procedures.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because it postpones the decision on granting the Executive Director of the European Medicines Agency discharge in respect of the implementation of the Agency's budget for the financial year 2009 and postpones the closure of the accounts of the European Medicines Agency for the financial year 2009. The main reasons are as follows: failure to issue a formal invitation to tender, failure to prepare detailed technical specifications in advance, failure to clearly define in the technical specifications all the products to be purchased before the negotiation started, failure to appoint an evaluation committee and failure to prepare an evaluation report. The shortcomings indicated in the report also need to be remedied, because the Agency is a source of important scientific advice, science-based recommendations, and best practice for medicine evaluation and supervision in the Union.

Giovanni La Via (PPE), *in writing*. – (IT) With today's vote Parliament has decided to postpone the closure of the accounts of the European Medicines Agency for the financial year 2009. We felt unable to grant discharge because, as a result of the checks and assessments carried out, the Court of Auditors revealed several matters of significant importance. The main concerns regard the management of procurement procedures and criteria used for recruiting staff. I therefore add my voice to the request for information made to the Agency, in which the Agency is also urged to inform the discharge authority, by 30 June 2011, of the measures taken and improvements achieved regarding all these worrying issues.

Agnès Le Brun (PPE), *in writing*. – (FR) As it is required to do each year, the European Parliament has been asked for a decision on whether the Union budget has been properly implemented by the various agencies and institutions who are responsible for it. The sums are allocated for specific purposes and the aim of the discharge procedure is to check in retrospect that these purposes have been adhered to. This is an important prerogative of Parliament, as illustrated for example by its influence on the resignation of the Santer Commission in 1999. This year, together with the vast majority of Members of the European Parliament, I refused to grant the European Medicines Agency discharge in respect of its activity in the 2009 financial year. This is because the independence of experts recruited to perform scientific assessments on medicines for human use has not been properly guaranteed. For example, doubts still remain about possible conflicts of interest in relation to the assessment of the appetite suppressant benfluorex. The agency's procurement procedures and criteria for recruiting staff have also attracted criticism. While the Mediator scandal prompts us to reinforce our precautions before allowing medicines to be placed on the market, the serious malfunctioning of the European Medicines Agency must be penalised.

Monica Luisa Macovei (PPE), *in writing*. – The report on the 2009 discharge for the European Medicines Agency provided for postponement of the discharge. I voted in favour of this report for three main reasons. Firstly, the European Court of Auditors found serious irregularities in several procurement procedures, including in one IT contract worth around EUR 30 million. Because of these errors, best value for money was not ensured. Secondly, the European Medicines Agency breached personnel selection rules, and thirdly it failed

to prevent conflicts of interest: a month after retiring from the Agency, the former Executive Director joined a consultancy which, inter alia, advises pharmaceutical companies on developing new medicinal products and reducing the time period to their market introduction. Although the European Medicines Agency Management Board eventually decided to set limits with regard to the former Executive Director's new and future professional activities, the discharge authority needs further explanations from the Agency on how cases of conflict of interest are actually handled.

Véronique Mathieu (PPE), *in writing.* – (FR) I voted in favour of postponing the decision on discharge for the 2009 financial year, as the Court of Auditors qualified its opinion on the legality and regularity of the transactions underlying the accounts for the 2009 financial year. Among other things, the Court drew attention to carryovers and cancellations of significant budget appropriations: for example 38% of the budget under the title 'Buildings, Equipment and Miscellaneous Operating Expenditure' was carried over to 2010. EUR 14.8 million of this carryover was for activities as yet not implemented (or, in some cases, for goods not received) at the year-end, which is at odds with the budgetary principle of annuality. The Court of Auditors highlighted weaknesses in the management of fees, with significant delays in issuing recovery orders (up to 21 months), as well as weaknesses in the Agency's treasury policy and failings in its management of procurement procedures. The report notes that, of the 32 recommendations drawn up by the Internal Audit Service (IAS), one recommendation, on the Agency's implementing procedures regarding experts, was classed as 'critical' and 12, relating primarily to human resources management and management of conflicts of interest calling staff members into question were classed as 'very important'.

Raül Romeva i Rueda (Verts/ALE), *in writing.* – This postpones Parliament's decision on granting the Executive Director of the European Medicines Agency discharge in respect of the implementation of the Agency's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing.* – (IT) With today's resolution, Parliament postpones the decision to grant discharge to the Executive Director of the European Medicines Agency for the execution of the Agency's budget for the financial year 2009. Parliament's decision to postpone is due to the fact that in its report on the annual accounts for 2009, the Court of Auditors has qualified its opinion as to the legality and regularity of the underlying transactions.

Michèle Striffler (PPE), *in writing.* – (FR) I voted in favour of the Stavrakakis report proposing to postpone the decision on discharge for the European Medicines Agency (EMA) in respect of the 2009 financial year. The Court of Auditors qualified its opinion on the legality and regularity of the transactions underlying its accounts for the 2009 financial year. I consider that Members of Parliament need further evidence before they can propose to grant or refuse discharge to this agency. A hearing with EMA has been scheduled to this effect for mid-July.

Report: Georgios Stavrakakis (A7-0130/2011)

Zigmantas Balčytis (S&D), *in writing.* – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Union Agency for Fundamental Rights for the financial year 2009. According to information provided by the Court of Auditors, the Agency's annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. I agree with the rapporteur that the

Agency must improve its budgetary and recruitment planning in order to redress the lack of consistency between its budgetary and staff forecasting, and to make progress in ensuring, as far as possible, a realistic evaluation of tenders. The Agency must inform the European Parliament of the actions taken to improve the programming and monitoring of its contracts, in order to avoid, in future, the deficiencies reported by the Court of Auditors. The Agency must take all the measures necessary to implement the recommendations made by the Court of Auditors.

Diogo Feio (PPE), *in writing.* – (PT) The agency's purpose is to provide the institutions and authorities of the European Union and its Member States with assistance and skills in the field of fundamental rights, and to help them adopt measures and define appropriate action, within the scope of EU law. The agency's main tasks are to collect, analyse and publish objective, reliable and comparable information on the fundamental rights situation in the EU; to improve the comparability and reliability of data using new methods and rules; to carry out and/or promote research work and studies in the field of fundamental rights; to formulate and publish conclusions and opinions on specific issues, either on its own initiative or at the request of the European Parliament, Council or Commission; and to promote dialogue with civil society in order to make the general public more aware of fundamental rights.

I am pleased to note that, having opened its investigation of the agency in 2008, the European Anti-Fraud Office (OLAF) closed it with no further action.

Juozas Imbrasas (EFD), *in writing.* – (LT) I voted in favour of this document, because the Director of the European Union Agency for Fundamental Rights is granted discharge in respect of the implementation of the Agency's budget for the financial year 2009. The Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. It goes without saying that out of the nine recommendations of the Internal Audit Service (IAS), following an audit on financial management, four are still to be implemented by the Agency. These concern financing decisions, information needs for reporting and monitoring purposes, work programmes showing all available resources of the budget, and financial procedures and checklists. The Agency must take measures to implement the recommendations. The Court of Auditors has been able to obtain reasonable assurances that the annual accounts of the European Union Agency for Fundamental Rights for the financial year 2009 are in all material respects reliable and that the underlying transactions, taken as a whole, are legal and regular. The Court of Auditors commented that the Agency could improve its budgetary and recruitment planning, notably as regards transfers between titles, the high vacancy rate (21%) and the high volume of appropriations carried forward. The Agency must take all necessary steps to improve the situation.

Giovanni La Via (PPE), *in writing.* – (IT) In today's vote I have given my backing to the request for discharge with respect to the implementation of the budget of the European Union Agency for Fundamental Rights for 2009. After careful assessment of the Agency's budget, the Court of Auditors, which is responsible for external financial control, declared that it has obtained reasonable assurances as to the legality and reliability of the pertinent transactions. I believe, however, that the request made to the Agency to make efforts to improve its budgetary and recruitment planning is absolutely fair. In the same vein, I applaud the resolve shown by the Agency to avoid future recurrences of the shortcomings highlighted by the Court of Auditors in its report.

David Martin (S&D), *in writing*. – I voted for this resolution on the Agency for Fundamental Rights and I support calls on the Agency to make progress in ensuring, as far as possible, a realistic evaluation of tenders. The resolution notes that the Court of Auditors reported on this issue in respect of the award of three framework contracts of a total amount of EUR 2 575 000, and stresses, in particular, that in these three cases the financial offers differed considerably both in unit prices and in the tenderers' estimates of the number of man-days necessary for implementation of the same scenario.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – This grants the Director of the European Union Agency for Fundamental Rights discharge in respect of the implementation of the Agency's budget for the financial year 2009.

Licia Ronzulli (PPE), *in writing*. – (IT) With today's resolution Parliament grants discharge to the Director of the European Union Agency for Fundamental Rights for the implementation of the Agency's budget for the financial year 2009. Parliament welcomes the Agency's pledge to improve the planning and monitoring of its contracts to avoid, in the future, the deficiencies reported by the Court of Auditors. Parliament therefore calls on the Agency to inform the discharge authority of the action taken in this respect.

Report: Georgios Stavrakakis (A7-0131/2011)

Zigmantas Balčytis (S&D), *in writing*. – (LT) I endorsed this report and discharge in respect of the implementation of the budget of the European Joint Undertaking for ITER and the Development of Fusion Energy for the financial year 2009. According to information provided by the Court of Auditors, the Joint Undertaking's annual accounts for the financial year 2009 are reliable and the underlying transactions are legal and regular. The Joint Undertaking is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. The introduction of these systems needs to be completed immediately. The Joint Undertaking's utilisation rate for payment appropriations was 65.3%. I agree that the Joint Undertaking is still in a start-up period and that the underspending mostly relates to delays in the progress of the Euratom fusion programme, as was also reported by the Court of Auditors in 2008. I agree with the rapporteur that it is important to provide for the conditions under which unspent funds are transferred to the following year. In view of the size of its budget, the Joint Undertaking should establish an audit committee.

Lara Comi (PPE), *in writing*. – (IT) I voted in favour of authorising the 2009 discharge in respect of budget of the Joint Undertaking for ITER and the Development of Fusion Energy because the report shows that the accounts and the pertinent transactions are held to be reliable. Some inconsistencies were found, though these were due to the fact that the Joint Undertaking concerned is still in its start-up phase. I therefore believe that, under the careful guidance of the Commission, the auditing system and budgetary management could be improved and that the Joint Undertaking could finish implementing its internal controls and financial reporting systems.

Diogo Feio (PPE), *in writing*. – (PT) The objectives of the joint undertaking are to provide the contribution of the European Atomic Energy Community (Euratom) to the International Thermonuclear Experimental Reactor (ITER) International Fusion Energy Organisation and to 'Broader Approach' activities with Japan for the rapid realisation of fusion energy, and to prepare and coordinate a programme of activities in preparation for the construction of a demonstration fusion reactor (DEMO) and related facilities including the International

Fusion Materials Irradiation Facility (IFMIF). In addition to its other activities, the main tasks of the joint undertaking are to oversee the preparation of the site for the ITER project, to provide the ITER organisation with material, financial and human resources, to coordinate scientific and technological research and development activities in the field of fusion, and to act as an interface with the ITER organisation.

The Court of Auditors identified, and the rapporteur emphasised, the existence of various aspects of the budget to be improved, in particular those relating to the exceptions to budgetary principles, to the role of the Commission's Internal Audit Service, to the creation of an audit committee, to the late payment of members' contributions, and to the rules relating to the award of grants.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts for the financial year 2009 are reliable and that the underlying transactions are legal and regular. The European Joint Undertaking for ITER and the Development of Fusion Energy is in a start-up phase and had not yet fully established its internal control and financial reporting systems by the end of 2009. It should also be recognised that consequently the underspending mostly relates to delays in the progress of the Euratom fusion programme, as was also reported by the Court of Auditors in 2008. The Joint Undertaking must amend its Financial Regulation in order to integrate the Court of Auditors' recommendations made in its Opinion No 4/2008 on that Regulation. I believe that further improvement is necessary in relation to the exceptions to budgetary principles, the role of the Internal Audit Service, the establishment of an audit committee, late payment of members' contributions, the rules on the award of grants and the transitional provisions set out in Article 133 of the ITER Financial Regulation.

David Martin (S&D), *in writing*. – I voted to give discharge to the Joint Undertaking for ITER and the Development of Fusion Energy. I am of the opinion that, in view of the size of its budget and the complexity of its tasks, the Joint Undertaking should establish an audit committee, reporting directly to the Governing Board.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – I have voted AGAINST granting the Director of the European Joint Undertaking for ITER and the Development of Fusion Energy discharge in respect of the implementation of the Joint Undertaking's budget for the 2009 financial year.

Licia Ronzulli (PPE), *in writing*. – (IT) Through today's resolution Parliament grants discharge to the Director of the European Joint Undertaking for ITER and the Development of Fusion Energy for the implementation of the Joint Undertaking's budget for the financial year 2009. Parliament urges the Joint Venture to amend its Financial Regulation in order to integrate the Court of Auditors' recommendations.

Dominique Vlasto (PPE), *in writing*. – (FR) Parliament has approved the implementation of the 2009 budget of the forward-looking international scientific project ITER. I welcome this vote, which negates the futile polemics about the viability of this undertaking, which is the only one of its kind in the world. Parliament has drawn attention to the problems and delays during the start-up phase and has called for its internal audit system to be improved. I see in this a signal of encouragement aimed at guaranteeing the long-term future and success of this undertaking in which the world's major powers are participating. I wanted to use my vote to reaffirm my confidence in this extremely ambitious scientific adventure, which is expected to have significant benefits. Fusion is designed to provide the

world's population with energy that is clean, permanent and safe. It will contribute towards our steps to combat global warming and towards our energy independence. We must set aside resources that are in keeping with the significance of the issues at stake, and I would like to explain for information purposes that the size of the budget allocated and the delays we have noted relate to the technical and organisational complexity of this unique project. It is down to the EU to preserve its image by strengthening its commitment to ITER and demanding that its partners do the same.

Reports: Georgios Stavrakakis (A7-0103/2011) (A7-0104/2011), (A7-0105/2011), (A7-0106/2011), (A7-0107/2011), (A7-0108/2011), (A7-0109/2011), (A7-0118/2011), (A7-0119/2011), (A7-0120/2011), (A7-0122/2011), (A7-0123/2011), (A7-0124/2011), (A7-0125/2011), (A7-0126/2011), (A7-0127/2011), (A7-0128/2011), (A7-0129/2011), (A7-0130/2011), (A7-0131/2011), (A7-0132/2011), (A7-0133/2011), (A7-0144/2011), (A7-0145/2011), (A7-0146/2011), (A7-0149/2011), (A7-0150/2011), (A7-0153/2011) - Crescenzo Rivellini (A7-0116/2011, (A7-0117/2011), (A7-0136/2011), (A7-0139/2011) - Bart Staes (A7-0140/2011)

Luís Paulo Alves (S&D), in writing. – (PT) I am voting for this proposal, because I agree with the discharge procedures, with suitable appropriations being proposed for each heading.

Reports: Georgios Stavrakakis (A7-0103/2011) (A7-0104/2011), (A7-0105/2011), (A7-0106/2011), (A7-0107/2011), (A7-0108/2011), (A7-0109/2011), (A7-0116/2011), (A7-0117/2011), (A7-0118/2011), (A7-0119/2011), (A7-0120/2011), (A7-0122/2011), (A7-0123/2011), (A7-0124/2011), (A7-0125/2011), (A7-0126/2011), (A7-0128/2011), (A7-0129/2011), (A7-0132/2011), (A7-0133/2011), (A7-0137/2011), (A7-0144/2011), (A7-0145/2011), (A7-0146/2011), (A7-0149/2011), (A7-0150/2011)

José Manuel Fernandes (PPE), in writing. – (PT) The times of crisis we are experiencing require us to pay particular attention to the way the EU's financial resources are spent. The priorities set out by Parliament must be fully respected in order to increase savings by exercising increasingly rigorous financial management. Results can only be improved through continuous self-criticism, which will enable the correction of all trajectories that deviate from the objectives set by the EU. Since the Committee on Budgetary Control proposes the adoption of this discharge, I agree with the rapporteur's recommendations and am voting for this report.

Report: Vital Moreira (A7-0069/2011)

Kader Arif (S&D), in writing. – (FR) In the wake of the floods that devastated Pakistan in 2010, the Council called for emergency measures to support the country. I tabled an amendment rejecting the regulation proposed by the Commission, as trade preferences of this nature are a good idea in theory but not in practice. Our response to a humanitarian crisis cannot be based on trade, especially considering that it is now one year on from the disaster and the urgency is not as strong. This type of support is illogical and prejudicial, as some people in Europe, in particular those working in the textiles industry in several of the southern countries, will end up paying for support for Pakistan that we should all be paying for collectively. Furthermore, by only targeting certain industries, we are not helping all Pakistanis.

Zigmantas Balčytis (S&D), in writing. – (LT) I voted in favour of this report. Presented after the unprecedented floods that devastated last summer a vast portion of Pakistan's

territory, the Commission's proposal seeks to extend autonomous trade preferences to this country concerning 75 product lines of interest to Pakistan (mostly textile and clothing) in the form of exemption from custom duties, with the exception of one product (ethanol) for which a tariff-rate quota would apply.

Slavi Binev (NI), *in writing.* – (BG) I fully support the proposal for a regulation of the European Parliament and of the Council introducing emergency autonomous trade preferences for Pakistan. Trade preferences are hugely important to Pakistan because they will provide sustainable development to a country which has suffered several natural disasters recently. In addition to concluding the agreement with Pakistan, the European Union will have to play a key role in convincing India to support the agreement within the framework of the World Trade Organisation.

Maria Da Graça Carvalho (PPE), *in writing.* – (PT) I welcome the aid given to Pakistan by the European Union, as the world's largest donor of humanitarian aid, following natural disasters that devastated the country's economy and population. However, the use of EU trade policy as a form of humanitarian and development aid is deeply flawed. In my view, the Commission should never propose such measures without having first quantified the economic and social impact on the various regions of the EU. One of the most serious results of these measures could be in Portugal, where the textile and clothing industry represents 11% of exports and 160 000 jobs, and would be hit hard by subsidised competition from Pakistan.

Marielle De Sarnez (ALDE), *in writing.* – (FR) In the wake of the severe floods that hit Pakistan in the summer of 2010, the European Union wished to provide aid in the form of exceptional trade preferences. Whilst the purpose behind this initiative is commendable, it is worth questioning how useful it will be in practice and to ask ourselves whether this economic aid will actually reach the Pakistani people, especially small-scale producers and farmers who have been particularly affected by the floods. The Commission's trade-based aid plan must go through a specific procedure: it must obtain Parliament's approval but also that of the WTO, since these trade preferences deviate from basic international trade rules. Parliament has just given the Commission the green light to continue talks with the WTO but has insisted on restricting their duration and scope. One might question the wisdom of choosing this slow, drawn-out aid procedure instead of other faster, more effective forms of aid that would have already reached Pakistan by now.

Anne Delvaux (PPE), *in writing.* – (FR) I voted in favour of this report. I was keen in particular that we should ensure effective monitoring of the trends of imports of products covered by this Regulation as far in advance as possible and establish customs surveillance on these imports. I am also in favour of the idea that a quarterly report should be submitted on the application and implementation of the monitoring.

José Manuel Fernandes (PPE), *in writing.* – (PT) This report is on the proposal for a regulation of the European Parliament and of the Council introducing emergency autonomous trade preferences for Pakistan. In terms of humanitarian aid, the European Union always leads the way. That was the case last summer, when floods devastated a large part of Pakistan, with enormous human and material losses. In addition to humanitarian assistance in the first hours of the disaster, the EU also has sought other ways to support the economic recovery of the country embodied in the proposed regulation. However, we have to ensure protection against aspects that could damage some European trade sectors, namely textiles. In addition, I believe that 'trade preferences' are not the right way to help a

country that is the victim of a disaster. These preferences may even give rise to a dangerous precedent. We cannot forget that the current economic and financial crisis has placed those companies most exposed to globalisation in a vulnerable situation, and it is not acceptable that 'trade preferences' could have a detrimental effect on them.

Göran Färm, Anna Hedh, Olle Ludvigsson and Åsa Westlund (S&D), *in writing.* – (SV) We Swedish Social Democrats support the Commission's proposal to suspend all duties on certain imports from Pakistan for a limited time following the floods there last year. As the purpose of these trade preferences is to try to support Pakistan's recovery and future development, we believe that they should be offensive and far-reaching without safeguard measures for the EU, particularly as they are to be for a limited time only. We advocate respect for human rights, including the rights of workers, and for social and environmental standards and democratic principles and for this to always be included as conditions in a trade agreement. We voted against the extensive human rights requirements proposed in the report, as it is completely unreasonable to expect Pakistan to be able to comply with them before the trade preferences are intended to begin. Instead, we believe that the EU should have demanded improvements in these areas that could have been implemented quickly, particularly in view of the fact that these demands will be made if a trade agreement between the EU and Pakistan should be entered into at a later date.

João Ferreira (GUE/NGL), *in writing.* – (PT) As we have already said more than once, the tragedy Pakistan has suffered requires European solidarity. However, this cannot be a pretext for putting the textile industry of several Member States, such as Portugal, at risk. There are other ways of showing solidarity: more effective forms of aid, aimed at re-establishing the affected areas and improving the living conditions of the affected people; based on a policy of effective and lasting development cooperation and aid, which supports the integrated and sustainable development of local communities. There are also, however, more equitable forms of aid. These trade concessions mainly benefit the major European importers, who thus see long-held aspirations satisfied. On the other hand, they damage the textile industry and the countries and regions most dependent on it. All this against a backdrop of a severe economic crisis and high unemployment.

While it is true that there is no way the measures proposed by the Commission can be a pretext for new job losses and increased exploitation in European industry, at the same time, we cannot ignore the objective difficulties that they will create. The report acknowledges these, amongst attempts to 'sugar the pill' with the introduction of safeguards that do not change its substance.

Ilda Figueiredo (GUE/NGL), *in writing.* – (PT) This is just another example of defending the interests of European Union's large companies and financial institutions, at the expense of industry in the countries with the most fragile economies. By introducing emergency autonomous trade preferences for Pakistan, the European Commission is bringing the narrow commercial interests of a few – business, pure and simple – into the field of humanitarian aid.

It is an exercise in hypocrisy, which uses the natural disaster that has devastated Pakistan to satisfy the aspirations of a few big companies in the EU's powers, which will damage the EU textile industry, and the countries and regions most dependent on it. It is a serious blow for a sector that has been hit hard by the liberalisation of world trade; that is concentrated in regions with high levels of unemployment and poverty, and little economic diversification, such as several regions in northern and central Portugal.

Therefore, we voted for the proposal to reject the agreement, and regret that it was not adopted. However, we also voted for it to return to the Commission, in the hope that it is still possible to take into account the position of the Portuguese Parliament, which adopted a resolution against these trade concessions. The necessary solidarity with Pakistan must be genuine aid based on development aid and cooperation policy.

Bruno Gollnisch (NI), *in writing*. – (FR) Last year, there were severe floods in Pakistan. The Commission's idea for financing reconstruction consisted in opening up EU territory to imports of textiles and other sensitive products without imposing customs duties or, in most cases, quotas, with no consideration for the threat that European businesses would face from this new one-sided competition. This alone would have been sufficient grounds for voting against this report. This House refused to reject the report, even though a clause was introduced stating that this special trade agreement may be ended if Pakistan is found to be supporting terrorist organisations.

It contented itself with postponing the final vote. It seems that we really do need to dispel the ambiguities as to where the Pakistani authorities really stand once and for all, whether it be on sheltering terrorists, helping the Taliban, especially in tribal areas, or persecution of Christians.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document. Presented after the unprecedented floods that devastated last summer a vast portion of Pakistan's territory, the Commission's proposal seeks to extend autonomous trade preferences to this country concerning 75 product lines of interest to Pakistan (mostly textile and clothing) in the form of exemption from custom duties, with the exception of one product (ethanol) for which a tariff-rate quota would apply. However, although the autonomous trade preferences would be extended to Pakistan for 3 years, a full impact assessment of the proposed measures has not been carried out by the Commission prior to the adoption of the proposal for a regulation. In addition, it should be noted that the Commission's proposal does not impose any burden on Pakistan in the field of human and social rights, contrary to what would have happened had GSP+ status been granted to this country. Although it might be argued that, due to the particular set of circumstances that led to the decision to grant autonomous trade preferences to Pakistan, the proposed measures will not create a binding precedent, this explanation is not entirely convincing. Indeed, it cannot be excluded that the decision to grant autonomous trade preferences for flood-stricken Pakistan may be followed by other similar initiatives in the future. Furthermore, there is a risk that adopting autonomous trade preferences decoupled from any kind of human rights conditionality would in fact undermine the current system of EU preferences based on the respect of a set of fundamental rights and values.

Elisabeth Köstinger (PPE), *in writing*. – (DE) The European Union is known throughout the world for providing assistance where assistance is needed. The EU proved this once again by rapidly making aid payments following the dramatic floods and their repercussions in Pakistan in 2010. As a next step, the Commission intended giving Pakistan a lift economically and guaranteeing that duties will be suspended on textiles and ethanol. This approach seems to be highly controversial. The fact is, however, that this initiative first has to be given the green light at World Trade Organisation (WTO) level. Only then should Parliament become active and make a decision.

David Martin (S&D), *in writing*. – I very much regret that, during the vote on autonomous trade preferences for Pakistan, Parliament agreed to reduce the length of the benefits to one year, thus reducing significantly any gain to Pakistan.

Mario Mauro (PPE), *in writing*. – (IT) I voted in favour, particularly in consideration of the amendment in which we see that: ‘Without prejudice to the conditions set out in paragraph 1, entitlement to benefit from the preferential arrangements introduced by Article 1 is subject to respect for human rights, including core labour rights, and the fundamental principles of democracy by Pakistan.’ Respect for human rights must be a necessary precondition for any kind of agreement with third countries.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) This report allows us to make the aid we grant an already devastated country dependent on that country’s undertaking to give up all forms of trade protectionism. This is an inequitable proposal and I am voting against this report.

Alexander Mirsky (S&D), *in writing*. – As is known, after the unprecedented and devastating floods in Pakistan in July and August 2010, the European Council at its meeting on 16 September mandated Ministers to agree urgently a comprehensive package of short-, medium- and longer-term measures which will help underpin Pakistan’s recovery and future development. The draft regulation extends autonomous trade preferences to Pakistan by suspending for a limited period of time all tariffs for certain products of export interest to Pakistan. A list of 75 dutiable product lines of importance for Pakistan’s exports has been established (mainly textile and clothing). The selected product lines amount to almost EUR 900 million in import value, accounting for about 27% of EU imports from Pakistan (EUR 3.3 billion). I voted ‘in favour’.

Andreas Mölzer (NI), *in writing*. – (DE) in addition to promising over EUR 415 million in immediate aid, the EU is also responding to the flood disaster in Pakistan by means of exceptional trade measures to boost Pakistan’s exports. The European Commission proposed a package of 75 tariff lines relating to Pakistan’s main export sectors in the areas worst affected by the floods. Pakistan’s trade with the Union consists mainly of textiles and clothing products, which according to information from the Commission accounted for 73.7% of Pakistani exports to the Union in 2009. In the EU’s assessment, granting these trade preferences should only cause limited adverse effects on the Internal Market and should not affect negatively the least developed members of the World Trade Organisation (WTO). Notwithstanding this, it must be expected that the unilateral suspension of duties will lead to infringement proceedings at the WTO.

If Pakistan is allowed to join the ranks of those countries that enjoy preferential tariff rates – in other words, if it is to be included in the so-called ‘GSP+’ list – then the matter could be said to have resolved itself. Uncoordinated hasty reactions are hardly helpful. The textile and clothing industry in particular is in a time of crisis in a number of Member States as a result of transformation. Negative effects of the trade preferences cannot therefore be ruled out, which is why I rejected the report.

Vital Moreira (S&D), *in writing*. – (PT) I voted against granting trade preferences to Pakistan through exemption from import duties on the pretext of the floods that occurred last year. I do not think there is any logic in using exceptional trade preferences, against the rules of international trade law, as a means of emergency aid, which has its own instruments. The European Union has never done this before and nor have other countries. No other developed country has followed the same path: not the US, Japan, Australia, New

Zealand or Canada. Even if the advantages given to Pakistan were a kind of 'prize' for its role in Afghanistan, I believe using trade preferences as a political instrument establishes a dangerous precedent.

Moreover, the trade advantages given to Pakistan will be paid for by the European industries most affected, namely the textile industry of southern Europe, and also by the poor countries that export the same products to Europe, which will suffer from the diversion of European imports to Pakistan, for example Bangladesh or the countries of North Africa.

However, I voted in favour of the tabled amendments, which substantially mitigate the negative impact of the proposal: safeguard clause, limit of one year and the human rights clause.

Franz Obermayr (NI), *in writing*. – (DE) Nobody is disputing that developing countries – such as Pakistan, which has been repeatedly devastated by floods – must be supported. Nonetheless, the EU must ensure that its partner countries in such trade agreements also meet certain requirements, particularly if duties are to be suspended. We cannot allow such suspension of duties to damage our domestic textiles industry – with the EU having not the slightest concern over whether these products are produced using child labour or whether the funds received go directly towards supporting terrorism. Wide-ranging duty exemptions must therefore be linked to an absolute obligation to respect human rights. I am thinking, for example, of Christian minorities and women's rights. The blasphemy law in that country is particularly worrying: anyone who insults Mohammed is sentenced to death. Fundamentalism is widespread in Pakistan across all levels of society – all the more so since the death of Osama Bin Laden – including among the students at the famous International Islamic University. The argument that the trade preferences promote prosperity and combat radicalism therefore does not hold water. The EU must not simply grant trade preferences where this ignores important matters of basic law. I therefore voted against the report.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) Following the floods that devastated a vast portion of Pakistan's territory last summer, the Commission tabled a proposal to grant the country extensive autonomous trade preferences in the form of exemption from customs duties, affecting 75 product lines of interest to Pakistan: essentially textiles and clothing. This measure, presented as temporary, but for a period of three years, would have a major impact on Portuguese textiles, so I voted against this report. However, since the report has been adopted, I successfully advocated limiting the duration of the trade preferences to one year from the date these measures come into force, in order to minimise the repercussions on Portuguese textiles. The period could potentially be extended following a thorough assessment of the impact on European textiles, to be presented by the Commission. Finally, I also voted for – again thinking of Portuguese textiles – the introduction of a safeguard clause, which provides for the re-establishment of common customs tariff duties on a given product at any time if it is being imported from Pakistan under conditions that cause, or threaten to cause serious problems for an EU producer of similar or directly competing products.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – The Greens welcomed from the start the idea of supporting Pakistan's efforts to overcome the hunger and misery following the floods. However, our main criticism was that it was a measure focusing on a country affected by terrorism without naming this political agenda, and without embedding the measures in a set of measures concerning the political context. Furthermore, the Greens

feared that the measures might pave the way for the inclusion of Pakistan in the GSP+ scheme without the country having signed and implemented the corresponding labour and environmental conventions (let alone the Geneva Conventions). Finally, the Greens wished to exclude ethanol from the list of duty-free products, as it would be made out of sugar cane, which would replace food crops, constitutes a GHG-intensive crop and does not create a significant number of jobs. Unfortunately, none of the Green amendments was adopted in INTA. The text has finally been referred back to the committee.

Licia Ronzulli (PPE), *in writing.* – (IT) The proposal adopted today came about after the unprecedented floods that last summer devastated a vast portion of Pakistan's territory. The final document intends to grant autonomous trade preferences to the country in relation to 75 product lines of interest (mainly textiles and clothing) in the form of exemption from customs duties, with the exception of one product (ethanol) for which a tariff rate quota applies.

The proposed measures should be welcomed as a perfect example of the synergies that the entry into force of the Treaty of Lisbon has made possible. The European Union and its Member States have already generously provided Pakistan with humanitarian aid, but the extension of trade preferences in this country is part of a larger package of measures that would address the medium and long-term economic consequences of the catastrophic floods.

Ensuring the recovery and future sustainable development of Pakistan is extremely important, not only for its citizens, but also for the security and stability of the region. A stable and prosperous Pakistan that is not subject to extremist or fundamentalist tendencies is obviously in the interests of the European Union.

Keith Taylor (Verts/ALE), *in writing.* – When we first heard in October 2010 of the Commission's plans to help Pakistan recover from its awful flooding by removing some customs tariffs, Greens were enthusiastic to help. We still are, but a once-simple idea has become over-complicated and unworkable. Originally the scheme was for 3 years, although we wanted longer to increase investor confidence. But after various business and interest groups had got involved the proposal was reduced to 12 months only – with quarterly reviews! Further, any deal needs a waiver from the World Trade Organisation, which they haven't approved as some member countries (notably India) are worried about the effect that duty-free Pakistani textiles would have on their own markets. There has been no progress in 5 months, and it's unlikely we'll see any soon, if ever.

In Plenary today I supported an amendment to send the whole report back to committee for re-working. In doing so I wasn't voting against helping Pakistan, but I was recognising the report before us simply wouldn't deliver what Pakistan needs. For me, a major stumbling block has been the WTO. I believe this organisation needs comprehensive reorganisation into a properly democratic, accountable and transparent body.

Nuno Teixeira (PPE), *in writing.* – (PT) The natural disaster suffered by the people of Pakistan last August touched all of us and deserves the solidarity of the European Union. The European Union must show its support for Pakistan and help to minimise the devastating effects of the floods, as it has done through its policy of humanitarian aid and international cooperation when other tragic events have occurred. However, trying to use common trade policy to express this solidarity might have undesirable repercussions for the future, both in this specific case and in others that could arise.

At Internal Market level, the effects are negative for the production of European countries like Portugal. However, the effects at international level are also worrying, because they will create a waiver in the World Trade Organisation (WTO), in a key sector for many developing countries.

Therefore, and also bearing in mind that an impact assessment must be encouraged to assess the repercussions of the agreement inside the EU, I voted in favour of Amendment 43, which rejects the European Commission proposal to grant preferences to Pakistan.

Viktor Uspaskich (ALDE), *in writing*. – (LT) It is time for the EU to reconsider its long-term trade programme. We cannot pretend that certain developing countries granted special status by the EU are the same countries they were a decade ago. Some of these countries (such as Brazil, Russia, Argentina, Saudi Arabia and Qatar) are currently the strongest economically. Meanwhile, countries like Lithuania are struggling to make ends meet. If Pakistan is granted trade preferences for textiles, as proposed in this report, Lithuania would find itself in a vulnerable position, as textiles account for almost 6% of all our exports. Furthermore, the EU should pay more attention to the situation of its trade partners in the area of human rights. Respect for human rights and democratic principles must be a fundamental element of EU trade policy. There can be no compromise on these matters. I am therefore concerned by the Commission's proposal to grant Pakistan autonomous trade preferences. Of course, the EU is keen for Pakistan to enjoy stability and prosperity, but in the face of the crisis we should get our priorities right. As events in the last few weeks have shown, Pakistan remains a hotbed of terrorism and extremism. The EU should be careful not to send out the wrong message.

Report: Carl Schlyter (A7-0148/2011)

Luís Paulo Alves (S&D), *in writing*. – (PT) The current system of foreign direct investment, governed by a myriad of overlapping and sometimes conflicting bilateral investment treaties (BITs) of the Member States has to be replaced – in a reasonable time span – by a new framework of modern EU investment treaties consistent with cross-cutting EU policy goals. I also support the rapporteur's position, which strongly supports the coexistence approach of the Commission's proposal for a regulation. It is undoubtedly essential that, by way of an authorisation process, the Member States' existing BITs remain in place and that, under clear conditions, Member States be allowed to renegotiate existing BITs, finalise pending ones, and enter into negotiations for new ones. Legal certainty will, however, remain a relative term as long as the transition of the investment protection regime is not completed, and given validity terms of existing BITs of Member States under international public law. I am voting for the report, with the caveat that there is a need to continue debating the matter so that it will have a better legal framework.

Kader Arif (S&D), *in writing*. – (FR) Since the Treaty of Lisbon, investment has been an area of exclusive EU competence. Parliament therefore initially gave its verdict on the shape of the future European investment policy. This is the report I myself drafted, which was voted on during the last part-session in April 2011. In Mr Schlyter's report, Parliament has now examined transitional arrangements for managing investment agreements that Member States have already concluded with third countries. As in the vote in committee, I advocated a Community vision and stated that agreements that were already standing should be closely examined by the Commission in order to check their compatibility with the Treaties and with Union law and Union policy, in particular the objectives of the Union's external action on sustainable development. However, the vision that has prevailed in the end is a

right-wing vision in which protection of private investors is given priority over these objectives based on the general interest. Unfortunately the negotiations that will now be entered into with the Council are not likely to correct our aim, in an EU in which the good of the Union as a whole is rarely able to withstand national egotism.

Zigmantas Balčytis (S&D), *in writing*. – (LT) Before the entry into force of the Treaty of Lisbon, Member States mostly maintained bilateral agreements with third countries relating to investment. Following the entry into force of the Treaty of Lisbon, foreign direct investment fell within the exclusive competence of the EU and became an integral part of the EU's common commercial policy. I endorsed this report, which provides for a transitional period for this competence to be transferred to EU level, which in future will help ensure a high level of protection for investors against arbitrary actions by third countries.

Vilija Blinkevičiūtė (S&D), *in writing*. – (LT) I voted in favour of this report, because following the entry into force of the Treaty of Lisbon, the EU's common commercial policy became one of the common EU policy areas where the EU is given exclusive competence. Thus investment policy, an area which falls under the common commercial policy, must also be coordinated at EU level. Currently Member States comply with partly overlapping but often conflicting bilateral investment agreements with third countries, and this hampers the objectives of the EU's common commercial policy, and the formation of the image of the EU as a single trade area in transnational and global trade. This report's most important objective is the smooth transition from investment policies pursued by Member States individually to a common EU investment policy, ensuring legal certainty for all parties, and agreements already concluded for participants in the transitional period, when the old legal framework is being replaced by the new regulation. Essentially this report addresses two fundamental issues - a timeline for the transition, and the cases and procedures for withholding authorisation to hold negotiations with third countries, which the Commission gives a Member State during the transitional period.

Vito Bonsignore (PPE), *in writing*. – (IT) I supported this report by voting in favour because I believe that we need rules during the transitional period to ensure legal certainty and avoid conflicts and gaps in the law. In fact, Mr Schlyter's report arises from the proposal for a regulation of the Commission that provides for the exclusive competence of the EU on foreign direct investment, replacing the agreements put in place by the 27 Member States and also establishing a necessary transition period to be applied to existing bilateral treaties. Finally, I agree with Mr Schlyter on the importance of a fixed date to mark the end of the transitional period so as to safeguard the European economy's competitiveness and to provide investors with a clear picture of current and future regulatory standards.

Jan Březina (PPE), *in writing*. – (CS) The adoption of the approved regulation is necessary, for the current system, which is created through a large number of mutually overlapping and sometimes even conflicting bilateral agreements on investments concluded by Member States, must be replaced within a reasonable period of time by a new system of modern investment agreements concluded by the EU, which will be in line with the general goals of EU policy. The regulation is therefore the logical and only possible reaction for enshrining policy in the area of direct foreign investments as exclusive powers of the EU, which forms part of the EU's common commercial policy. The policy has the important role of ensuring a high level of legal certainty in a period of transition. I therefore wholly agree with the Commission proposal, which counts on coexisting agreements. It is essential for existing Member State agreements on investment to remain in force on the basis of the approval

procedure, and for Member States to be able to negotiate changes to them under clear conditions, to complete the ongoing negotiations and to begin negotiations on new agreements.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) In the interests of harmonisation of the EU's foreign policy, I am voting to change the current system of bilateral investment treaties between the Member States and third countries. I also share the concern expressed by the rapporteur with regard to ensuring legal certainty during the transition process, meaning there is a need to introduce a deadline for this and to clarify the conditions for withholding authorisation.

Anne Delvaux (PPE), *in writing*. – (FR) It ought to be possible to coordinate and make decisions on Member States' individual investment policies at EU level. The current system is marked by countless bilateral treaties that cross over or double up on each other and are often basically contradictory. As we work on formulating a proper European investment policy therefore, I felt it would be beneficial to vote in favour of obliging Member States to make provision, when renegotiating bilateral treaties or negotiating new treaties, for a dispute settlement mechanism in which the Commission would be allowed to participate, even in a purely advisory capacity, and for confidentiality requirements to be lifted in order to allow the EU's executive body to take part in such a capacity.

I also requested that the Commission should present a report to Parliament and the Council, no later than five years after this regulation enters into force, on the situation regarding re-examination of existing bilateral agreements, relating in particular to the number of bilateral agreements that the different Member States may have renegotiated.

Diogo Feio (PPE), *in writing*. – (PT) With the entry into force of the Treaty of Lisbon, pursuant to Articles 206 and 207 of the Treaty on the Functioning of the European Union (TFEU), foreign direct investment becomes the exclusive competence of the European Union. At the moment, many bilateral agreements are in force and they now urgently need to be replaced by a new framework of EU investment treaties consistent with its cross-cutting political objectives.

The intention is now to find fair and effective transitional measures that will safeguard the bilateral agreements in force and not disregard the expectations of investors. Therefore, we must avoid legal loopholes and ensure a considered transition.

As such, I call on all those involved in the dialogues to properly weigh up the need to protect legitimate expectations and the correct application of the Treaty of Lisbon, paying particular attention to the articles relating to the re-examination and withdrawal of authorisation.

I would commend the rapporteur on all the efforts made, but I call for greater consideration and compromise.

José Manuel Fernandes (PPE), *in writing*. – (PT) This report is on the proposal for a regulation of the European Parliament and of the Council establishing transitional arrangements for bilateral investment agreements between Member States and third countries. Pursuant to Article 207(1) of the Treaty on the Functioning of the European Union (TFEU), this is the exclusive competence of the European Union, as it relates to matters of foreign direct investment. Without questioning the need for the Member States' existing bilateral treaties to remain in force, I agree with the rapporteur's position in the sense of ensuring a high degree of legal certainty during the transition period, and also

with the three reasons for withdrawing authorisation for a bilateral treaty: 'conflicts with the law of the Union', 'overlap, in part or in full, with an agreement in force with that third country and this specific overlap is not addressed in the latter agreement' and treaties that might 'constitute an obstacle to the development and the implementation of the Union's policies relating to investment'.

João Ferreira (GUE/NGL), *in writing*. – (PT) Trade policy is yet another area in which competences have been withdrawn from the Member States, with the EU then having 'exclusive competence'. This is the foundation for this proposal for a regulation: in other words, applying Article 207(1) of the Treaty on the Functioning of the European Union (TFEU), which provides for the exclusive competence of the EU in matters of foreign direct investment as part of the common commercial policy.

The importance of trade policy and, of course, of investment policy as instruments for promoting the interests of a country and its people according to its specific characteristics and conditions are all too clear. What is also clear – as in the case of Portugal, for example – is the damage that results from trade and investment policies that do not give due consideration to the interests, circumstances and conditions of the country, since they are essentially decided by the major powers of the EU in defence of the interests of their major companies; the balance within the EU tipped decisively towards these powers when the Union strengthened its competences.

Among other serious aspects, this regulation intends to give the Commission the power to withdraw authorisations, to ask Member States to negotiate or reject bilateral investment treaties (BITs) and to approve new BITs. Those the reasons why we voted against.

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) It is well known that the European Union has exclusive competence in matters of external trade policy, which is the basis for this proposal for a regulation. It is founded on Article 207(1) of the Treaty on the Functioning of the European Union (TFEU), which provides for the exclusive competence of the EU in matters of foreign direct investment as part of the common commercial policy.

However, in general, the European Commission's positions do not respect the interests of all the Member States equally. The importance of trade policy and, of course, of investment policy as instruments for promoting the interests of a country and its people according to its specific characteristics and conditions are all too clear.

What is also clear – as in the case of Portugal, for example – is the damage that results from trade and investment policies that do not give due consideration to the interests, circumstances and conditions of the country, since they are essentially decided by the major powers of the EU in defence of the interests of their major companies; the balance within the EU tipped decisively towards these powers when the Union strengthened its competences.

Among other serious aspects, this regulation intends to give the Commission the power to withdraw authorisations, to ask Member States to negotiate or reject bilateral investment treaties (BITs) and to approve new BITs. That is why we voted against.

Monika Flašíková Beňová (S&D), *in writing*. – This report deals with international investment treaties with third countries. The main objective of these treaties is to provide a high level of protection for investments and investors against arbitrary actions of governments of states receiving the investment. Before the entry into force of the Lisbon Treaty, the Member States were in charge of negotiating the signing of these investment

agreements. With the Lisbon Treaty, foreign direct investment has become an exclusive competence of the EU and an integral part of the EU's external trade policy. Personally I think EU development policy might be superior to the trade and investment policy of the Union.

Juozas Imbrasas (EFD), *in writing*. – (LT) I voted in favour of this document, because it is proposed that the Regulation should provide the faculty for the Commission to withhold an authorisation, to request Member States to renegotiate or terminate a Bilateral Investment Treaty (BIT), and to have the Commission's approval for newly negotiated BITs. It also lays down conditions on how, when and what it is possible to negotiate. Following the entry into force of the Treaty of Lisbon, foreign direct investment is included in the list of matters falling under the common commercial policy. In accordance with Article 3(1)(e) of the Treaty on the Functioning of the European Union (hereinafter "the Treaty"), the Union has exclusive competence with respect to the common commercial policy. Accordingly, only the Union may legislate and adopt legally binding acts within that area. The Member States are able to do so only if empowered by the Union, in accordance with Article 2(1) of the Treaty. That relationship will develop further as the Union exercises its competence in common investment policy with the main goal of creating the best possible investment protection system for all Member States' investors equally and equal investing conditions on third country markets. As the new investment policy will be developed in view of the transitional validity of bilateral investment agreements concluded by Member States, it should acknowledge the rights of investors whose investments fall into the scope of those agreements and should ensure their legal certainty. The Commission should take the necessary steps towards a progressive replacement of all existing agreements on investment with new agreements that should provide for the best possible level of protection.

Elisabeth Köstinger (PPE), *in writing*. – (DE) Since the Treaty of Lisbon the Commission has had the exclusive power to negotiate and conclude bilateral investment agreements with third countries. There are more than 1 000 agreements in existence and negotiations led by Member States are currently under way for around 200 more. In order that this transfer of competence does not result in a hard landing for the EU, the Member States should continue to be able to guarantee legal certainty for investors during a transitional period. Parliament sent a strong signal in the first reading and advocates a solid, secure phase for the transfer of powers.

Petru Constantin Luhan (PPE), *in writing*. – (RO) Investment agreements are still mandatory for Member States following the entry into force of the Treaty on the Functioning of the European Union and they must be dealt with under the EU's exclusive competence in the area of direct foreign investments. This proposal for a regulation of the European Parliament and of the Council will authorise for all the investment agreements currently in force between Member States and third countries to remain in place. I think that this will allow us to offer an explicit guarantee of legal certainty concerning the conditions which investors are subject to.

Furthermore, the proposal also sets out the conditions under which Member States will be able to negotiate and conclude new bilateral investment agreements with third countries, regarded as an exceptional transitional measure.

David Martin (S&D), *in writing*. – I voted for this report and welcome the fact that bilateral investment treaties are now part of the common commercial policy.

Jean-Luc Mélenchon (GUE/NGL), *in writing.* – (FR) This report forbids Member States from negotiating and even maintaining bilateral investment agreements with a third country if the agreements do not comply with the European Commission's views. National sovereignty is therefore abolished in this field. The Treaty of Lisbon has brought us to this point of banning any form of bilateral investment in support of another country and putting all the power in the hands of the Commission, an unelected body.

I shall vote against.

Andreas Mölzer (NI), *in writing.* – (DE) We cannot expect that what has failed at the level of the World Trade Organisation (WTO) and the Organisation for Economic Cooperation and Development (OECD) – that is, bringing light into the jungle of bilateral investment agreements – will be successful at EU level. An attempt has been made at a higher level to introduce comprehensive multinational regulations for Foreign Direct Investment, or FDI, that would apply to all economic sectors. In the longer term this will probably be more likely to achieve the aim, but in reality it depends on how it is actually organised. The problem is that binding BIT arbitration judgments based on international law could entail commitments to investors by Member States that give rise to EU Treaty infringement proceedings. For this there is still no solution.

There is just as little consideration in the report of the potential negative aspects of the investment policy, for example the fear among the domestic population of job losses and wage cuts due to outsourcing and the relocation of production. Direct investments are by no means the magic bullet they are made out to be. Certain developing countries have had to learn that the hard way. For these reasons I voted against this report.

Claudio Morganti (EFD), *in writing.* – (IT) As a result of the adoption of the Treaty of Lisbon, Member States have unfortunately lost their prerogatives regarding the management of foreign direct investment, which has become the exclusive competence of the Union. Such a significant change requires transitional rules governing its implementation: the report that we voted on today seems to be an acceptable compromise, since it protects the agreements already concluded by various States on a bilateral basis and also lays the groundwork for possible new, bilateral agreements, though they must be agreed on.

The evaluation powers of the Commission are also well defined and limited, thus making it, *de facto*, less complicated for Member States who wish to continue their specific policy on foreign direct investment. For these reasons I decided to vote in favour of the report.

Maria do Céu Patrão Neves (PPE), *in writing.* – (PT) I voted for this report on the proposal for a regulation of the European Parliament and of the Council establishing transitional arrangements for bilateral investment agreements between Member States and third countries. It is a case of applying Article 207(1) of the Treaty on the Functioning of the European Union (TFEU), which provides for the exclusive competence of the EU in matters of foreign direct investment as part of the common commercial policy. In a world of global transfers of assets and capital, and as a logical consequence of the EU's common commercial policy, the investment policy of Member States also has to be coordinated and decided at EU level. This means that the present system embodied by a myriad of overlapping and sometimes conflicting bilateral investment treaties (BITs) of the Member States has to be replaced – in a reasonable time span – by a new framework of modern EU investment treaties consistent with cross-cutting EU policy goals. The transition to an EU investment policy, bearing in mind the risky and long-term nature of foreign direct investment, is a

long and complicated process. It is extremely important to ensure a high level of legal certainty during the transition period.

Paulo Rangel (PPE), *in writing*. – (PT) Since, by virtue of the Treaty on the Functioning of the European Union (TFEU), the area of foreign direct investment is an exclusive EU competence, there is a need to provide the European Union with the necessary means to move from a disparate perspective to a harmonised approach. As such, there is a need to find solutions enabling us to prevent legal uncertainty during the transitional period, but without risking the objectives guiding Union action.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – As we feared, the tight vote against us in the Committee on International Trade on the crucial Article 5 (review of Member States' existing bilateral investment treaties (BITs)) and Article 6 (the possibility of withdrawing authorisation for a BIT) of Carl Schlyter's report on 'Transitional arrangements for bilateral investment agreements between Member States and third countries' has been confirmed by the vote in plenary.

We had made it easier for Members to vote with us by tabling amendments on Articles 5 and 6, going just halfway towards what we had wanted (and had lost at the committee stage). We thus left it to the S&D Group to re-table the original texts, in order to be perceived as representing the middle ground. Unfortunately, that strategy did not work out. We had a roll-call vote on this and we will analyse whether we nonetheless captured some support in the ALDE Group.

We also lost our amendments concerning better transparency rules. We won only one amendment, of minor importance, on the recitals, which was clearly 'granted' to us by the EPP and ALDE Groups in order to appease us so that the Greens/EFA position in the final vote would be positive. However, we chose to reject the report (which was approved by 345 to 246 votes).

Daciana Octavia Sârbu (S&D), *in writing*. – Earlier this year, I made some enquiries to the European Commission in response to press reports about shipments of toxic waste from Italy to Romania. Although no evidence was found for the shipments, what was clear from the outcome of my enquiries was that we could benefit from more regular inspections of cargo, as this would act as a deterrent to those involved in the illegal shipment of waste. Such measures may have an additional impact in the case of developing countries because they may lack the capacity to properly monitor incoming shipments and therefore prevent the entry of toxic material into their territory. We should give serious consideration to the benefits of thorough, regular inspections coordinated at EU level, especially in the case of shipments to developing countries.

Nuno Teixeira (PPE), *in writing*. – (PT) Pursuant to Article 207(1) of the Treaty on the Functioning of the European Union (TFEU), the EU has competences in respect of foreign direct investment (FDI), as this type of investment is directly related to the new common commercial policy.

The Treaty of Lisbon came into force at a time when many bilateral investment agreements with third countries were coming to an end and no transitional arrangements had been established to ensure an integrated move towards future agreements within the exclusive competence of the European Union. I think it is a good idea to undertake a reliable evaluation of all the bilateral agreements currently in force with third countries, and to adopt a strategy common to all Member States.

As this report says, it is crucial that the rules laid down be transparent, be known to the main political players and be assessed within a maximum of 10 years. At a time when transactions involving assets and capital are becoming increasingly globalised, it is important that the European Union adopt a common investment policy in line with the strategy set out by all the Member States.

Report: Vital Moreira (A7-0053/2011)

Luís Paulo Alves (S&D), *in writing.* – (PT) I am voting for this report by the Committee on International Trade (A7-0053/2011). I adopt its position at first reading, taking over the Commission proposal. I call on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text.

Zigmantas Balčytis (S&D), *in writing.* – (LT) I voted in favour of this report. The European Commission pledged up to EUR 500 million of assistance to Georgia at the October 2008 International Donors' Conference. The sources of the funding include both programmed funds under the envelope of the European Neighbourhood and Partnership Instrument (ENPI) and crisis instruments, such as the Instrument for Stability, Humanitarian Aid and Macro-Financial Assistance. The Georgian economy is beginning to recover following the double shock caused by the military conflict with Russia of August 2008 and the global financial crisis. However, the balance of payments and budgetary position remain weak and vulnerable due to the blockade of most direct trade with Russia and marked reduction in foreign direct investment (FDI) inflows. I endorse the allocation of EUR 46 million in financial assistance to Georgia, which will help reduce the short-term financial vulnerability still faced by the economy, while supporting reform measures aimed at achieving a more sustainable balance of payments and a more stable budgetary situation.

Mara Bizzotto (EFD), *in writing.* – (IT) There is a fundamental contradiction in the European Commission's proposal to grant further financial assistance to Georgia: it was the Commission itself that pointed out that Georgia's economy was recovering after the conflict with Russia three years ago, thereby insinuating that there was no need to 'assist' the Georgian Government with further funds to help the national economy in addition to those already provided in recent years. It is therefore not clear why the Georgian Government asked for more money, nor why the Commission immediately started working to mobilise nearly EUR 50 million. Given the internal political situation in Georgia and issues of legality and transparency in that country, we have no assurances that it will be well spent.

I voted against the legislative resolution which allows Parliament to grant EUR 46 million to the Georgian Government. There are many economic, financial and employment-related problems in Europe and there are many areas which are forced to deal with crisis situations for which the institutions could do much more. The Commission should move first of all to focus all possible efforts on solving the problems of our citizens.

Vilija Blinkevičiūtė (S&D), *in writing.* – (LT) The European Parliament approved the Council decision to activate the Commission pledge of EU funds to Georgia. Prior to adopting the decision, the Commission assessed Georgia's economic situation and the country's financial prospects in 2010-2011, focusing on the balance of payments and budgetary needs. The Commission considers that the activation of the second part of the macro-financial assistance (MFA) pledged in 2008 is warranted. The new MFA would help Georgia to address the economic consequences of the conflict with Russia and the global crisis. The new MFA should support the economic reform agenda of the government and

policy measures to strengthen public finance management (building on those of the previous operation and of the EU's sectoral budgetary support operation). In addition, this assistance should help to foster economic and financial integration with the EU, in particular by exploiting the potential offered by the future Association Agreement, which aims at concluding a Deep and Comprehensive Free Trade Agreement between the two parties.

Jan Březina (PPE), *in writing.* – (CS) As a member of the European Parliament's delegation to the EU-Armenia, EU-Azerbaijan and EU-Georgia Parliamentary Cooperation Committees, I welcome the decision to provide Georgia with macro-financial assistance of EUR 46 million, in order to help stabilise the Georgian economy and cover needs in respect of the balance of payments stipulated in the existing IMF programme. I consider it right and proper that EUR 23 million of this sum will be provided in the form of grants, and EUR 23 million in the form of loans. It is important that the relevant measures which Georgia should take to prevent and combat fraud, corruption and other irregularities relating to this assistance are set out in the memorandum of understanding, the loan agreement and the grant agreement, which will be agreed with the Georgian authorities. In the interests of greater transparency in the management and disbursement of the funds, the memorandum of understanding, the loan agreement and the grant agreement should also stipulate the possibility of checks, which also means on-the-spot checks and inspections by the Commission, including the European Anti-Fraud Office. In addition to this, we should also count on the possibility of carrying out audits, including random on-the-spot audits by the Court of Auditors.

Maria Da Graça Carvalho (PPE), *in writing.* – (PT) I welcome efforts to promote prosperity beyond the EU's borders, because I consider our aid important in order for some third countries to be able to tackle their balance of payments crisis and restore the sustainability of foreign debt. Therefore, and bearing in mind the economic and social problems suffered as a result of the August 2008 armed conflict and the global financial crisis, I agree with the tabled proposal of additional macro-economic financial assistance for Georgia, with a view to supporting its process of economic stabilisation and covering the needs of its balance of payments. I also believe that this macro-economic assistance will have a positive effect on Georgia's relations with Member States, in addition to the critical role it will play in the country's government properly applying reforms.

Edite Estrela (S&D), *in writing.* – (PT) I voted in favour of this report, because I believe that the mobilisation of the second part of the macro-financial assistance to Georgia is justified and relevant. Although the Georgian economy is recovering, this additional aid will help Georgia to deal with the economic consequences of the conflict with Russia and the global crisis, and also support the government's economic reform programme.

Diogo Feio (PPE), *in writing.* – (PT) Georgia has faced serious problems recently, particularly after the military conflict between the country and Russia due to the separatist regions of Abkhazia and South Ossetia. We are still a long way from being able to consider the option of the country's accession to the European Union – repeatedly referred to by President Saakashvili – a realistic possibility, given that Georgia does not meet the objective requirements allowing it to aspire to such a desire. That said, I believe it advantageous that Georgia express this wish and try to comply with European standards.

As such, and since it is intended to seek to help the country overcome the economic and social difficulties suffered after the military conflict, I am voting to grant Georgia additional macro-financial assistance, which I hope can be used to the real benefit of its population.

José Manuel Fernandes (PPE), *in writing.* – (PT) This report is on the proposal for a decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia. This is a European Commission proposal that provides for EUR 46 million in aid to this country and is the result of the armed conflict with Russia, a situation exacerbated by the global crisis. As this is the second part of aid guaranteed in 2008, which is intended to enable Georgia to meet the financial agreements with global and European financial institutions, as well as to support the economic reforms in progress in this country, I agree with this aid and am voting for it. However, I hope that Parliament and the Council will soon reach an agreement on the methodology for supervising the implementation of this aid, so that we all have greater peace of mind about the proper application of EU funds.

João Ferreira (GUE/NGL), *in writing.* – (PT) With regard to this proposed additional macro-financial assistance, the observations we made about the decision to grant the previous macro-financial assistance to this country remain valid and relevant. We always advocate the EU's need to grant assistance in solidarity with countries that need it, and for this assistance to be directed at projects that serve the interests of the people. However, EU 'assistance' has demonstrated that it has little to do with solidarity. The interests of big companies and financial institutions, and of the major powers almost always overcome the genuine and real interests of solidarity.

It is no different with Georgia. It is important to bear in mind that the proposed financial assistance is intended above all to finance the recommendations of the International Monetary Fund (IMF) and its policy of structural adjustment: in other words, persisting with the same neoliberal policies that led to the economic and financial crisis that this country is facing.

We also maintain the same reservations and concerns with regard to possible progress in terms of the militarisation of the Caucasus region as a result of the tensions with Russia, bearing in mind the region's energy wealth and geostrategic importance, which arouses the greed of the EU and its monopolies.

Monika Flašíková Beňová (S&D), *in writing.* – Georgia has experienced a sharp economic decline since the outbreak of the military conflict with Russia in August 2008. This resulted in huge direct and indirect damage; a large part of the population was displaced. The global financial crisis which broke out in autumn 2008 made the situation in Georgia even more complicated. The proposed assistance – part of a comprehensive EU package of up to EUR 500 million – aims to support Georgia's recovery following the armed conflict with Russia, and also helps Georgia address the consequences of the global economic and financial crisis. The assistance is to be allocated to the financing of the deficit of the state budget, and may help Georgia to overcome its acute financial problems.

Sandra Kalniete (PPE), *in writing.* – (LV) It is the duty of the European Union to continue helping Georgia, so that that country can develop and become a modern democracy, which could serve as an example to other countries in the region. Since the 'Rose Revolution', the Georgian Government has consistently implemented democratic reforms, modernising its country and carrying out difficult, unpopular economic and social reforms that are essential in the long term. As shown by the World Bank's 'Doing Business 2010' index, the business environment in Georgia is the 12th 'easiest' in the world. Only three European Union Member States are ranked above Georgia in this index. This country has had notable successes in fighting corruption, which is a significant problem in all post-Soviet countries.

I am convinced that Georgia is an example to Caucasian region countries, and I have no fear in saying that this country can serve as an example to some EU Member States that currently lack the political courage to carry out reforms that would pave the way to growth and modernisation. In solving problems associated with Georgia, we must not forget that 20% of Georgia's territory is still under occupation. Russia must honour its agreement with respect to the territorial integrity of Georgia, and the European Union must consistently continue to remind Russia's leadership of this.

Elisabeth Köstinger (PPE), *in writing*. – (DE) Supporting macro-financial assistance for Georgia, which was hit hard by the economic crisis, is something to be endorsed. The money promised by the EU is linked to clear conditions and will reach the right areas. This financial assistance, together with the funding from the IMF, will help stabilise the national budget and will have a positive effect on relations between the EU and Georgia.

Krzysztof Lisek (PPE), *in writing*. – (PL) I voted in favour of granting additional aid to Georgia. This country stands out from the other countries involved in the Eastern Partnership on account of the reforms it has carried out in every area. I am particularly glad to see that the simplified legislative procedure was used during work on the report on further macro-financial assistance for Georgia, since this speeded up the entire process and made it possible to vote the report through more quickly. Georgia's economy has recovered after Russia's military invasion of 2008, and has done extremely well in comparison to other countries of a similar size in the difficult times of the global financial crisis.

Since the Rose Revolution, numerous reforms have been carried out in Georgia aimed at liberalising and democratising the system in such a way as to make it more attractive to business, and to make it possible for a free-market economy and a democratic society to be established. Since 2004, Georgia has taken unprecedented steps in reducing the bureaucratic burden on businesses. Restrictions have been placed on the formalities necessary to start up in business. The tax system has been reformed, which has resulted in a five-fold increase in budgetary revenue. To sum up, Georgia has been opened up for free and unhindered trade.

Georgia has practically eliminated the cancer of corruption in state institutions and the civil service by means of a series of public sector reforms (concerning the public prosecutor's office, the judiciary and the police) and political reforms. Today Georgia is regarded as a country with a dynamically developing economy. In view of the above, we should continue to spur Georgia on to further development, not only by setting requirements, but also by granting aid.

Petru Constantin Luhan (PPE), *in writing*. – (RO) Georgia is one of the European Union's partner countries as part of the European Neighbourhood Policy (ENP). It is in the European Union's vital interest to ensure stability at its eastern borders, which can be achieved through economic growth and political security. The package of macro-financial assistance intended for Georgia is in direct response to the economic and social difficulties which this country is faced with.

Although Georgia's economy is showing signs of recovery, it is still fragile and vulnerable, and requires financial stability. Last but not least, the macro-financial assistance granted by the EU supplements the other financial instruments and aid granted to Georgia by the IMF, as well as by international and bilateral donors, providing Georgia with short-term macro-economic support.

David Martin (S&D), *in writing*. – I voted in favour of this resolution on the proposal for a decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) The European Union has found itself a new mission. It is now applying the savage cuts in the social funds of the International Monetary Fund (IMF), via the European Financial Stability Fund applicable to the euro area and indeed the whole EU, through macro-financial assistance (MFA) outside the EU.

In Georgia, the IMF has announced that it will not be continuing its 'aid'. There is therefore no longer any need to implement the IMF austerity plan. Through this MFA, the European Union is forcing Georgia to carry on implementing the plan regardless. This is unacceptable: I shall vote against.

Andreas Mölzer (NI), *in writing*. – (DE) Georgia faces series financial problems following the armed conflict with Russia in 2008 and the impact of the global financial crisis. Back in January of this year, the EU approved a EUR 46 million aid package for Georgia, of which EUR 23 million is to be paid as a loan and a further EUR 23 million in the form of a grant to the country. The EUR 46 million forms part of an EU financial aid package worth around EUR 500 million which was approved by the EU back in October 2008. This second tranche of the EU's macro-financial assistance – the first having been implemented back in 2009-2010 – is intended to help Georgia meet its external financing requirement and is subject to strict conditions. Initial signs of its success can already be seen in the fact that real GDP grew by 6.3% in 2010, providing evidence of a revival of the economy.

Nonetheless, it should be stated that there are indications that the money is not being used efficiently enough. In view of the budgetary situation of most EU Member States, this is unacceptable. Although I am fundamentally in favour of the financial assistance, I therefore abstained from voting in the final vote.

Radvilė Morkūnaitė-Mikulėnienė (PPE), *in writing*. – (LT) I welcome the European Parliament's decision to approve the Commission's proposal to allocate a further EUR 46 million in macro-financial assistance to Georgia. This is significant support for a country loyal to European integration which will help mitigate two negative repercussions on the Georgian economy - the military conflict with Russia and the global economic and financial crisis. In order to increase the long-term viability of this assistance, the Commission must actively help to ensure targeted uptake, above all through measures to foster economic and financial integration with the EU, so that it would contribute to the swift conclusion of a Deep and Comprehensive Free Trade Agreement between the EU and Georgia.

A dialogue on visas is another measure that would have a clear stabilising influence that would also promote reforms. The EU-Georgia agreements on the simplification of the visa regime and readmission entered into force on 1 March 2011 and represent a welcome first step. I trust that the Commission will soon present an evaluation of the implementation of these agreements, so that by the next meeting of the EU-Georgia Cooperation Council it is possible to begin discussions on the course of further cooperation on visa issues.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) This European Union macro-financial assistance is intended to help cover Georgia's external finance needs, identified in cooperation with the International Monetary Fund (IMF) in the context of the IMF stand-by arrangement for the sum of USD 1.17 billion, which has been in force since October 2008. Half the proposed aid will be supplied in the form of subsidies and the other half in the

form of loans. Additional macro-financial assistance should help assist Georgia to deal with the economic consequences of the conflict with Russia and the world crisis, and also support the government's economic reform programme. I voted for this report, because I agree with the financial assistance concerned and also with the need – in spite of financial assistance being controversial – to guarantee a model for supervising the implementation of this assistance that enables Parliament and other institutions to find out about how these funds are being spent.

Paulo Rangel (PPE), *in writing*. – (PT) I voted to grant Georgia an additional EUR 46 million in macro-financial assistance because I consider it necessary in order to help the country overcome the social and economic difficulties arising from the conflict with Russia.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – In line with our voting on macro-financial assistance (MFA) in the last parliamentary term, the suggestion was made that we abstain in this case because we do not think that MFA is very helpful so long as it is tied to whatever programme the International Monetary fund (IMF) is operating in the countries concerned. Indeed, there is no EU-specific financing strategy apart from the standard IMF macro-economic reform agenda. On the other hand, we do recognise that Georgia has financing needs and that there is an EU responsibility here. The Greens/EFA Group has, in the end, voted in favour.

Licia Ronzulli (PPE), *in writing*. – (IT) The adoption of today's report follows the position adopted at the first reading and confirms the view expressed by the Commission. The text we voted on asks the Commission to submit a new proposal in the event that it intends to modify it substantially or replace it with a new text.

Niki Tzavela (EFD), *in writing*. – (EL) Further macro-financial assistance will help Georgia to deal with the global crisis, by supporting the government's reform programme. In fact, it will reduce the short-term financing problems facing the Georgian economy. Bearing in mind that this financial assistance is one-off assistance of limited duration, I voted in favour of the proposal for a decision of the European Parliament and of the Council to grant additional macro-financial assistance to Georgia.

13. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 13.25 and resumed at 15.05)

IN THE CHAIR: JERZY BUZEK

President

14. Approval of the Minutes of the previous sitting

Bruno Gollnisch (NI). – (FR) Mr President, I would like to comment on point 16 of the Minutes, which quite rightly reports my request for a debate to be held on the waiver of my parliamentary immunity, something which you rejected. This therefore contradicts what the President of the sitting Mrs Angelilli said earlier, when she claimed that I had been given the floor yesterday to talk about the waiver of my parliamentary immunity, which is not true. This Parliament has therefore deprived one of its Members of a vital right to protection, without allowing either the party himself or anyone who may have spoken in his defence to speak on the subject in plenary, either during a debate or during their

explanations of vote or any other occasion. I simply wanted this to be acknowledged, so thank you for having done that.

President. – I understand that your comment is intended for the Minutes. Thank you for this comment.

15. Migration flows and asylum and their impact on Schengen (debate)

President. – The next item is the Council and Commission statements on migration flows and asylum and their impact on Schengen (2011/2689(RSP)).

Enikő Győri, *President-in-Office of the Council.* – Mr President, the developments in the Southern Neighbourhood and the ensuing migration flows are posing a serious challenge for the European Union. They have served to underscore the importance of looking at the whole issue of how we manage migration and refugee flows.

Therefore the European Council in March called upon the Council and the Commission to submit before the June European Council a plan for the development of capacities to manage migration and refugee flows as a response. The conclusions adopted by the Justice and Home Affairs Council on 11 and 12 April 2011 and the communication issued by the Commission last week are important steps in this direction. The Presidency has convened an extraordinary meeting of the Council on Justice and Home Affairs for 12 May in order to discuss the issue of the management of migration and refugee flows. These discussions will help to prepare for the meeting of the European Council on 21 June which will address the same issues.

We cannot of course stand idle in the face of events on the other side of the Mediterranean. The EU and the Member States are ready to assist both those displaced as a result of the latest developments in North Africa and those Member States most directly concerned. Over the past few months the EU and the Member States have made available approximately EUR 96 million of emergency humanitarian aid and we are committed to continue to provide further support as and when the situation requires.

The Council has also invited all Member States to continue their support for UNHCR, the International Organisation for Migration, the Red Cross and all relevant actors, the efforts of which are paramount in helping those displaced as a consequence of protracted violence in Libya. Those Member States more directly affected by these developments are receiving contributions of funding, equipment and technical expertise; for example the Commission announced earlier that approximately EUR 25 million from emergency funds could be made available for Member States such as Italy and Malta. Furthermore, the newly-created European Asylum Support Office, although still in the process of becoming fully operational, is also available to help. Some Member States, including Hungary, have already said that they are ready to reallocate refugees from Malta in order to alleviate pressure on the authorities there.

Apart from the specific measures intended to address this particular situation, the Council remains fully committed to the further development of the common European asylum system. Work is under way in the Council and Parliament and some progress has been already achieved, despite the technical difficulty and the politically sensitive nature of this subject.

In general the management of migratory flows in the EU and in individual Member States requires the effective management of borders. As far as the management of external borders is concerned, Frontex has an important role to play in a number of ways, including the monitoring of the EU's external borders and providing operational support.

In the light of the latest developments in North Africa, joint operation Hermes was launched on 20 February 2011 following a request from the Italian Government. This is aimed at preventing and detecting illegal border crossings to Lampedusa, Sicily, Sardinia and the Italian mainland. Frontex is also supporting the Italian authorities in second-line border control activities by the briefing and screening of migrants.

The Council also welcomes the Commission's decision to mobilise supplementary funds needed by Frontex to continue its planned joint operations. We have urged Member States to provide further human and technical resources as required in support of the agency's operations, including Hermes.

As you know, the new proposal concerning Frontex is in this House and we have been negotiating it. I very much count on the support of Parliament in bringing this legislative proposal to a conclusion and ensuring the success of the negotiations.

Against the background of the recent migratory pressure from North Africa, the strengthening of Frontex has become a high priority for the Council. I would like to express my thanks to Mr Busuttill and the shadow rapporteurs for their good cooperation and I very much hope, as I have just emphasised, that a first-reading agreement can be achieved by June 2011, as was called for by the European Council in March.

Developments in the southern Mediterranean, in particular in relation to the Tunisian migrants arriving in Lampedusa, have also raised questions about controls at internal borders. This in turn touches on the issue of freedom of movement within the European Union. The Council fully agrees with the view held by almost everyone here that the free movement of persons within the Schengen area is a major achievement. Those Member States that have asked for the revision of the Schengen system have also underlined that they were proposing this with the intention of preserving the free movement of our citizens, which is one of the cornerstones of the Union.

Improving the security and governance of the Schengen area in a time of increased pressure is a means to this end. That said, in the light of the increased pressure on some external borders and the calls from Member States to strengthen the system of the Schengen rules, the Council needs to look into how we can further guarantee the principle of free movement and, at the same time, citizens' need for maintenance of a high level of internal security.

At the Council meeting on 12 May 2011 the Presidency plans to initiate discussions on the various ideas on the Schengen acquis which have been put forward by the Commission in its communication on migration of 4 May. The Council looks forward in particular to examining the Commission's suggestions for a mechanism concerning the coordinated and temporary reintroduction of controls as a measure of last resort, based on objective criteria and respecting the Community method. The Council will also have a chance to discuss how to continue work on the revision of the Schengen evaluation mechanism to ensure more efficient and uniform implementation of the acquis.

Of course our immediate priority is to deal with the effects of the dramatic events in the southern Mediterranean, but we also have to draw lessons for the future. In short we need to put in place a strategy for the longer term. Some of the issues which I have set out will

help in creating such a strategy, but I look forward to discussions which can lead to a comprehensive approach to migration, fully in line with our global approach to migration.

Along these lines Prime Minister Orbán has recently said that we should clearly differentiate between economic migrants and political refugees. Europe must welcome the latter if she wants to be true to herself. Europe must help, through means similar to a Marshall Plan, the countries of North Africa so as to create liveable conditions there, thus tackling the root causes of migration. That will require not only agreement amongst ourselves, but also consultations with our neighbours and in particular in partnership with the countries of Northern Africa, and it will need to take into account a wide range of factors such as international protection, migration, mobility and security.

To conclude, from a wider perspective, our southern neighbours will be assisted by all available means in their transition to open, democratic and prosperous societies. This is the best possible way of addressing the push factors driving irregular immigrants towards our shores.

José Manuel Barroso, *President of the Commission*. – Mr President, today we are here to debate migration and cross-border movement of European citizens, but let me start by reminding all of us that yesterday was the 61st anniversary of the Schuman Declaration, which laid the foundations of the European Union, and from that day began a process in which European people have been willing to come together and put aside their differences, to build a European continent without borders, where our citizens can move freely between countries.

For regions like the one where we are now, here in Strasbourg and in Alsace generally, living on a frontier no longer equates with being restricted by borders, and the benefits extend far beyond these border regions. For the vast majority of European citizens, the right to move freely is the embodiment of the European project and one of the most tangible results of the European Union, and I am pleased to say that most Europeans use their right to the full – people make around 1.25 billion journeys as tourists within the European Union countries every year.

That would be completely impossible without the European Union. I still remember when we had to overcome many difficulties in order to travel from my country, Portugal, to Spain. So it is indeed a great mark of the progress of civilisation that countries are able to lower barriers at their borders and let citizens move freely.

Moreover, in terms of the economy too, free movement is central to the success of the Single Market and Europe's continued efforts to boost growth and jobs. To put it plainly, free movement is to Europe what foundations are to buildings. Remove it and the whole structure is undermined.

Last week, the Commission presented a communication on a more structured approach to migration, referring, *inter alia*, to a proposal on a reinforced Schengen governance system. Other proposals will follow in the coming weeks, and here I want to praise the work of Commissioner Malmström who, with great intelligence and sensitivity, is doing her best to find the right approach to this complex matter.

Let me concentrate on the governance of Schengen because I understand that this is the most important concern here in Parliament. Of course there are many other proposals, on the reinforcement of Frontex and on a common European asylum system, for example, but I hope we will have other occasions to discuss such issues in greater depth.

Last year, the Commission put forward proposals to preserve and strengthen the Schengen evaluation mechanism as a central element in the *acquis* of our common project, and I want to emphasise that last year – i.e. well before the recent developments – the Commission had already identified some problems in the governance of Schengen. We will now update and complete these proposals and we will do all we can to achieve swift results.

The current migration situation in the Mediterranean and the resulting pressures have highlighted some weaknesses and uncoordinated reactions by Member States in the management of Schengen. In the wake of these exceptional circumstances, we urgently need to reinforce the governance of Schengen and of the external borders. We need better coordination between the Commission and Member States and, above all, between Member States themselves.

While recent events have provided a spark of urgency in bringing this matter to the table, the Commission is taking this opportunity, through the communication, to address the long-standing underlying inconsistencies and unresolved issues that have provided scope for some Member States to act unilaterally and not necessarily with a European Union perspective. It is time to nip this tendency in the bud: to stop it *ab ovo*.

The Commission has already taken short-term measures to deal with the situation in the Mediterranean. In addition, the package we put forward last week urges rational reflection, taking into account short-term needs for strengthened external borders as well as a broader approach to asylum and migration. These issues must also be considered in the light of our neighbourhood policy, trade with North Africa and support for democratisation, as well as Europe's own long-term labour shortages and efforts to boost European competitiveness.

This is not a knee-jerk reaction. This is not improvisation. This is and must be a broad range of measures built on the foundations of a strong and successful European policy, defining the best interests of the European Union and its citizens now and into the future.

At the same time, the aim is to give relief to those Member States who are trying to cope with an unfair share of the migration burden. When thousands of people arrive on the shores of one country, it is not because they dream of living in Malta or Lampedusa; it is because they are seeking a better life in Europe. Countries that are more directly exposed to massive migrant inflows cannot be expected to deal with them alone. The rules on free movement of citizens benefit all countries in the European Union. It is the duty of all countries to support those countries that come under particular pressure at one time or another. This means that burdens have to be shared equitably. It also means that all Member States need to take their responsibilities seriously.

When looking at burden sharing, all the pressures and all the contributions need to be taken into account, and this is the very spirit of the European Union: the management of crisis by solidarity and responsibility. Solidarity and responsibility are the key words in our response. Immigration is a European challenge. Immigration requires a European response.

That is why the Commission's proposal aims to take Union governance of the Schengen system a step further, showing that there can be solidarity between Member States. This is about common governance, not unilateral moves. I emphasise once again that this is part of an overall approach. The strengthening of Frontex and the move to a common European asylum system are also aspects of such an approach.

Allow me to make one point crystal clear: this is not about finding ways for Member States to reintroduce border controls. I firmly believe that to do so would not only catastrophically undermine what Europe has constructed over the past 61 years, but also sabotage the viability of our efforts to build a prosperous and integrated Europe for the future.

Moreover, Member States already have the right to exercise this option unilaterally under the existing Schengen system. That right has been exercised in the past to help Member States cope with specific short-term exceptional circumstances, for example in the wake of terrorist attacks or in relation to the movement of drugs.

These exceptions should remain exceptions, for I cannot emphasise strongly enough that reintroducing border controls is not a desirable development for Europe, neither in the current circumstances nor in relation to the future challenges that we will face sooner or later. They should be an absolute last resort.

Moreover, we all know that internal controls can be sporadically useful but they are not part of a constructive approach to European integration, nor do they represent a cost-efficient long-term solution to monitoring movement and coping with immigration pressure. This has always been the case. The fact is that when faced with a massive arrival of migrants no Member State will ultimately be in a better position if it tries to deal with them alone. Only if Member States face the situation together, can a lasting solution be found.

The proposals we put forward one year ago to strengthen Schengen, through an evaluation mechanism and intensified coordination of border surveillance, will help create a sense of Union-wide discipline and shared guidance in the system. They will ensure that, in the future, countries will not feel pressured to take decisions alone that affect all Schengen signatories.

This is not, I emphasise, a new policy that undermines the Union. It is a chance to strengthen it – a step forward for joint European governance, not a step back. It is the intention to reinforce the Schengen acquis, not to depart from the Schengen acquis. We cannot be blind to the fact that recent events have revealed a problem in Schengen governance which we have to solve. If we do not reinforce existing mechanisms, Member States will continue to act alone. They will, in fact, be encouraged to act alone. We will be giving arguments to the populists, the extremists and, in some cases, the xenophobes who want to call into question the great *acquis communautaire* in this area. This is why we think the best way to avoid putting Schengen at risk is precisely to reinforce the rules of governance of Schengen and clarify some of its aspects.

This is not, I insist, about caving in to pressure from any part of Europe. By enhancing our capacity to deal with crisis situations, it will put a more robust governance system in place that will equip decision-makers with better tools to resist populist or extremist pressure in the future.

It is not a proposal intended simply to deal with short-term events, but there can only be real confidence in long-term solutions if we show that we can effectively address the short-term issues as well. It is not about turning back time: it is about getting the governance right today for the challenges Europe will surely face tomorrow. It is not about abandoning citizens' rights of free movement. It is about valuing their integrity by strengthening the rules.

I am confident that this House will support our approach and our efforts. We are united in our determination to uphold the principles on which our Union is founded, against any populist temptation. We know that it is now fashionable in some quarters to be extremist or populist, or indeed sometimes to wave the flags of xenophobia. This is not what we are going to do. We will resist all these kinds of pressure, but to succeed in this we need to give citizens the confidence that we stand firm on two things: first on correcting the shortcomings of the existing system so that effective relief can be brought to situations of pressure and crisis; and, second, on ensuring, on this basis, full respect for human rights and the humanitarian principles on which our Union is founded. The people are ready to exercise solidarity, internally and externally, if they are confident that their security concerns are addressed decisively and comprehensively.

I count on the support of this House in calling on the Member States to take the necessary decisions quickly. Our proposals are on the table. Now is not a time to wait: it is a time to act, so that an open European Union comes out of this challenge, united and stronger.

Manfred Weber, *on behalf of the PPE Group.* – (DE) Mr President, President-in-Office of the Council, President of the Commission, as has already been emphasised, Schengen is one of the great achievements of our common European project. Citizens notice it on a daily basis when travelling around Europe. It is the realisation of the dream of Europe – a Europe without border controls. It must therefore first be made clear in this debate – particularly in view of the debate that has taken place in recent weeks – that we in this House will jointly ensure that this principle and the idea behind it are not derailed by any initiative or any debate. We will defend this principle in the European Parliament.

In recent weeks there have been discussions concerning more than 25 000 refugees from Tunisia who have arrived in the Italian territory of Lampedusa. Yet a country such as Sweden has been accepting more than 25 000 people a year for years on end. There have been states that have accommodated much greater numbers of people relative to their own population that is currently happening on the southern border of Europe, yet nobody has ever thought of questioning Schengen because of the burden. I would therefore like to clearly stress at this stage that it is a pity that we seriously need to have a debate in Europe, of all places, on Schengen status as a result of this challenge that we must deal with together.

Secondly, I should like to make it clear that we practise solidarity. When it comes to countries such as Malta – a small country that is massively affected and which has no hinterland – then we are currently practising solidarity. In addition to this solidarity, however, I should like to stress that the second basic principle is the responsibility that the countries themselves have. I must therefore also ask the Commission to look more into this. If courts in the European Union are now ruling that Dublin II is to be ineffective – in other words, that refugees are not to be deported to their states of first arrival – then we must ask the Commission how committed it will be to taking action against those states that are obviously not currently implementing the existing law. We are talking here about minimum standards in the European Union. I am therefore calling on the Commission to take action here, too.

As regards the preparation for the Council, I have just three points to make. The first is that when it comes to migration then naturally we must expect more migration in the long term as a result of demographic change, but here in the European Union we currently have 24 million people without work and in Spain the youth unemployment rate is 30%. We

should therefore proceed cautiously – very cautiously – when it comes to the issue of migration. My second point concerns strengthening Frontex, as has already been mentioned.

My third point is that I would ask us all to ensure that those states that were about to join Schengen, namely Bulgaria and Rumania, are not left behind because of the current debate. They have done the work; they have made efforts. We are not asking for lower standards for joining, but if they meet the standards then it is only fair that Bulgaria and Rumania also have the right to become members of the Schengen area.

Martin Schulz, *on behalf of the S&D Group*. – (DE) Mr President, I do not share the opinion that the Commission's communication is a good one. I am very sorry, but I do not think it is. I think it is over the top and misguided.

We are not dealing here with a crisis in the European Union. When 400 000 people travel from Libya to Tunisia, that is a crisis for Tunisia. When 20 000 people cross the Mediterranean to Europe, that is not a crisis for Europe.

(Applause)

If the burden were sensibly spread across Europe then there would not be a problem at all. You gave the figures, Mr Weber. Nobody has got worked up over figures of such magnitude.

I therefore do not believe that what you have presented is good, Mrs Malmström, because you have failed to quote Article 78(3) of the Treaty on the Functioning of the European Union (TFEU). I do not know whether you are familiar with it. Article 78(3) of TFEU states that in the event of one or more Member States being confronted by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned – after consulting the European Parliament, by the way. That is what Article 78(3) of the current Treaty says.

By the way, temporary border controls were introduced on the basis of the Schengen regime of 2006 for the European Football Championship and for the football World Cup as a defence against hooliganism. There is no need whatsoever to give support to a populist initiative by two heads of government – who have their backs against the wall in their countries and are looking for an escape route by populist means – by tabling such a communication.

(Applause)

Then what happened, President of the Commission? A Northern League interior minister in Italy says: Tunisians all speak French; that is good – it means we can give them Schengen residence permits and they can all head off to France. The French President then naturally asks whether they have a screw loose. All the Tunisians coming to Italy now want to go to France? You want to shove them onto us? In that case, we will close the border. At that, Prime Minister Berlusconi and the French President join forces to say that now we need border controls again because of the situation that we ourselves have brought about. What does the Commission then do? It tables a communication, instead of saying: 'People, that is absolutely the wrong road to go down. You cannot deprive the citizens of Europe of one of their fundamental freedoms in such a way.' That is what I would have expected of you.

(Applause)

We are losing the European spirit. How can it in fact be the case that in this Union – in which one of our greatest achievements as regards fundamental freedoms is the freedom

of movement of our citizens – suddenly two heads of government can simply arbitrarily render ineffective one of our really great achievements – that was an excellent phrase you used in your speech – because of a marginal problem that can easily be managed? How can that be possible? All that is needed for these people to win is for us not to fight sufficiently against it. I would therefore have liked to see you fight it.

(The President interrupted the speaker)

I would just like to say one thing to you: I live on a border, in my case the German-Dutch-Belgian border between Aachen, Maastricht and Lüttich. If you can explain to me, Mrs Malmström, how the migration problem in the Mediterranean is going to be managed by my having to show my passport the next time I travel from Aachen to Maastricht – if you can explain that to me, please – then I would be very grateful.

Guy Verhofstadt, *on behalf of the ALDE Group*. – Mr President, let us be very open and blunt about this: what we have seen in recent weeks on this issue has been shameful – Italy issuing temporary residence permits to refugees from Tunisia, then France reacting by reintroducing internal border checks, as if the European Union had suddenly ceased to exist.

Let us be very open and call this by its name: it was a ping-pong game by two governments, and by Berlusconi and Sarkozy, on the back of refugees who are, in fact, in trouble. That is what has been happening and, in my opinion, it has been disastrous not only for Schengen but also for the European Union and its image because the reintroduction of internal border checks contradicts the whole essence of the Union and the basic principles of the Treaty. That point has been made several times here and Mr Barroso has also made it.

Moreover, what occurred was absolutely out of proportion. I would not go so far as to echo Mr Schulz in calling this a marginal problem – 27 000 Tunisians do not constitute a marginal problem – but he is right to say that, by comparison with, for example, the 350 000 people who fled from Kosovo during the Kosovo war, we are clearly not talking about a migration tsunami.

And so we come to the problem: the communication from the Commission. In my opinion, it was not very clear. The communication states that, as a last resort in truly critical situations, a mechanism may need to be introduced – and, as I read it, that means a new mechanism – allowing for a coordinated and temporary reintroduction of controls.

That is the problem with the whole communication because, if this means that the Commission is proposing an additional possibility for the reintroduction of border controls, not provided for in the existing Schengen acquis, I can tell you that our Group will fight such a proposal with all available means, and I hope the entire Parliament will do likewise.

If, on the contrary, the sentence in question means that the Commission wants to restrict the current provision, then that has been foreseen: national security and public order are the two elements covered by the existing Schengen acquis.

If the intended meaning is that the Commission wants to restrict the current provision allowing Member States to reintroduce border controls, then, Mr Barroso, you can have 100% support from our Group.

So, what I am asking of Ms Malmström and Mr Barroso is a rewriting of the communication and specifically of the sentence which states that a new mechanism shall be introduced for

the reintroduction of border checks. All they need to do is to state that they will strengthen the existing provision in the Schengen acquis.

Timothy Kirkhopte, *on behalf of the ECR Group*. – Mr President, my Group and I welcome this opportunity to debate the issues and problems which Europe faces in the area of migration and the Schengen system. The debate is long overdue. Now is the time to focus not only on providing free movement, but also on better guarding the borders of Member States and the EU itself. Rather than pushing for more legislation in the area of immigration and migration, we should be making the legislation that we already have work better and harder for all the citizens of the Union. However, current concerns from Member States are not reactionary, but instead the inevitable consequence of over 20 years of ever-changing circumstances in Europe and around the world.

There is no doubt that Schengen has been a success in many ways, but Europe is facing challenges which simply did not exist to the current extent when the system was first created. Large-scale unemployment, migration from North Africa, terrorism, organised crime and people-trafficking have provided us with problems far more complex than those envisaged in the policies for free movement of European citizens. It is not an unfair assessment to say that the current system is now shown to be flawed and ill-equipped for the new circumstances we find ourselves in. We need to create an effective tool representative of the modern needs of Europe's Member States and able to improve the situation for all.

This needs to be complemented by renewed strength in making sure the other agencies of the EU, like Frontex, are there to support states in securing their own EU external borders, and that the problems are not exacerbated by further countries which may join the EU and therefore the Schengen area that are both ill-prepared to face the challenges and also to assume the burdens that accompany the obvious benefits.

This is a problem best solved through communication and cooperation, but Europe's immigration and Schengen policies urgently require review, reflection and then sensible reform.

Daniel Cohn-Bendit, *on behalf of the Verts/ALE Group*. – (FR) Mr President, Commissioners, ladies and gentlemen, there is something I do not understand. We are told that 25 000 Tunisians are arriving in Europe and people are talking about a lack of security. What lack of security? Let us not forget that extraordinary events have been taking place in Tunisia and Egypt, and that a war is going on in Libya. May I remind you that during the war in Bosnia temporary residency permits were issued while the war lasted. Germany took in several hundreds of thousands of people. This happened and Germany is still standing. It has not gone under as yet. All this talk of a sinking ship is just propaganda.

Added to this, we are now hearing talk of criminals and mafia. As if criminals and mafia were landing in Lampedusa! Criminals do not need to come through Lampedusa. They come in the usual way. We do not see them, but they are here in our countries. So stop making such a fuss.

The problem is quite straightforward: people are fleeing from North Africa. So let us share out the support for them in Europe. Surely you are not going to tell me that 25 000 people among 400 million is a big problem? Let me tell you something. This is close to me, because how many Jews did we turn away? The English did it, the Americans did, all the countries did it when the Jews were leaving, because people said there were too many Jews. This was

in 1939–1940. It was Europe that was like this. England was like this: it turned Jews away. The United States turned them away. The ship was called the *Saint Louis*. It sickens me that every time people are in difficulty, it is seen that they are the problem. They are not the problem: it is us and our inability to show solidarity and our inability to be open.

(Applause)

Commissioners, President-in-Office of the Council, are you aware of what happened in Paris? In Paris, some young Tunisians who had an Italian residency permit heard the French police say to them: 'This is what we are going to do with your permits', before tearing them up in front of them. This is European law today: a national police force that tells people who have a residency permit issued by Italy: 'Mr Sarkozy has decided they do not count'. If this is the state of the law in Europe, I say something has gone wrong, and that is why I am asking you now to stop telling us that the problems in North Africa represent a security problem. The problem in North Africa and the problem of the war in Libya are causing a problem of insecurity for the people living there.

So let us distribute the refugees between us. Let us empower them by giving them temporary permits until things have calmed down, and let these permits be Europe-wide. I think that by accepting this debate on Schengen today and by accepting populist pressure and racism, any border controls will be based on people's faces. Mr Schulz, did anyone stop you? No. Mr Verhofstadt, did anyone stop you? No. They did not stop me either. But anyone who is brown-skinned, anyone who is different will be stopped and checked. We will create an *à la carte* Europe. Whites are allowed in, brown-skinned people are not! That is the kind of Europe we want to fight against.

(Applause)

Rui Tavares, *on behalf of the GUE/NGL Group*. – (PT) Mr President, exactly one year ago, we voted in this Parliament on our part of the codecision on resettling refugees, and in that codecision we had an emergency mechanism to be used in the case of any refugees who found themselves under armed attack or were the victims of natural disasters.

One year on, this codecision has not been concluded by the Council and my work as rapporteur on the resettlement of refugees has now become the job of finding support for this co-decision. We had 600 votes in favour, only for it to become a task that was at first frustrating and depressing, and is now desperate.

My job as rapporteur on the resettlement of refugees cannot be to report, like last month, that have 150 people died off the coast of Lampedusa and now to learn of 600 who have disappeared and more than 60 who died in view of ships from the North Atlantic Treaty Organisation (NATO) ships and European navies. That cannot be what my job is about.

The Council has to conclude this codecision, because there is a great deal to do to resettle refugees. Right now, we can call on Baroness Ashton to say that we need to open a humanitarian corridor to bring out 8 000 who are still in Tripoli. There are 8 000 who have United Nations High Commission for Refugees (UNHCR) identity cards; not very many.

NATO ships need to be told to apply the 1973 Resolution, which says to protect civilians. That means the same in Benghazi, Misrata and the Mediterranean: it means saving those who are shipwrecked.

In relation to Schengen, I want to say one thing. The response to *ad hoc*, unilateral suspensions of Schengen can never be a systemic suspension of Schengen by the Union. This is not a case of completely killing off the idea. It is a case of sticking to the idea and applying it universally. It cannot be. For a start, it has to be a case of applying resources to resettling refugees. Do you know how much money the Member States of the European Union made, just from the sale of arms to Libya in 2009? EUR 343 million. Do you know how much we have in the European Refugee Fund (ERF)? EUR 100 million. We would be delighted if the ERF contained as much as we earned in just one year from the sale of arms.

Hungary, which was the first country in the world to be the subject of a coordinated action to resettle its refugees in 1956, has very particular responsibilities – historical responsibilities – to act on this refugee crisis as well. We cannot complain of a lack of funds in this area.

Nigel Farage, *on behalf of the EFD Group*. – Mr President, yesterday indeed was Europe Day and in the courtyard here we had armed soldiers, we had the Luftwaffe band and imperial eagles, we had the flag being paraded, being raised, the European anthem; it was the display of militarism and EU nationalism.

I thought and hoped it was all just a bad dream, but today we have got you, Mr Barroso. You begin of course by reiterating the fact that the free movement of peoples is the embodiment of the European project. You then go on to say that it is the duty of Member States to share the burdens of migratory flows into Europe. You advocate a common EU immigration policy, but of course you know that you are losing because the row that has blown up between Italy and France shows that when there is a crisis, between the theory of European integration and the practicality of nation state, it is the nation state that wins.

So you are worried that you are losing and, in your defence of your position, in your defence of your beloved *acquis communautaire*, your body of law, you resort to intolerance, you resort to nationalism, you make me realise that what I saw yesterday was actually for real.

You attack those who want to control their own border policies. You attack them today as xenophobes. You attack them as extremists, but worst of all, oh worst of all, you attack them three times for being populists. Is that not a dreadful thing? The power of the ballot box. When people dare to vote no in referendums, they are populists; when they want to control their own borders, they are populists. I put it to you that populists are actually democrats and you abuse those who want to fly the flag of populism.

Well, here it is, Mr Barroso. Here it is.

(Mr Farage, Mr Agnew and Mr Bloom held up small Union Jacks)

That flag has represented liberal democracy far more than any other Member State of this European Union and it will go on long after your star-spangled banner has disappeared.

Philip Claeys (NI). - *(NL)* Mr President, although Schengen stipulates that checks on the EU's internal borders must be removed, it also stipulates that we have to monitor our external borders. The problem is that this Treaty is not being complied with, because our external borders are not being effectively monitored. Therefore, 16 years after the introduction of Schengen, we should have the courage to recognise that the Treaty has not worked. We should also have the courage to admit that the EU has not provided a solution and that, instead, it has itself become part of the problem. Member States must therefore once again be given the possibility of protecting their borders without EU interference.

We urgently need more measures. Frontex, for example, should send back ships carrying bogus refugees to their countries of origin instead of playing the role of a sort of benevolent welcome committee. We must crack down on human trafficking networks. Member States should stop rewarding illegal foreigners with residence permits. Active steps should be taken to repatriate illegal refugees and political refugees whose applications have been rejected. If none of that happens, I guarantee you that that will be the end of Schengen, which would, actually, not be such a bad thing.

Mr President, I would also like to protest against the language being used here, against terms of abuse such as 'populists', 'extremists' and the like, for people who simply want to protect the borders of their country. We need to put a stop to that. It is not right. We must also admit that the rules need to be applied; is it not strange that, while we are refusing to discuss the application of the rules, we *are* allowing some people to call others names?

Simon Busuttil (PPE). - Mr President, the Schengen zone is indeed a very important and visible achievement for European citizens and the message is coming out clearly from this Chamber today that we need to fight together not just to preserve it, but to strengthen it further. We rely on the European Commission to achieve that and the European Parliament will be behind the Commission in strengthening Schengen, but if there are two lessons that we have learnt in respect of what happened in recent weeks they are these.

First of all, the internal borders within Schengen depend on a common strategy, a common concern about our external borders. If our external borders are weak then we will have problems on our internal borders and we need to look at that. Italy felt under pressure with 25 000 people; it gave them a temporary permit, they moved to France. France felt under pressure and it re-erected national borders. So the pressure went onto the internal borders and therefore the external borders are a common concern.

Secondly, Schengen needs solidarity and solidarity is also about sharing the responsibility – burden-sharing – and sharing responsibility is also relative to the size of the Member State. On the current system, people who arrive in one country remain in the country where they arrive because our laws, including the Dublin Regulation, ensure that they have to remain in the first country of arrival. This clearly needs to change because it is no longer tenable. One thousand people arriving in the smallest Member State, my country Malta, are equivalent, population-wise, to over one million people arriving in the entire European Union. So yes, 25 000 people are nothing, they are a drop in the ocean for the entire Union but 1000 people arriving in the southernmost Member State are a lot. We need therefore to link Schengen with solidarity; Schengen needs solidarity.

(The speaker agreed to take a blue-card question under Rule 149(8))

William (The Earl of) Dartmouth (EFD). - Mr President, the speaker talked of strengthening Schengen. Does that include strengthening Schengen's borders and, in particular, the borders between Greece and Turkey?

Simon Busuttil (PPE). - Mr President, I thank the Member for his question.

One of the conditions for joining the Schengen zone is, indeed, strengthening external borders. Precisely because they are a common concern, it is the responsibility of all the Member States to ensure that the external borders are strong.

Once you fulfil those conditions, then you can join Schengen. This is precisely what countries such as Bulgaria and Romania have done, and it is precisely why we have helped Greece, by means of a Frontex mission there on the Turkish-Greek border.

So, yes, this goes to show that strengthening external borders is also a common concern.

Juan Fernando López Aguilar (S&D). – (ES) Mr President, it is true that yesterday, 9 May, we commemorated the moment that the European Union was founded, which showed us that Europe would be built with small steps and not once and for all, or for evermore: in other words, that Europe is not built definitively or irreversibly, and that our day-to-day work must be to preserve each of its achievements.

Schengen is an area of free movement of people, but it is also a symbol of the best that Europe has done in the last 20 years and, therefore, of the best Europe.

Presenting the 25 000 immigrants who have arrived on this side of the Mediterranean as an unbearable burden sends the wrong sort of message: Germany has demonstrated that they are not; the Canary Islands and Spain have demonstrated that 30 000 arrivals per year from the African coasts were not an unbearable burden for the European Union.

The response cannot, therefore, be to use this migration flow to question Schengen. Quite the contrary: instead it must be used to demonstrate that what still remains to be done is not correcting weaknesses caused by Schengen's excesses, but rather strengthening Schengen. Schengen can be strengthened by completing the solidarity clause provided for in the area of freedom, security and justice, pursuant to the Treaty of Lisbon; by completing the asylum package, whose processing still remains outstanding; and by permanently establishing the second-generation Schengen Information System (SIS II) and the verification mechanism, as stipulated in the conditions of entry to the area of free movement and as Parliament has voted in favour of Romania and Bulgaria doing. These countries have the right to become part of the area of free movement.

However, what needs to be done above all is for the European Parliament to stake its claim to competence to decide on the issue alongside the Council. I would therefore remind you that the proposal that the procedure invoke the legal basis of Article 70, which excludes Parliament, is unacceptable: we demand Article 77.

A final thought, Mr President: populism is being mentioned, because populism is not combated by imitating its half-hearted solutions but, quite the contrary, by confronting it with solutions for the future and not the past.

Renate Weber (ALDE). – Mr President, Mr Verhofstadt asked the Commission to rewrite the communication but I wonder if, before it is rewritten, we could get a clear answer today as to whether or not you are aiming to improve the current existing system, to temporarily close borders, or to add something to the existing system. That would be a good way of solving at least one of our questions.

Having said this, it is fair to say that we concur with the Commission's aim of improving Schengen governance by reviewing the evaluation mechanism on the basis of a Community approach. Parliament shares this view and, in this context, I have to say that we are deeply disappointed by the Council's approach.

In fact what the Council wants to do is simply to isolate the Parliament. I really wonder why the Council almost constantly seeks to undermine the great achievement that is the codecision role of the European Parliament. We represent European citizens, and we should

all work to serve European citizens. Perhaps the Council should also understand its role as an EU institution rather than a mere gathering of 27 Member States.

The truth is that the answer to this migration flow, whether or not it is due to what has happened in North Africa and the Southern Mediterranean, is to come up with legislation involving a common policy on asylum and migration, which Parliament has worked on and which is being blocked in the Council.

Konrad Szymański (ECR). – *(PL)* Mr President, in spite of the fact that I live a relatively long way away, in Poland, I feel that I understand entirely the concerns provoked by uncontrolled immigration into France or Italy. Immigration from North Africa quite naturally exacerbates cultural and social tensions, and intensifies pressure on the social budgets of the Member States. We therefore have a lot to discuss, and we should not try to ignore the matter. French, Italian and Maltese citizens are today faced with the highest bills on account of the fact that controls along the European Union's external borders are simply not working. The European nations are also footing the bill for our failed efforts to halt immigration into Europe.

I have only one request. I would like the changes to the Schengen Code not to be used as a pretext for limiting the freedom of movement of citizens of the European Union's Member States. Such proposals have been made for many years in respect of the Polish-German border, to the disadvantage of Polish citizens. It will be easier to reach an agreement if we have a full guarantee that changes to the Schengen Code will not affect the citizens of the Member States.

Marie-Christine Vergiat (GUE/NGL). – *(FR)* Mr President, this debate beggars belief. We are being asked to review the freedom of movement of people in Europe and to reinstate national borders in order to cope with the influx of migrants that has supposedly been overwhelming Europe since the revolution in Tunisia.

If the consequences of this posturing were not so drastic and far-removed from reality, they would be laughable. Since the beginning of 2011, over 1 150 people have died in the Mediterranean and 23 000 people have arrived in Italy. Meanwhile, more than 700 000 people have fled Libya and sought refuge in neighbouring countries and have found a different kind of welcome there than the kind they would have received in Europe.

Mr Sarkozy and Mr Berlusconi are putting short-term electoral interests first, by fearmongering and making people believe there is an invasion going on. What nonsense! When will Europe stop saying one thing and doing another? What suggestions are people putting forward today, apart from just words, giving in to populist pressure, reinforcing Frontex yet again and turning Europe into a fortress? Borders have never stopped anyone, either during the darker days of our history or today. Do we not have any other message to pass on to the emerging democracies on the other side of the Mediterranean?

The Union reached out to the dictators for years, in contempt of its own values. Is it not time that it opened its eyes? I for one think it is.

(Applause)

Daniël van der Stoep (NI). – *(NL)* Mr President, I believe that Mr Borghezio, of the Europe of Freedom and Democracy Group, is next in line to speak.

Mario Borghezio (EFD). – (IT) Mr President, ladies and gentlemen, this issue has the merit of having brought great hypocrisy to light.

The only government within the European Union that has an interior minister from a party which you define as populist is the one that has had the courage to implement the most humanitarian measure: giving 25 000 Tunisian people permission to move freely. This is because we saw in the flesh that they were not 25 000 criminals, but people who had fled Tunisia. It was an emergency, we had to face it with common sense and we have tried to help.

This shows a truth, namely that in many situations the real ‘goodies’ are us, the ‘baddies’. We who affirm the need to control immigration and external borders, continue to beg Europe – as Mr Cohn-Bendit has rightly done – to spread what might become 50 000 or 100 000 refugees across its territory, because the people who flee Libya are not criminals.

These are the clear words of a movement which defends territory and identity, which is against immigration because it does not want people to be uprooted, and which condemns racism and xenophobia but also hypocrisy.

Daniël van der Stoep (NI). – (NL) Mr President, we have a single European asylum and migration policy, one and the same awful policy for the whole of the EU. The recent disastrous stream of migrants from North Africa and the trouble we have been having with the failing Schengen Treaty indicate that asylum and migration policy should be handed back to Member States. One Member State is not the same as another, it is as simple as that. That is why a single, common European policy will not work.

Mr President, Commissioner Malmström’s proposal concerning Schengen is a downright pathetic move. It is bonkers of her to decide that Member States should not be allowed to make up their own minds on whether or not to introduce border checks and, if necessary, close their borders. Member States are having trouble with tens of thousands of underprivileged migrants from North Africa, but Commissioner Malmström is preventing them from doing anything about it. We still have boatloads of fortune-seeking migrants reaching Lampedusa. The evil of migration continues its insidious spread. But no, if you ask Commissioner Malmström, she will tell you that Member States are not allowed to fight back. Instead, she gives us some claptrap about solidarity.

Mr President, Member States are unfortunately no longer the masters in their own homes. Europe is the master. Member States want those powers back. Member States must, once again, be able to set their own asylum and immigration policies. What is the Commission going to do about this?

Carlos Coelho (PPE). – (PT) Mr President, ladies and gentlemen, I would like to start by telling Commissioner Malmström that I agree with the deserved praise given to her by President Barroso for the work that she is doing in this area.

The fact that we are experiencing a difficult period with regard to migration pressures cannot be an excuse for weakening one of the major achievements of European integration: namely, the Schengen area.

Schengen is synonymous with freedom of movement, and this reality cannot and must not be reversed, but must be protected, strengthened and developed. I also agree that proper control of external borders is essential. If this does not happen, the security of the Schengen

area is weakened, the credibility of the European Union is undermined and mutual trust is destroyed.

Therefore, I welcome the recognition made by the European Commission, in its communication of last week, of the importance of the Schengen area, and of the challenge of strengthening and developing it. I also agree with President Barroso that there is a need for greater solidarity and sharing of responsibilities between the Member States. The problem does not lie in the Schengen rules, but in the way in which the Member States apply the rules without responsibility or solidarity.

Therefore, we require a real mechanism for evaluating Schengen. This Parliament is prepared to work in good faith to create this mechanism: a mechanism that does not apply double standards; in other words, that is not more demanding of candidate countries than of those that are already members of the club.

However, I am concerned, Commissioner. I am concerned about the silence of the Presidency of the Council at the start of this debate concerning this mechanism, and I am also concerned about the Council's year-long silence concerning the mechanism for resettling refugees, as already mentioned by Mr Tavares. Of the three institutions, the one that is not making good progress in this area is the Council, and it should get back on track as quickly as possible.

Judith Sargentini (Verts/ALE), *a blue-card question for Mr van der Stoep*. – (NL) Mr President, I would like to ask Mr van der Stoep the following question: if border checks were to be reintroduced, what would Mr van der Stoep say to the Dutch holidaymakers returning from a fortnight's holiday in France who want to cross the border between Antwerp and Hazeldonk and who, on their way home, end up in a mile-long tailback, the same tailback as the lorry drivers on their way to the Port of Rotterdam to unload their cargo?

Daniël van der Stoep (NI). – (NL) Mr President, Mrs Sargentini knows very well that we are absolutely against new customs gates being set up; from 1992, when our borders were opened, to last year's common asylum and migration policy, everything worked absolutely fine. However, at a certain moment, we crossed a line ourselves and what you seem to have overlooked is the fact that there are now 25,000 economic refugees in Italy who are going to be given visas. These are economic refugees and they should be sent back to their countries as soon as possible. They should not even have been permitted to apply for a visa. The Dutch Party for Freedom (PVV) has always been clear on this: we do not want those gates back, but what we do want is merely the possibility of determining our own asylum and migration policy ourselves, and you are well aware of that.

IN THE CHAIR: DIANA WALLIS

Vice-President

Claude Moraes (S&D). – Madam President, the position of the S&D Group is very clear. We have heard all the background as to why Schengen is being breached and we have waited since 1999 for any kind of common migration or asylum policy.

So we are very clear in our messages. First to the Commission: on Schengen, you want a Community mechanism for collective decision-making, you want to move away from intergovernmentalism, you want a lock on the political opportunism that we have seen from Italy and from France. So please do not make the message ambiguous in the statement.

Make it clear that you will have a lock and you will prevent that type of opportunism which will in the end break Schengen.

To the Council: you have waited since 1999 for a common European asylum system, you have created a situation where solidarity and burden-sharing are often spoken of in this place, but we are nowhere near the formal mechanism for burden-sharing in the European Community. You are blocking much of the work we are doing here in Parliament. Unblock it. Work with us and the Commission to ensure that solidarity means solidarity, burden-sharing means burden-sharing.

And finally, the Commission is looking ahead to a migration policy. Work with us. Do not be timid, be courageous and ensure that when we fix Schengen, we also fix our common migration policy and we have something to be proud of.

Sarah Ludford (ALDE). - Madam President, like others I think that Commissioner Malmström is doing a very good job, but I also feel, in view of President Barroso's robust defence of Schengen free movement today, that I do not really understand how the notion could possibly have taken hold that the Commission's proposed EU-level mechanism is going to make it easier to reintroduce internal border controls. Yet that notion has taken hold. It could not possibly be, could it, that different messages are being sent to different audiences, one to MEPs, maybe one to Paris and Rome? The EU's migration and asylum pressures ought to be capable of effective management by competent governments.

Unfortunately we have too many governments now which are playing to the extremist right-wing gallery. The European Commission must indeed defend EU internal free movement and not throw gestures to the likes of President Sarkozy and Prime Minister Berlusconi for electioneering purposes. It should highlight the failure of Member States to implement EU migration rules. Lastly, the Commission must investigate allegations about 61 migrants being left to die, despite their making contact with Italian coastguards, a NATO warship and a military helicopter. Any authorities that breached international maritime and humanitarian law must be brought to book.

Cornelia Ernst (GUE/NGL). - (DE) Madam President, ladies and gentlemen, I think we need to get to the point here. We do not need a new rule on the temporary or any other reintroduction of border controls, either now or in the future. We need to grasp that freedom of movement – and that is, after all, the message of the European Union – is something that you cannot simply displace or circumvent at will. It is a citizens' right that you cannot simply relativise.

Do you want to know what honestly annoys me? We hear a lot said about solidarity. Who is talking about solidarity with the countries of Africa who are currently having to accommodate hundreds of thousands of refugees and will continue to do so – without great debate? Is anyone talking about solidarity with the people who are fleeing war and coming here to Europe? We need to show these people a bit of respect.

To be frank, I do not want to discuss any changes to Schengen or any rules whatsoever; I simply want us to deal sensibly with migration once and for all. We will not achieve this by using Frontex as a means of deporting people; we will achieve it by having a democratic and humanitarian asylum law. That is what we should be talking about in Europe and it must apply throughout Europe. That is what we should fight for. That is our real task.

Véronique Mathieu (PPE). - (FR) Madam President, my speech is addressed to the Commission and to my fellow Members, and I would also like to welcome the Council.

The issue we are facing today stems from the management of the Schengen area in 2011. That area is no longer restricted to five Member States, as it was in the 1980s. Rather, it is an area which has continually expanded over the last few years and which today comprises 25 countries, three of which are not members of the European Union.

Therefore, like all European policies, cooperation in the Schengen area should reflect the real situation to which it applies today, which is different from that of 10 years ago. This is the context in which the Italian and French Governments' proposals, and the pragmatic and necessary steps outlined by the Commission today in its communication on immigration, should be understood. Mutual trust between the Member States party to the Schengen area is indeed the cornerstone of Schengen cooperation. However, this trust is based on reciprocal obligations. If one of the parties fails to respect its obligations and generates an influx, the whole system breaks down. The other Member States must therefore be allowed to respond to this breakdown by restoring temporary and strictly regulated border controls. Such action would be a clear request to the Member States that are responsible for the breakdown to control their external borders better.

Furthermore, the Commission's proposed measures would be very much in the spirit of Schengen, since controls would be reinstated as a last resort and the decision would be taken at European level rather than at intergovernmental level. These measures will be intrinsically linked to all of the other proposed long-term measures, in preparation for a common migration policy. Strengthening Frontex and showing greater solidarity are particularly crucial – and I will conclude on this point – in order to support the Member States situated at our external borders. The situation in the Mediterranean in recent years only serves to highlight shortcomings in the Schengen *acquis*.

In the space of a few weeks, migrants from neighbouring Mediterranean countries have come to account for a significant percentage of France's annual immigration. This *acquis* is not static, but must instead be developed. I hope that this proposal will be adopted quickly in order to guarantee better management of our Schengen area as soon as possible, and thus to ensure the security of our common external borders.

Ioan Enciu (S&D). – (RO) Madam President, the exceptional migration flows, such as those from the southern Mediterranean, must not pose a threat to the Schengen area. The European Commission must not promote the ideas of certain Member States which cast doubt over it. The role of the Commission is to protect the Schengen area by promoting European solutions mentioned in the Schengen *acquis*. Member States must demonstrate solidarity in managing the Schengen area. The Council must also help strengthen the Schengen area by giving its immediate approval allowing Romania and Bulgaria to access this area. The so-called problems with the Schengen area are bogus and have nothing to do with the freedom of movement inside the Union, but with the inability or bad faith on the part of some states to face up to immigration-related problems outside the European Union. The solution for the future lies in improving Europe's migration management system, completing the process of setting up the European Common Asylum System, the legal framework for illegal and legal migration, and enhancing the role of Frontex.

Salvatore Iacolino (PPE). – (IT) Madam President, in recent weeks massive migration flows have provoked anxiety and reactions among European citizens.

Some Member States have set out positions that mean that the question of migration flows should be held in high estimation.

Schengen is now an established asset of European civilization and as such should be protected and preserved. This does not mean that the temporary reintroduction of border controls, under certain conditions, is not an option. We therefore welcome compensation mechanisms based on an EU approach, to ensure, in each case, the application of the Schengen area in compliance with the expectations of the people concerned.

The Commission's valuable proposal of 4 May 2011, by which the Schengen area is made more flexible and concerted in order to allow a more regular management of internal migration flows, heads in this direction. The proposal aims at stronger governance, which must certainly be held in due consideration during moments of particular crisis.

I listened with particular interest to Mr Barroso both here in Brussels and in Palermo on the regional policies for the protection of Sicily and Lampedusa, which continues to see the arrival of boats which would otherwise be at the mercy of raging seas where more lives would be lost. Madam President, we must continue to take this into account.

Sylvie Guillaume (S&D). – (FR) Madam President, in these important debates on migration issues, we must avoid at all costs falling into the trap of Mr Sarkozy's and Mr Berlusconi's opportunistic statements on the Schengen Agreements. Using Europe and migration flows as punchbags while citing the populist arguments of the extreme right is a very convenient way for some European governments to conceal their national economic and social failings.

To challenge free movement, a tangible achievement of European integration, today, is manipulative and dangerous. On the one hand commentators are saying that the Commission has sided with France and Italy, while on the other President Barroso is today telling us that he does not intend to side with populist Member States. Which of these is it?

The Communication of 4 May not only mentions the reinstatement of internal border controls, it also addresses many other topics, such as the fight against human trafficking, legal immigration, resettlement of refugees, asylum and so on. Those are the real issues! The problem is that this communication only goes halfway.

Commissioner Malmström, it seems that you want to reintroduce a Community approach, which is vital. Go on then, I dare you! We need more Europe and more integration where Member States are tempted to protect only their individual interests.

(Applause)

Georgios Papanikolaou (PPE). – (EL) Madam President, on 2 July 1990, just a few days after the Convention implementing the Schengen Agreement was signed, Time Magazine published an article which started as follows: 'The dream of a border-free Europe took a step toward reality' and ended as follows: 'to combat a possible increase in illicit drug trafficking, terrorist activities and illegal immigration, controls on the external borders of Schengenland will be tightened'.

That was written 21 years ago and, as the President of the Commission said, that is precisely what we are being called on to do today: to keep the dream alive and to tighten controls on the Italian, Greek and southern European borders as a whole, because the southern borders of united Europe are the borders of the other states – of Germany, France and Belgium, for example. In keeping with the principles of solidarity and reciprocity that keep this Europe alive, we need to review everything which does not appear to be paying off,

to review the Dublin II agreement, as already debated in Parliament, and to share the burdens which each Member State must bear fairly, so that we can all help to keep the dream alive.

David-Maria Sassoli (S&D). – (IT) Madam President, to question Schengen is, in our view, to question Europe. If Europe is going to be even weaker, as right-wing governments desire, it will be increasingly tempting to ask ourselves whether remaining in Europe still makes sense, as the Italian Interior Minister, Mr Maroni, has done.

The answer, however, is greater involvement of EU mechanisms. In essence, we need more Europe, not less Europe, and the Commission needs to say so more forcefully. The best of Europe was shown on Sunday night when, in an extraordinary chain of human solidarity, the people of Lampedusa saved 500 shipwrecked people who were heading towards certain death. The worst of Europe, if the news carried by *The Guardian* is confirmed, would be NATO military forces who do not intervene to save men, women and children adrift.

If we are sure about which of these we prefer, Mrs Malmström, then during the European Council in June the Commission will have to convince Member States to formulate a European policy on immigration, because Europe *à la carte* would be tantamount to the collapse of the European dream.

Wim van de Camp (PPE). - (NL) Madam President, in June 2009 I was elected to the European Parliament by European citizens. I was not elected to a parliament of institutions, nor was I elected to a parliament of individual Member States. I am pointing that out because European citizens have many questions about Schengen. This is nothing to do with populism, nor is it to do with fear. This is to do with the questions which are worrying European citizens: how are we dealing with Schengen? Many questions are being asked about this at the moment, and I therefore call your attention to this.

Obviously, if the President of the Commission says that we have to uphold the principle of free movement of persons, then I will support that. 25,000 Tunisians cannot be allowed to take 502 million Europeans hostage, but these questions will not go away and public support for Schengen in Europe will be jeopardised. That is why I can also agree to temporary border check arrangements, as my fellow member Mr Iacolino suggested. I am very well aware that we cannot get burden-sharing up and running at the first attempt.

Finally, Madam President, one more question: what is the state of play when it comes to the launch of the European Asylum Support Office in Malta? I have heard that there is still a possibility of it getting off the ground. Perhaps, the Commissioner could explain once again when the Office will actually be up and running.

Carmen Romero López (S&D). – (ES) Madam President, Mrs Malmström, the problem with the communication tabled by the Commission is that it is a communication that is not credible at the present time, in relation to the long-term problems that the issue raised here involves, or even to the emergency solutions that the European Union should have implemented at this time.

Unfortunately, what the Commission has shown is that it is very weak, because you cannot keep everyone happy. It is not possible to keep Mr Sarkozy and Mr Berlusconi happy, on the one hand, and have a common asylum and immigration policy for the long term, on the other. It is impossible to introduce ambiguities that go nowhere into a communication like this, and what they demonstrate is that this is a policy that does not resolutely face up to the situation we are experiencing.

Mr Barroso is not doing you much of a favour when he says that you have done the best you could to find a balance, because this is not about finding a balance. This is about dealing with an emergency situation like the one before us. It is about having financing and reaching a proper agreement between the Member States on a common asylum policy, on the European Asylum Office and on all the challenges we are facing. There is none of that here.

How can you talk about regional cooperation programmes with third countries when the democrats of Tunisia and Libya are seeing us closing our countries' borders? Is it possible to talk about that? We cannot say ambiguous things. We are dealing with issues serious enough that you should take this seriously too, Mrs Malmström.

Hubert Pirker (PPE). – *(DE)* Madam President, I consider the debate on the reintroduction of border controls and the modification of the Schengen mechanism to be absolutely excessive and superfluous. Moreover, we are only having this debate because Mr Berlusconi and Mr Sarkozy were thinking only of their national interests and acting in a populist way when they threatened to reintroduce controls at the borders between individual Member States on account of the migrants from North Africa.

I was also astounded – I must make that clear – at how quickly Mr Barroso, the President of the Commission, took up the debate rather than taking a corrective European approach. Schengen is a huge achievement. Schengen is a European symbol and is the perfect combination of freedom to travel, open borders and security. Schengen must never be brought into question. In special cases we already have the possibility of reintroducing controls for a limited period and in a limited region where there is a serious threat to internal security.

What we do not need, then, is a debate on Schengen. What we instead need is a debate on measures to enhance Frontex so as to provide maximum security at the external borders of the European Union – thereby ensuring freedom of movement – and a debate on speedy asylum proceedings and managed migration, on cooperation to deal with the causes of migration and on readmission agreements.

I am happy to go along with Commissioner Malmström's proposals on this – her proposals are very broad – and I invite the Commission to follow Parliament's lead, rather than the lead set by certain representatives of the Council.

Stavros Lambrinidis (S&D). – *(EL)* Madam President, Commissioner, at a time when, politically, the fundamental principles of cohesion and solidarity in the EU are under attack on all sides, especially from neo-nationalist movements, and we all know who they are, the Commission should, in my opinion, make it its daily task to crush anyone who attacks the symbols of European political unification.

Yet, we are here today, precisely because it has not done so. It has allowed a debate to be instigated under pressure from certain Member States on the cornerstone of the European identity: Schengen. However, legally also, the Commission's proposal conflicts with Articles 78 and 80 of the Convention. Where a Member State is under severe pressure from immigration, the Convention expressly states that Europe must provide support and solidarity. Restoring internal border controls is not solidarity, it is punishment. It does not fairly distribute the burden of the pressure on the external borders, for example, by strengthening Frontex; it puts an even greater burden on the Member State. In other words, Commission, this is not 'burden sharing'; it is a blatant form of 'burden dumping'. You, the

Commission, have allowed this debate to happen and you must stop it, right here, right now.

Kinga Gál (PPE). – (HU) Madam President, Mr Barroso, Commissioner, Minister of State Győri, the Schengen system is one of the most tangible *acquis* of the European Union. If European citizens were asked, they would mention free movement without border controls as something important for them in the European Union. That is why it is important to preserve this system and to do everything to preserve the free movement of our citizens and a Europe without borders. This must remain our primary goal.

The values, our *acquis* have to be protected especially when they are challenged. This challenge today is the surge of migration and refugees. However, in order to address these challenges we need concrete proposals and solutions.

This begins with separation and clarification of the issue, which means that we separate the refugee issue from illegal immigration, we use our existing principles that we can build on, such as solidarity and cooperation, and we use our existing institutions such as FRONTEX, or our existing rules.

I welcome the Hungarian position and the position of Minister of State Győri, and also the words of Mr Barroso, who said that the aim is to reinforce the Schengen *acquis* and operate it well, not to depart from it.

Vilija Blinkevičiūtė (S&D). – (LT) Madam President, first of all I would like to stress that the solution to the migration problems that have come about should remain within the scope of the Schengen Agreement. The Schengen *acquis* currently provides for possibilities to temporarily restore the protection of internal borders when there is a threat to public order and security and these provisions really are wholly sufficient. Therefore, perhaps the Commission might elaborate on the additional cases provided for in its Communication on migration, enabling border protection to be extended temporarily, which the Communication describes in very abstract terms, and whose subject area is too poorly defined? Does this mean that the European Commission is pandering to the leaders of the two largest European Union Member States and aims to destroy one of the greatest EU values – the area of freedom and free movement? I would also like to comment on the Communication's content, because it seems as if the Communication was written purely with this case in mind, where there are increased migration flows from the countries of North Africa. Doesn't the Commission feel that a document called a Communication on migration should be much broader in terms of its content and substance?

Nadja Hirsch (ALDE). – (DE) Madam President, the borders have been removed for the first time in Germany and Austria and we finally have free movement for workers from the countries of Eastern Europe. On the one hand, borders are being torn down, while on the other you are trying to build barriers yet again.

I find it impossible to accept that two Member States and two gentlemen looking to make a name for themselves have managed to bring the issue of the reintroduction of border controls back to the debating chamber. There is no going back on this matter and we cannot allow ourselves to be put under pressure by this single-issue discussion. The refugee problem cannot be automatically resolved by returning to a regime of border controls. Pardon me. These people have risked their lives in making their way to Europe and they will also succeed in bypassing border crossings. The only ones who stand to gain from the reintroduction of border controls would be the human traffickers because the refugees

would have to find new ways to cross the borders, providing the human traffickers with a new source of income.

I cannot accept the fact that we are seriously contemplating this matter and I would call on the Commission not to compromise here.

Ulrike Lunacek (Verts/ALE). – (DE) Madam President, I am pleased that all sides of the House, including the Group of the European People's Party (Christian Democrats), which includes Mr Sarkozy and Mr Berlusconi, have made it clear that new rules are not required and that it is not necessary to alter the Schengen Agreement, but that something else is needed, namely a common asylum and migration policy that is worthy of the name. Furthermore, Mrs Malmström, I am calling on you to take action and to make it clear that the Dublin II Agreement must be changed in order to facilitate genuine European solidarity in relation to asylum issues and to show that this continent is a cohesive entity and that countries with external borders cannot be left to fend for themselves.

However, caution is advised. Italy itself can certainly assume responsibility for this and must do so. An interior minister like Mr Maroni, who himself belongs to Lega Nord party, must make it clear that these people are refugees whose rights must be respected and that the correct course of action must be taken here. We in Europe need to protect not just money and banks, but also refugees, which is why we do not need a new Schengen regulation, but rather a policy on asylum and migration that truly respects human dignity.

Kyriacos Triantaphyllides (GUE/NGL). - Madam President, in the past couple of months, the Commission has moved rather fast in publishing two important communications aimed at addressing the challenges at hand since the outbreak of the Jasmine Revolution in Tunisia.

A number of policy options have been put forward and Parliament has already expressed itself on them in order to guide the Commission in drafting concrete legislative proposals.

In the communication on migration, the Commission addresses the issues of external border controls, Schengen governance and organised mobility. Why is there nothing more explicit here on burden-sharing? The communication mentions the pilot project for the resettlement of refugees in Malta, but it does not introduce the notion of a pilot project concerning relocation of unauthorised migrants or asylum seekers – and this despite the repeated calls for such a burden-sharing system from various Member States and Members of Parliament.

Why is the Commission not coming up with a concrete proposal on this? We are talking about a European area of freedom of movement; we are talking about a common European asylum system. When are you going to back up the notion of European solidarity with deeds?

Morten Messerschmidt (EFD). – (DA) Madam President, I would like to address the proposal that the Commission has tabled concerning the strengthening of external border control. Unfortunately, it is not very satisfactory because, at a time when we are witnessing several Member States pursuing a rash immigration policy that grants large numbers of foreigners lawful residence in the EU, and when the lack of border control allows people to move freely across borders, there is a need for stronger border control between the EU's Member States on a permanent basis. With regard to the constant talk of solidarity, I would also like to express my surprise at the fact that Member States like Denmark, for example, that have been good at tightening up their immigration policy, are supposed to show a

large degree of solidarity with countries that have not managed to do the same. It would make sense to allow countries expressing their national sovereignty by determining their own immigration policy to also reap the fruits of their labours.

Andreas Mölzer (NI). – (DE) Madam President, apparently only about 3 000 of the Tunisian refugees apprehended in Lampedusa are genuine asylum-seekers, while 20 000 or more are economic migrants. As long as the European Union refuses to admit that it cannot accommodate all economic migrants from every conceivable quarter, hundreds of thousands more will make their way here. If steps are taken such as mass amnesties for illegal immigrants or if the Schengen Agreement is violated through the use of tourist visas, as was recently the case, then this will inevitably result in many thousands more refugees. This puts the entire Schengen system at risk.

Greece, Italy and Malta are obviously not in a position to secure their external borders and newcomers to the Schengen Group often relax their efforts after accession. The EU's external borders are riddled with more holes than a Swiss cheese and are also being undermined internally. Temporary controls are not enough. The EU must develop Frontex into a genuine border protection agency. If none of these measures produce results, then inevitably one or other country will come up with the idea of withdrawing from the Schengen Agreement.

Andrey Kovatchev (PPE). – (BG) Madam President, today we need to answer the question about how to preserve and strike a balance between our basic values: freedom, solidarity, justice and, on the other hand, security. The point was mentioned on numerous occasions that external borders are a joint responsibility for all Member States. Let us refrain from creating unnecessary obstacles between us. Let us also prevent the current situation from going down in the history books as a bad example of European integration. I naturally welcome the greater role given to Frontex and the additional human and material resources for the agency, along with the reinforcement of the Schengen evaluation mechanism, but not the new requirements imposed on Bulgaria and Romania and the obstruction of their membership.

Mrs Győri, after Bulgaria and Romania met all the technical criteria for membership, which was assessed by the Council's experts, please tell us what the Council's position is on the timeframe for admitting Bulgaria and Romania, and whether such a discussion is going on in the Council. If new rules apply, they must be valid for everyone and not be used to achieve political objectives, but to build on the current system for protecting our borders. From a foreign policy perspective, I think that our good neighbourhood policy must be linked to the relevant governments fulfilling readmission commitments to their citizens.

Ulrike Rodust (S&D). – (DE) Madam President, open borders are an important symbol for Europe. I would like to draw your attention to another problem. I come from Northern Germany, which is why the German-Danish border is of particular importance for me. The right-wing populist Danish People's Party is trying to force the Danish Government to reintroduce border controls. What is the reason for this? It is a fear of people from Romania and Bulgaria. This is scandalous. The right-wing populists are rapidly growing in numbers and represent a real danger for Europe. Of course we must have protections against untrammelled criminality and our security authorities have already found effective alternatives to passport controls.

It makes me very sad that one of our major European achievements is to be put at risk. The EU success in promoting peace and freedom is without historical parallel but is now under

high-level attack. I would call on the Danish Government not to allow itself to be dictated to by the right-wing populists.

Anna Maria Corazza Bildt (PPE). - Madam President, freedom of movement is a cornerstone of European integration. Let us not open a Pandora's Box by revising Schengen. Let us not go back on our principles. The possibility of introducing border controls already exists. It should be temporary, exceptional and a last resort. What is needed is a common approach, a long-term vision as called for by the Commission, to respond to citizens' concerns on security. We need to move forward to a common asylum policy by 2012, to have a common migration policy and to facilitate legal immigration for work while combating irregular immigration.

Short-term procedures that hinder resettlement have to be removed. Yes, we have to express solidarity with the Member States that are most exposed to an influx of people, but first of all our solidarity should be with the people who are fleeing tragedy. The dignity of immigrants, of people fleeing the country, has to be put back at the centre of the European debate.

Robert Goebbels (S&D). - (FR) Madam President, I wonder if the demagogues of Rome and Paris and their cohorts here in the European Parliament realise what their request to reinstate internal border controls actually implies. More than one million European citizens work in countries other than their own. One hundred and fifty thousand people cross the border every day into Luxembourg. Do you want to subject them to border checks? Tens of millions of Europeans will travel this summer. Do Mr Berlusconi and Mr Sarkozy want to subject them to border checks? President Barroso said it himself: every year there are over 1.25 billion movements of persons within the Schengen area. Do you want to subject them to border checks?

Commissioner Malmström, leave Schengen as it is. Re-read the Treaties, re-read Articles 67 and 78. Everything is there. There is no need to devise something new; let us stick with Schengen and the free movement of citizens, otherwise we will have a citizens' revolt on our hands.

Jens Rohde (ALDE). - (DE) Madam President, Mr Schulz has left us, but I am pleased that he and Mrs Rodust have made it clear that it was not Social Democrat policy that border controls should be reintroduced. However, two years ago, during the election campaign for the European Parliament, the key demand of the Danish Social Democrats was that the borders should be closed again. I am not talking about the right-wing populists. Mr Jørgensen and party leader Mrs Thorning-Schmidt both argued for this. You are absolutely right, this is populism. An important question for the Commission is therefore as follows: Can a country reintroduce border controls and still remain in the Schengen Union with access to the information system, etc., or is this an either-or situation? The question is important for the Danish debate, which is why I ask that a clear answer be given.

Mario Mauro (PPE). - (IT) Madam President, ladies and gentlemen, I note that, in order to save Schengen, many would like to offer as a solution the expulsion from Europe of Mr Berlusconi and Mr Sarkozy.

More simply, I think it would be enough to strengthen Frontex, which means tightening security along the EU external borders. I would like to remind everyone that right now many governments shun their duty of solidarity by not taking part in Frontex.

Besides that, I feel compelled to make another crucial point: behind the humanitarian emergency and the immigration problem lurks a political problem. Indeed, while Europe has a strong humanitarian presence on immigration, I agree with Mrs Malmström that it is absent, at a political level, with regard to the tragedy behind it. More Mrs Malmström and less Baroness Ashton is what we need, and we will see that somehow we can improve the difficult conditions in which we find ourselves and will be able to ensure that the future is given a chance.

Cecilia Malmström, *Member of the Commission*. – Madam President, this has been a very interesting and good debate on a very important subject. There was talk earlier about a ping-pong game going on. That ping-pong game is probably between the European Parliament and two Member States, so please do not use the Commission as a ball.

We are trying to have a coordinated, responsible and coherent response to everything relating to migration and borders because it all goes together. We cannot have a visa policy if we do not have border control. We cannot have credible protection of people who ask for asylum if we do not have a common asylum policy in the European Union. We cannot have legal migration that works if we do not also work with integration and we cannot fight irregular migration if we do not have a proper and decent return and readmission policy. So, in order to have all this together, we need a clear framework and we need a European framework.

The Commission has therefore presented this communication. With all respect to the hard-working people in the Commission, I will reveal a secret to you. We cannot produce a communication like this in two days. It is not possible. It has been planned for a long time. This is not a response to one or two Presidents or Prime Ministers – this is something that we have been planning for a long time, and it is all there.

Those with whom we have been working together on a daily basis will know that since day one I have been working with them and the Council to achieve a joint common European asylum system. It is hard work, it is difficult and we are working very slowly, but we are making some progress. We are working together on legal migration, we are trying to reinforce Frontex, and I have been promising you a paper on integration since my hearing last February and, already last year, we proposed better governance of Schengen. This is not a response to one or two Prime Ministers calling for something. It is something well thought out and it is something that will lead to further legislation and proposals in the light of the European Council meeting in June, which will have as a theme – also planned for a long time – migration issues.

Of course, the situation in Northern Africa and in the Mediterranean accelerates the need for us in Europe to have our house in order. Is that a reason to reinstall internal border control? No, of course not. Is there a reason for European action? Yes, there is. We have about 25 000 Tunisians coming to Europe. We have discussed this on many occasions here in the plenary. Of course, every individual comes for a reason, namely that he – because it is very often a he – has no work in Tunisia. I feel very strongly about every individual's fate here, but not all of them can come to Europe. It is much better – and that is why we are working with the Tunisian authorities and Italy in order to see how we can support Italy to create jobs and growth – for these people to find a future in Tunisia, because they are not refugees.

However, there are refugees coming, and increasingly more so now. This week a lot of people have come from Libya – third country nationals, even Libyans – and that might

increase. These people are clearly a reason for European action and solidarity. The Commission has invited all Member States to a conference on 12 May in order to discuss relocation and a prolongation of the Malta project in order to assist Malta with the thousands of people who have been going there. But we will also have the UNHCR there, so we will try to ask Member States to take increased responsibility for the refugees running away from the increasing violence in Libya who are stranded in Tunisia and at the border.

Turning to Schengen, I agree with you – or most of you – who have said that Schengen is a fantastic achievement. The fact that we can travel from Finland to Malta, from Portugal to Estonia, without ever showing a passport is a wonderful symbol of European integration. I want to protect this and further promote it. I am happy that I can count on your support in this.

However, the system is not perfect. We knew long before all this started that there were some weaknesses in the systems. Evaluation has not worked, because Member States are evaluating each other and that is not a good thing. We need a European mechanism with the involvement of the European Parliament. I presented this in November last year and I remember that I got quite a lot of support from this plenary to do this.

We need to have tools to help the Member States perform better in protecting EU external borders. We need to strengthen monitoring and we need more – not less – Europe. So, in order to assess this situation and to decide on the necessary means, we really need a European approach. The events of last week have confirmed this. The shortcomings should never automatically lead to the reintroduction of border control. There has to be an assessment of the shortcomings in all other ways possible, such as providing financial and operational support. Member States can also help each other. We are also working together with you on strengthening Frontex.

The point of departure is strengthening current legislation. I am convinced that the current rules can cater for most situations. Where there are differences in interpretation, the Commission should consult with Member States in order to clarify the rules. This can be done by issuing guidelines or recommendations.

There are particular circumstances where there might be a need to reintroduce border controls. That is already provided for today and it has been the case in a few situations – for example a major event such as a terrorist threat. There could be a major event where Member States, under very clear circumstances, need to do this. But we need to strengthen the European dimension of this and to prevent Member States from unilaterally taking action. That is what we are talking about.

We live in turbulent times. Many of the things that are happening are a reason for joy – in Egypt and Tunisia – but there are also a lot of concerns. We need to be calm in this situation. We need to try to handle it in the short term, but also in the long term. We need to strengthen our rules, not to undermine them. We need to strengthen the rules based on European law, on our values and on international commitments. We need a European leadership to stand up against simplistic solutions – and I have heard some of them here today – and populism. We need more Europe, not less.

(Applause)

Enikő Győri, *President-in-Office of the Council*. – Madam President, I would also like to thank you very much for this debate and the contributions I had from the honourable Members of this House.

First let me start with our clarification concerning the asylum package, as I received very concrete questions on that. As to the specific proposals on the table, the Council welcomes the start of the trilogues between the Parliament and the Council concerning the Qualification Directive. As to the Dublin Regulation and the Eurodac Regulation, important progress has been made at technical level.

Two main issues, however, remain outstanding which are inextricably linked to the political discussions. The first is the suspension of transfers under the Dublin Regulation and the second is access for law enforcement under the Eurodac Regulation. Many delegations in Council are of the opinion that suspending Dublin transfers to Member States that are subject to practical pressures would create a poor precedent and would undermine the Dublin Regulation. A large number of delegations have also expressed a strong wish to give law enforcement agencies access to the Eurodac database. Given these views in Council and considering our shared commitment to establishing a common European asylum system, a constructive debate is needed between all the institutions involved: the Council, Parliament and the Commission.

Finally, the Council awaits with interest the revised proposals of the Commission concerning the procedural directives and the Reception Conditions Directive, which are expected, if I am not mistaken, in early June. So, Ms Weber, since you suggested, with reference to the work of the Council, that we are questioning and undermining codecision and are trying to isolate Parliament, I hope that my clarification was enough for you. Of course we are very pleased to share all the information with you and we are very committed to making progress on these dossiers, which are, I think, of vital importance for all of us.

Let me continue in my mother tongue for some horizontal general concluding remarks.

(HU) As emphasised in my introduction, the great debate in the Council is yet to come. The proposal of the Commission was published six days ago. We convened a special meeting of the Justice and Home Affairs Council for 12 May, where we will be able to have an orientation debate. We hope that this work and the working group debate can make the situation easier for the heads of states and heads of governments, and they will be able to take the most important political decisions in the European Council in June.

So at this moment I can share with you the opinion of the Hungarian Presidency. And let me reiterate, not for the first time in this House, that our basic philosophy is a strong Europe; a strong Europe that places people at the centre of its thinking.

This is our basic principle; it determines every policy we make and each step we take. It is on this basis that I can tell you what our starting point will be in this politically highly sensitive issue. We will not be partners with anyone attempting to dismantle the Schengen system and free movement.

The overwhelming majority of the comments made in this House have argued for the preservation of this common acquis. Let me quote the honourable Italian Member Mr Iacolino, who called it 'patrimonia della civiltà europea,' 'our common European heritage', or Mrs Kinga Gál, who said that free movement is the most tangible result of the unity of the EU.

The Hungarian Presidency will withstand every effort to the contrary. But this does not mean, and here I agree with Commissioner Malmström, that the system should not be perfected. For months, for years we have been aware that the system should be adjusted

to the challenges of 2011, and this can indeed be done. Nobody wants the system that we have established together, with many years of work, to fall into pieces.

So, as regards restoring internal borders, we think that it can be done only in an exceptional situation, in case of an extraordinary challenge, for a defined period and by the decision of the Community. I have said this in my introduction, Mrs Malmström and Mr Barroso have said this as well. I repeat once again that this is our starting point.

What are the issues in which we can still be partners, and which are the ones in which we cannot be partners? We would like to distinguish refugees who are genuine asylum seekers under international law. We must help them so that we can be loyal to ourselves and to our common values.

At the same time we also have to combat illegal migration. I do not need to mention that the protection of the common borders, our external borders, is a common issue. FRONTEX has to be strengthened, and the means necessary for this must be provided. This is what we are working on with your cooperation, hoping that we can make a decision as soon as possible.

The issue of Schengen does not only mean what the Commission communication now contains; the expansion of the Schengen zone is on the agenda. The Hungarian Presidency clearly separates these two issues. Nobody should want to ignore the two countries which have put enormous work, energy and money into preparing properly and meeting the rigorous requirements that accession to the Schengen zone involves, and destroy it by saying that the atmosphere is not right at the moment.

We already acknowledged in February during the Hungarian Presidency that as far as the technical standards were concerned, Romania was ready, while Bulgaria still had some homework to do. I am happy to announce that Sch-eval, the Schengen Evaluation Group has now found that Bulgaria has done that work.

I hope that we can state in the Council before the Hungarian Presidency comes to an end that technical preparation has been completed. The two countries fulfil the technical criteria of Schengen. The political decision will have to be made when the Member States are ready for it. We have had ongoing consultations with all parties concerned, and are trying to find a solution that is acceptable for all stakeholders, Romania, Bulgaria, and the Member States concerned about the Schengen mechanism.

And finally, a comment: I think it was Mr Weber of the Group of the European People's Party (Christian Democrats) who said that we had to be very careful about the policy we implement concerning migrants, European problems and labour supply. I deeply agree with that. We should not forget that we have our own unemployed, but we should equally remember that we are an aging society in Europe and we will have labour supply problems as well.

That is why the Hungarian Presidency has been committed to put demographic issues on the agenda, to help each other see which Member States have been very successful in the field of demographic policy, in the field of family policy. We would like to improve the situation of families in the European Union. We would like more children to be born in Europe, because every Member State promotes this with their own means, and this is the solution for the problem of an aging society, and it would be good if we did not have to solve it through migration.

President. – The debate is closed.

Written statements (Rule 149)

Ivo Belet (PPE), *in writing.* – (NL) Together with the euro, free movement of persons in the EU is one of the fundamental pillars of the European project. There is no reason whatsoever why we should now question this. The reaction to the thousands of refugees who are literally being washed ashore in the south of Europe cannot possibly be considered a valid reason for us to start closing our internal borders, even temporarily. The only sensible way to react to this is to do something, in the short term, about a common European asylum and migration policy. We cannot and should not sit back and allow the arrival of 30 000 refugees on the shores of Italy or Greece to undermine the pillars of the EU. Obviously, Italy is right to have requested European solidarity in tackling this problem. Solidarity is the solution. Shutting our borders, even temporarily, is a panic reaction, unbecoming of EU leaders.

John Bufton (EFD), *in writing.* – The Commission's response to any perceived challenge to the EU is to reach for more centralised powers. In the same way the financial crisis played perfectly into their hands and they leapt at the chance to justify economic governance rather than admit the euro's failure, concerns about the sudden influx of migrants and the stresses it puts on countries is being used to call for the reinforcement of Schengen with increased centralised governance. MEPs are elected by the people, as the voice of the people. They represent the countries they are from. Yet when they reflect national interests here, it's labelled 'Populist'. Mr Barroso said it's becoming fashionable to be Populist and wave the flag of xenophobia. Does he believe the very essence of being a country – having a domestic government, an independent economy and national borders – is inherently wrong? Why not have the guts to just scrap Parliament and take over Europe by force? Name calling, scaremongering and creeping bureaucracy is calculated and megalomaniac. But don't think we are unaware. If we were, the so called 'fashion' for populism would not be developing. People are waking up to your intentions and the time will come that you are exposed.

Giovanni Collino (PPE), *in writing.* – (IT) The migration problem that we are facing in Italy and throughout Europe absolutely cannot be reduced to just the humanitarian emergency, even though that is the most urgent situation to deal with. We MEPs – who are known to be responsible for expressing the political will of our citizens, and for implementing and assessing the long-term sustainability of their requests – must have an overall vision, and we must know how to defend it against the other institutions. In the case of immigration policy, the overall vision starts with the analysis of a European population which is aging, although this is happening rather unevenly among the States of the Union. A serious imbalance is being created between birth rates and death rates and our growth is also linked to the distribution of the workforce to ensure that the market has the necessary resources to continuously produce everything that is needed. This is why Parliament should advocate a holistic management of the immigration problem to the other institutions, including the governments of Member States, with people at the centre of a recovery strategy – by which I do not mean solely an economic recovery – which needs plumbers, engineers and builders, as well as banking.

Anne Delvaux (PPE), *in writing.* – (FR) Italy's decision to issue temporary residence permits to thousands of Tunisian immigrants arriving on its soil, followed by France's

request to temporarily restore border controls, has brought the Schengen area, one of the most tangible aspects of European integration, into question.

The proposals outlined in the Commission Communication of 4 May, including, in particular, a planned extension of the 'exceptional circumstances' under which internal border controls may be restored, leave me somewhat perplexed. Surely we are not going to allow the will of two Heads of State to jeopardise one of Europe's greatest achievements.

Immigration is a challenge requiring a Europe-wide response, and therefore I call for a common migration policy. It is time to tackle this issue head-on. I hope that the atmosphere of the European Summit in June, at which this topic will be addressed, will not be contaminated by populist sentiments.

Monika Flašíková Beňová (S&D), *in writing*. – (SK) I would like to voice my disappointment over the fact that the Commission is narrowing down the entire issue of migration to the problems in the Mediterranean and the Schengen area. The situation is critical. An ambitious strategy has long been expected from the Commission. Not an anti-European plan for restoring national boundaries. Commissioner Malmström correctly emphasises the fact that the free movement of people across European borders is an enormous success and we must not lose it. From this perspective, the Commission proposal for managed immigration flows seems incomprehensible. Particularly the part allowing the introduction of border controls in the EU, even if they are only emergency ones and on a temporary basis. The fact that a state cannot decide on such a measure, but only the Union, is a plus. Despite this, I consider the clause to be backward and needlessly submissive to the populist pressure of the French and Italian premiers. We are not talking about something insignificant, but about one of the fundamental principles of the EU; freedom of movement. I am not convinced that we should sacrifice this to the current problems with controlling migration pressures from Africa. In my opinion, the role of the Union should be to plan the sharing out of migration pressures from the Mediterranean between the Member States, and to manage the integration of immigrants effectively. The Commission is recommending the adoption of many documents relating to migration in May and June. I would like to express the hope that, in formulating these documents, the Commission will maintain a measure of detachment and a cool head.

Elisabetta Gardini (PPE), *in writing*. – (IT) The current political crisis in North Africa and the resulting migration confirm the need for a strong European approach to immigration and asylum. Immigration is a European challenge that requires not only a rapid and effective solution but also a shared long-term strategy. Perhaps we are forgetting that according to the latest United Nations estimates, 12 360 migrants have left Libya and arrived in Italy and Malta since last March, but already 700 000 people have fled Libya and Tunisia with the aim of crossing the Mediterranean. Without a joint plan for immigrant reception and border control we risk uncontrollable, chaotic immigration with serious consequences for the whole of Europe. In this regard, it is important to strengthen Frontex, establish greater solidarity among the Member States, set up agreements for increased border control and also to repatriate illegal immigrants. Finally, as regards any changes in the Schengen system, such a decision should be taken at a European level and not left in the hands of any single country. We should not allow the states most exposed to migratory pressure to run the risk of finding themselves even more isolated.

Kinga Göncz (S&D), *in writing*. – (HU) One of the most important challenges for Europe today is how to react to the revolutions developed on its southern borders. The

democratisation of this region is an essential interest for the EU; the EU must find a solution for the flow of refugees coming from this region which complies with humanitarian principles and human rights. Solidarity is necessary between Member States, but especially with the refugees coming to Europe. We Hungarians can really understand the importance of this, since hundreds of thousands of our compatriots were taken in by many countries of the world after the 1956 uprising.

The answer to the pressure of migration is not the reintroduction of internal border control, but the acceleration of the ongoing negotiations for the purpose of adopting the refugee package, the common European migration policy and the Schengen evaluation system as soon as possible.

Reintroduction of border controls, albeit temporarily, would undermine one of the symbolic *acquis* of the EU, hindering the free movement of citizens. This is an *acquis* which European citizens much appreciate, and which is also a guarantee for the implementation and success of the common economic area. We must find solutions to the emerging problems together, we should not give grounds to populist and individual voices merely offering pseudo-solutions.

Lena Kolarska-Bobińska (PPE) , *in writing.* – (PL) During our debates on strengthening and improving management of the Schengen area, we must at the same time consider the European Union's new migration policy, not only in the context of the situation in North Africa, but also with regard to possible events in the countries neighbouring us to the east. It is hard to predict what might happen in the post-Soviet states in future. We must also bear in mind the challenges facing Europe. The EU is an ageing society, and therefore the influx of migrants should not be regarded only as a threat to European labour markets. Migrants often contribute to the economic growth of their country of destination.

This was the case after the new Member States were accepted into the EU. Germany, which feared an influx of migrants, applied transitional periods and is only now opening up its borders to workers from Poland. The UK decided to open up its labour market straight away, and is now enjoying the benefits of having employed around two million young, efficient and energetic Poles. It is also frequently said that we should accept political migrants, but close Europe's doors to economic migrants. In my opinion, this division does not make much sense, since it is often difficult to distinguish between these two types of migration. How should we classify the middle-class protests in the Arab countries? The underlying causes are both political and economic. Let us not therefore fall prey to imagined fears, but let us think about the opportunities for our development.

Edward Scicluna (S&D) , *in writing.* – The aggressive positions taken by the French and Italian political leaders with regard to the Ventimiglia incident have nothing to do with the Schengen agreement, but are rather an exercise to impress their own citizens. The 20 000 or so migrants were, in the main, economic migrants seeking jobs and better economic opportunities. Rather than suffer a brain-drain as its best and brightest people seek economic migration, what Tunisia requires is EU financial assistance for economic development programmes promoting work for the young and the unemployed. However, this should not distract us from dealing with the real problem of how best to cope with the migration of genuine asylum seekers from North Africa, who are or will be fleeing from war-torn countries. For this we do not need the return of national border controls. The principles of the EU include freedom of movement and solidarity between Member States, and we should not take retrograde steps in that regard. We have provision in the

treaties for establishing a single EU asylum system and proper burden-sharing between Member States. Instead of stoking up right-wing populism, we should be working as Europeans to put the necessary legislation in place.

Debora Serracchiani (S&D), *in writing.* – (IT) The arrival of streams of immigrants to Lampedusa in recent days shows that the immigration crisis is an ongoing issue that requires immediate action. We clearly need improved governance within the Schengen area, as established by the Commission Communication of 4 May.

To this end, the solidarity mechanisms must be strengthened in terms of redistribution of asylum seekers, organised mobility and new partnerships with third countries. Revising the mechanisms for applying the Schengen *acquis* must not be seen as an excuse to limit at will the right to free movement, but rather as a stimulus for new opportunities.

I hope that concrete proposals will be made very soon to combat prejudice and discrimination, to combat lawlessness and to promote human rights, human dignity and peace. Governing immigration effectively and encouraging peaceful coexistence must be the daily commitment of a good policy that aims to promote development and security. Returning the massive flows of people to their countries of origin does not help maintain the distance between Europeans and immigrants. If anything, it risks increasing illegality, insecurity and economic costs.

Monika Smolková (S&D), *in writing.* – (SK) The mass migration of people from North Africa was foreseeable some months ago, and France and Italy should have reacted immediately, together with the Commission. Their statements and actions today, with the police of one state refusing to accept the documents of another state, are provoking more than just astonishment. The demands for the protection of interests on internal borders on account of 25 000 refugees are unprecedented and populist, and are against everything Schengen stands for. On 22 December 2007, I helped to chop down the border gate on the Slovak-Hungarian border. Compared to people's enthusiasm at that time, today's strengthening of internal borders looks like a complete negation of the Schengen ideal. Freedom, the free movement of people and goods, and solidarity with everyone who is in need of solidarity, must remain priorities of the EU. I am opposed to internal borders, and I therefore expect a strengthening of the Schengen control mechanisms, so as to prevent the populist tendencies of some states, to prevent radicalisation and intolerance, and to consolidate the Schengen system, which is one of the greatest achievements of today's Europe.

Nuno Teixeira (PPE), *in writing.* – (PT) The events that are devastating the island of Lampedusa, as the result of the popular revolutions in North Africa, have created a humanitarian crisis, with more than 20 000 Tunisian immigrants arriving between January and April. The Italian Government has not been successfully responding to the innumerable requests for asylum and the sudden arrival of thousands of illegal immigrants. The Schengen Agreement, concluded in 1985, and incorporated in the Treaty on European Union, is regarded as one of the greatest expressions of European integration. Therefore, it is important not to forget its basic principles, which, if corrupted, will compromise the effectiveness of the Schengen area. It is becoming imperative to properly apply the Schengen agreements through the spirit of solidarity, reciprocal information and coordination. The humanitarian crisis we are experiencing today must be resolved, but through the legal means established by the Schengen rules. The differentiation between people who are entitled to international protection, such as refugees, and economic migrants is extremely

important, in order to protect those who really need to be protected. On the other hand, unilateral violation of the agreement must be prevented at all costs, since this threatens the construction of a European area without borders, which started in 1985.

Kathleen Van Brempt (S&D), *in writing.* – (NL) The proposals which the Commission announced on Wednesday to tighten the asylum and migration policy contain one piece of poppycock and some good initiatives. The reference to border checks on our internal borders is evidence more of political expediency than of leadership and insight. But, all right, this concession to France and Italy is fortunately merely symbolic. I am also pleased that, in its proposals, the Commission has shown that it, too, is aware that it does not have to look for solid solutions to a more efficient asylum and migration policy under church towers, and that this requires another, more European, form of cooperation.

There are enormous differences between Member States in terms of how they deal with asylum applications and the outcome of these procedures. A single European asylum system is therefore necessary, so that asylum seekers can see that Europe can provide help where it is necessary, but that it does not give free tickets to adventurers. We need to link this to the development of meaningful partnerships between Europe and its neighbouring countries, so that we can support growth and development. I hope that the Commission will no longer allow itself to be used as a plaything by some politicians who want to score points at home. What we need are solid European solutions to a European problem. These proposals are a good starting point, but I need a few more things on top of that.

Iuliu Winkler (PPE), *in writing.* – (RO) With the severe impact from the economic and financial crisis and from the repercussions of the Arab Spring with its far-reaching implications in terms of the requirements for controlling the flows of emigrants and access to oil resources, the EU is looking increasingly divided and likely to abandon one of its most valuable achievements – free movement in the Schengen area. Limiting European citizens' freedom of movement by introducing some new restrictions, albeit temporary, and imposing on Romania and Bulgaria additional criteria to those in the Schengen Agreement will result in undermining European unity. I believe in a powerful Europe that shows solidarity and I am one of the supporters of the vision promoted by the EU Hungarian Presidency, expressed by the slogan 'Strong Europe'. However, looking at the recent developments concerning the future of the Schengen area, I must say that we are on the wrong track. During critical moments, like those we are going through, the EU leadership should demonstrate greater vision and solidarity and be concerned about blocking the resurgence of crass populism and internal protectionism in Europe. These problems will have dramatic consequences, which are easy to predict. It is certainly not restrictions and bans that will help strengthen the Schengen area and establish stability in it.

Anna Záborská (PPE), *in writing.* – (SK) It also emerged from the debate in the plenary of the European Parliament that the freedom of movement made possible by the Schengen Agreement is one of the key pillars of European cooperation, and we must do everything to preserve it. At the same time, however, we see that Europe was not ready for the growing number of immigrants from Tunisia and Libya. The fact that Italy has given these immigrants travel documents allows them free movement within the Schengen area. It has thus also forced other states, particularly France and Germany, to begin searching intensively for a solution. Schengen allows states to introduce random border controls over travellers in exceptional circumstances, and Denmark, for example, has already made use of this option. In my opinion, a single European migration and asylum policy is not the solution, as this matter is within the competence of Member States. At this moment, the boundary states

of the Schengen area should accept their responsibility for protecting the common boundary, and take measures for the rapid return of economic migrants to their country of origin.

16. Interinstitutional agreement on a common Transparency Register - Amendment of the Rules following the establishment of a common Transparency Register

President. – The next item is the joint debate on

– the report by Carlo Casini, on behalf of the Committee on Constitutional Affairs, on conclusion of an interinstitutional agreement between the European Parliament and the Commission on a common Transparency Register (2010/2291(ACI)) (A7-0174/2011), and

– the report by Carlo Casini, on behalf of the Committee on Constitutional Affairs, on the amendment of Parliament's Rules of Procedure following the establishment by the European Parliament and the Commission of a joint transparency register (2010/2292(REG)) (A7-0173/2011).

Carlo Casini, rapporteur. – (IT) Madam President, Minister, Commissioner, ladies and gentlemen, I will make a single statement covering both matters, which are on the same subject.

With this debate and the vote which will follow, we will conclude a task and a period of negotiations in the working group chaired by Mrs Wallis and composed of fellow Members from all political groups, as well as a Commission delegation led by Mr Šefčovič, which has resulted in the drafting of an agreement for the establishment of a common Transparency Register. The Committee on Constitutional Affairs (AFCO) has prepared this report in a few months and has also finalised a report on the amendment of Parliament's Rules of Procedure.

Personally, I was very surprised at the amount of public attention that this transparency agreement has garnered. I fear that people think the results will have a greater effect than was actually pursued. Transparency is the defence of right political action, but it is not the right instrument for getting to the heart of corruption. The recent cases of journalists trying to corrupt a few MEPs could also happen outside parliamentary premises. Furthermore, would-be corruptors know how to avoid being identified and the registers are not, therefore, a silver bullet.

The right tool for the job is criminal law. Yet if the criminal law of the Member States is not sufficient, we will need to reread Articles 82 to 86 of the Treaty of Lisbon, reflect on whether we can consider the corruption of MEPs to be cross-border crime or an act otherwise detrimental to the Union's financial interests and determine whether or not to create a European Public Prosecutor, which would, moreover, be a significant step along the path to unity.

The Transparency Register has a more modest task. In some countries the term lobbyist has a negative meaning, while in others lobbying is seen as an almost an act of public service because it informs decision-makers on issues they might not otherwise know about. This is especially important for the European Parliament, because often the issues faced by MEPs are very complex and technical and we almost always need to find a balance between businesses and countries with divergent interests.

This is where lobbyists become very useful. So we shall no longer call them lobbyists but stakeholders. Of course, interests can be conflicting, and rightly so. I used to be a judge and I can say that cross-examination of opposing sides is considered a condition for uncovering the truth and obtaining justice. So, having lobbyists or stakeholders with conflicting interests is a good thing: what is important is that the judge – and therefore also the MEP – maintains his freedom of thought, independence, and his honest search for the common good. Hence, we have established the Transparency Register, in mutual agreement between Parliament and the Commission with the hope that the Council will soon join the agreement.

Those who wish to represent their interests are free to have access to our premises but they must be listed in the Register, where all information needed to identify their legal and financial status will be recorded. The Register is public. There are also organisations that do not pursue selfish interests but try to collaborate in European policies in the name of general values, such as churches, political parties and regions. They do not need to be added to this Register: but, if they have separate offices exclusively tasked with maintaining contact with European institutions, they must be included in their Register, though subject to a different legal regime to stakeholders.

As already stated, the new Register also contains an amendment to the Rules of Procedure. There are therefore two reports, but in any case this is just a first step towards more complete transparency. Some hypotheses are already being researched and could be turned into rules after further reflection hence point 9 of the document adopting the agreement indicates the possibility for the reports to carry the details of the stakeholders who met with MEPs during the preparation of the report in question.

This broad provision for possible amendments leads me to express a negative opinion on amendments which would put limits on such future deliberations. I hope, however, that Council will join this agreement in short order and that there is also immediate and broad consensus in this House, a strong signal of the duty of transparency and also a call to action. I hope that the vote is nearly unanimous.

Enikő Győri, *President-in-Office of the Council*. – (HU) Madam President, Commissioner, ladies and gentlemen, transparency is a particularly important principle of democratic institutions. This is especially true for the European institutions, because – as it is commonly known – they are often accused of exclusion and of non-transparent operation. The Council is committed to making efforts to ensure the highest level of transparency between the institutions and bodies of the European Union. The Council is also aware that citizens expect those who they have put in charge of the management of their affairs to observe the highest possible standards; therefore the Council welcomes the initiative of the European Parliament and Council to establish a transparency register.

I especially welcome the reports by Mr Carlo Casini. If the House accepts them, it will be possible to create the transparency register in the coming months, based on the reports. By this we can show once again that the EU is committed to transparency not only in words, but also in deeds.

I take this opportunity to emphasise that I am aware that the Council has been invited to participate in the transparency register. The Council has so far had no intention to fully participate in the process because unlike Parliament and the Commission, the Council by its nature is not affected by the activity of interest representatives. Generally they do not contact the Council as an institution, but target their activity at the Member States.

Nevertheless, I have already explained that the Council is prepared to participate in the register and to follow its activity. We are also ready to discuss aspects of the possible role of the Council with Parliament and the Commission, of course without delaying the entry into force of the agreement between these two institutions.

Ladies and gentlemen, based on the Council's recent decision, we are now considering the possibility of making a political declaration for launching the register in June.

Maroš Šefčovič, *Vice-President of the Commission* . – Madam President, transparency is an issue of interest and concern for citizens and is essential to increase the democratic legitimacy of the European Union.

I am very happy to inform you that already today we have more than 3800 registrants in the Commission register.

Therefore, I am absolutely convinced that the adoption of a common transparency register will represent a major further step forward in enhancing transparency in the EU decision-making process and providing a direct response to citizens' concerns.

I would like to praise the very constructive work which we have developed in our joint working group. Here, I would like to pay tribute to Ms Wallis, our President for today, Mr Casini, our rapporteur, and also to Mr Leinen and Ms Durant. It was an excellent group and it was a real pleasure to work with together.

The result of our work is a very balanced and pragmatic draft of an interinstitutional agreement, which we are presenting to the House for consideration and debate today.

A positive vote tomorrow will allow the joint launching of the register by our two institutions to take place in June. This will undoubtedly send a strong political signal confirming our determination to enforce transparent and ethical practices on the European stage.

The register aims to give citizens more transparency as regards organisations and self-employed individuals engaged in EU policy-making or trying to influence the EU decision-making process.

I understand that there have been some concerns about regional public bodies, so I had better clarify. The question was whether they should register. I think that if we read the text carefully it is quite true that it would not reflect their true identity and not reflect the fact that they ensure direct representation of their citizens as established by their own constitutional systems.

A careful reading of the content of the agreement should give full reassurances in this regard. Indeed, the text explicitly mentions that local, regional and municipal authorities are not expected to register. This approach is even reinforced by Annex I, which indicates that public authorities themselves are not expected to register.

Services forming an integral part of the administration staffed by local, regional and municipal officials and engaged in activities corresponding to institutional or constitutional attributions will also not be expected to register. I hope this will help to clarify the concerns which I have registered over the last days.

A final word on the interinstitutional dimension. I think we all share the view that the achievement of common cooperation with the Commission and Parliament would be further consolidated with the involvement of the Council.

Therefore, I am very obliged to, and wholeheartedly thank, the Hungarian Presidency for changing the attitude in the Council and for getting the Council into a positive mood and positive mindset in looking for ways in which we can best arrange the relationship between the Council, Commission and Parliament in managing the register, because the political signal that three institutions are taking this issue so seriously, and that three institutions are going to tackle the issue of transparency together, will be a powerful one. I am sure that, with such political support from all three institutions, the threshold of 4000 registrants will very soon be reached.

Manfred Weber, *on behalf of the PPE Group.* – (DE) Madam President, Minister, Commissioner, transparency is a cornerstone of democracy, ensuring that people know who exerts influence and how decisions are made. Since the entry into force of the Treaty of Lisbon, the European Parliament has significantly more power. That is why it is right that our *modus operandi* should always be open to debate and that we should question ourselves.

The negotiations between the European Parliament and the Commission in relation to the transparency register are a success and we have now produced an excellent result. I would like to underline once again that it is good that we have found clear regulations for the local and regional authorities, and even for churches, that reflect their interests.

I would also like to say that we do not regard lobbying as something bad per se. We need expert opinions and we need to be able to call on experts for our work. In the end it is important that we, as parliamentarians, should be able to consider issues freely and make decisions independently. I would now like to state that we parliamentarians have a lot to be proud of. If we conduct a national comparison, we will see that there are only a few Member States of the European Union who have already established a transparency register at this level. In my country's capital, Berlin, where I also happen to live, there is no such transparency register, which is why we should all be aware that this is a truly significant step forward.

To the Council I would say: if this issue is not a problem for the Council because lobbyists have very little influence there, then it should be easier for it to sign up to the transparency register. Accordingly, the Council may be able to conquer its internal resistance.

Finally, Madam President, I would point out that if we in Parliament want to escape the influence of lobbyists to a greater extent in future, then we will need greater supports and more staff, enabling us to achieve more for the citizens of the European Union.

Matthias Groote, *on behalf of the S&D Group.* – (DE) Madam President, ladies and gentlemen, firstly I would like to thank the rapporteur and all those involved in this process because tomorrow, after the vote, a long period of hard work will finally come to a conclusion. This is a good day for Europe, for the European Parliament as an institution, and for the Commission because we have succeeded in getting a common transparency register off the ground. This an important step along the way, but more work needs to be done.

I would like to address two points. The first is that the register is not really mandatory. This needs to be stated openly at this point. I have a question for the Commissioner in this regard: the Commission has always claimed that the appropriate legal framework for this does not exist. Is the Commission ready to establish such a legal framework, so that we will have a mandatory register after the revision?

I was very pleased by the statement from the Council indicating that it does not foresee any difficulty in joining our register, as Mr Weber has just pointed out. I am hopeful that the Council will follow through on this, because the register will really only be complete if all three institutions of the European Union have a common register and if this register is also mandatory. As a group, we favour the amendment brought forward by another group requiring that the money spent on lobbying should also be listed in the transparency register; we intend supporting this amendment.

As far as the various national lobby groups are concerned, it has been clearly stated that these will not be included in the register. I would like to thank all my fellow Members for their willingness to compromise on this matter. It really would have been a black mark for such an agreement if national lobby groups were treated in the same way as industry lobbyists or other professional associations.

Andrew Duff, *on behalf of the ALDE Group*. – Madam President, recent scandals have certainly exposed the power that lobbyists can have upon Parliament, so the Liberal Group strongly welcomes the streamlining of the lobbyists' register, which creates effectively a straightforward mandatory system which ought to bring greater transparency and improved consultative processes.

I commend especially paragraph 9 of the report, which invites the Bureau to set up a system of legislative footprints whereby rapporteurs can record those that have lobbied in the course of progressing a draft law. This is a sensitive question, but I think that it would be a further step forward in improving the popular legitimacy of Parliament and the quality of our law-making. The system can only be complete once the Council – which is the second chamber of our legislature – joins in, but I welcome the tentative steps forward which are being made and I thank the Presidency for its statement this afternoon.

(The speaker agreed to take a blue-card question under Rule 149(8))

Matthias Groote (S&D). – (DE) Madam President, I would like to thank Mr Duff for bringing up the issue of the legislative footprint. Do you believe that a legislative footprint, the extent of which still has to be defined, might also restrict the work of the European Parliament? Also: how far-reaching do you expect the impact of the legislative footprint to be?

Andrew Duff (ALDE). - Madam President, I think this would be an experiment. Like all experiments, if it were to be successful, the practice would spread. However, I think that it ought to be limited to rapporteurs who are responsible for drafting a law on behalf of Parliament. They should publish the names of people with whom they have had official meetings in the course of their work.

I think it would encourage intelligent and informed lobbying in Parliament. We all know that we rely on the specialism and expertise of professionals outside this House to produce top class drafting.

Ashley Fox, *on behalf of the ECR Group*. – Madam President, may I start by thanking Mr Casini for his work in delivering this interinstitutional agreement. Members of the Committee on Constitutional Affairs and the Commission have worked well to develop a meaningful and practical report which will deliver more transparency in the legislative process. Madam President, it is good that you are in the chair today; I thank you for your work in the negotiations between Parliament and the Commission.

This report is proportional in its approach; it is useful and I believe it will do good. It recognises the important role that regional and local governments play in shaping European legislation, and therefore clearly differentiates between lobbyists and local and regional government officials.

Although the report is a step in the right direction, there is still more that needs to be done. I hope that this register – if it proves to be a success – will develop into a mandatory register of lobbyists. I agree with Mr Duff's proposal that rapporteurs should name the lobbyists that they have had contact with when drafting a law. There is no doubt that we in this Chamber are regarded with a fair amount of suspicion by our constituents. The more transparency and the more openness there is the better.

With that in mind, could I just say that the one problem with this agreement is that it is one institution short. It is disappointing that the Council has not signed up. As co-legislator, the Member States should come together and sign up to the register so that we can deliver a truly transparent legislative process.

Gerald Häfner, *on behalf of the Verts/ALE Group*. – (DE) Madam President, ladies and gentlemen, politics is built on trust. The Members of this House have been elected in a free and secret ballot by the citizens of our Member States, who rightly expect us to respect their interests, in other words the common good, in all of our speeches and decisions, rather than pursuing our own interests or the interests of third parties, whether businesses or other interest groups.

However, we are also aware that in Brussels, for example, we are surrounded by more than 10 000 professional lobbyists, who do exactly what their job description suggests, namely attempting to exert influence on Members of Parliament and the Commission. You cannot stop this because it is perfectly normal – we live in a free and open society – however we need to make our voice heard within this structure and maintain our independence. We have not always succeeded in this and there have been Members who have broken these rules, which is one of the main reasons why we want to improve our rules.

Transparency is one of the most important preconditions for trust and this is precisely what we are working on at present. After extremely protracted negotiations, we have succeeded in agreeing on this transparency register with the Commission. Admittedly, I would have preferred it if the Council had also been on board.

The Group of the Greens/European Free Alliance have long campaigned for this. We are pleased that this has been achieved and also quite proud of the result, however I must say that we are not happy with all aspects. We would have preferred the register to be mandatory, not just for those who work within the Commission and Parliament buildings, but also for those who ply their trade elsewhere, for example over a glass of wine in one of Brussels' many bars. We want the register not just to apply to Parliament and the Commission, but also to the Council. We want the financial details made available to be more precise and meaningful. We believe that the sums of money involved should be measured in the same way, rather than the situation proposed now in which smaller operations are measured in increments of EUR 50 000, while larger ones are measured in larger increments, making it difficult to know exactly how much money is involved. We also favour regular checks by a common secretariat.

Nonetheless, this is a good day for Europe because it brings us more transparency. I would like to thank all those involved for what has been achieved.

Søren Bo Søndergaard, *on behalf of the GUE/NGL Group*. – (DA) Madam President, this report is a step in the direction of greater openness and a mandatory lobbyist register for anyone who attempts to influence the EU. However, there is still a long way to go before we achieve our objective. Moreover, as corrupt MEPs have revealed, we also need to put our own house in order. We must make it clear that it is not acceptable for MEPs to have any form of paid job on the side that might put a question mark against our integrity. Furthermore, we must have effective means of control and rules to determine the consequences of breaking the rules. We must also establish clear rules for the protection of whistle-blowers, so as to prevent the messenger from being shot. We look forward to the report from the special committee and, in this regard, we anticipate a speedy revision of the agreement that we are debating here today and of Parliament's Rules of Procedure.

(The speaker agreed to take a blue-card question under Rule 149(8) of the Rules of Procedure)

Hans-Peter Martin (NI). – (DE) Madam President, Mr Søndergaard, I wanted to ask what you think of the approach of the legislative footprint and what it means from your point of view that the transparency register will continue to be non-compulsory, in other words that enormous loopholes will continue to exist.

Søren Bo Søndergaard (GUE/NGL). – (DA) Thank you for your question. It gives me the opportunity to emphasise the point that I have already made, namely that there is still a long way to go before we achieve our objective. We do not believe that we have already achieved it. We believe that there is still something lacking. It is clear that the question of the mandatory nature of the register is absolutely crucial. We believe that the idea of a digital footprint in legislative texts is a good one and that this is something that we should apply, but of course we also believe that it has to be mandatory in order for it to work. However, as I said, this is a step in the right direction, and we hope that, when we receive the report from the special committee and this text is to be revised – because it has to be revised within two years – we will have the opportunity to fully achieve our objective, as we must fully achieve our objective in this area.

John Stuart Agnew (EFD). – Madam President, so we are to have a transparency register! Unsurprisingly, this has only come about because enterprising British journalists were able to demonstrate the ease with which some MEPs succumbed to the lure of money. At that point, the European Parliament, not unlike the police chief in the film *Casablanca*, professed itself to be shocked – shocked! – to discover that corrupt lobbying had been taking place under its very nose.

This register bears all the hallmarks of the stable door being shut long after the horse has gone. The register will change little; the lobbyists will always get through. A voluntary system of registration was introduced; it was quite ineffectual. Now some light will shine on what is going on, but most of this will be thrust back into the murky depths of the stagnant pond; it will be business as usual.

As usual, the law-abiding will bear the brunt of the red tape, and wrongdoers will just find a way of carrying on. While taxpayers' money sloshes around Brussels in the quantities that it does, there will always be unscrupulous lobbyists, just as where there is carrion, there are always vultures.

(The speaker agreed to take a blue-card question under Rule 149(8))

IN THE CHAIR: LIBOR ROUČEK*Vice-President*

Gerald Häfner (Verts/ALE). – (DE) Mr President, Mr Agnew, while I am all in favour of a well-managed exchange during debates, I am less pleased when matters are presented in a false way. For that reason, I would ask you to please correct your last statement. You have just claimed that Parliament is simply debating the question of a transparency register because a number of British newspapers recently brought a particular story to public attention. I would therefore ask you to explain to Parliament and to the public at large that we began discussing this issue some time ago and that this transparency register had already been agreed upon before the story you are referring to even happened.

John Stuart Agnew (EFD). – Mr President, this appears to be the catalyst which started the whole thing off. I do not want any British MEPs to be here anyway. I do not see why we should have to put up with foreign institutions like this running our affairs. The further we go to the south and east, the worse the culture of corruption becomes. I do not like it, and I do not want my country to have any part in it.

Andreas Mölzer (NI). – (DE) Mr President, we are all aware that not just the European Parliament, but also the European Union as a whole is suffering from a huge credibility problem. I am sure this is something Mr Häfner will not want to hear, however, although Parliament has finally reached agreement on this transparency register, no doubt bowing to pressure because of the recent lobbying scandal, in my opinion, this register will lack teeth.

I believe that a voluntary register is simply a sham and will not offer greater transparency or bring us to a point where the Council of Ministers will be prepared to get involved, so we do not even have all the key legislative bodies on board. Even if the Council were to come on board, a whole host of loopholes would still exist. Apparently there are hundreds of expert groups who work on the official papers published by the Commission, however the identity of the members of these advisory bodies that meet behind closed doors remains a closely-guarded secret.

In my opinion, we need a record not only of all work undertaken for business or for international concerns, but also all paid lobbying for interest groups such as professional organisations and trade unions. Our citizens have a right to expect genuine transparency here, too.

Marietta Giannakou (PPE). – (EL) Mr President, congratulations to Mr Casini on his report, which is absolutely right. Of course, the question of transparency touches on the dignity of parliamentarians, of that there can be no doubt. However, the more such measures we take, the better we promote transparency and functional relations between the institutions of the Union and our social partners and interest groups.

The new register, as proposed, safeguards transparency across the broad spectrum of institutional contacts and concentrates representatives of special interests, representatives of civil society and representatives of the public authorities in separate chapters, thereby distinguishing between the different roles of interest groups and official institutional spokesmen.

The invitation to register safeguards the very identity of interest groups and lobbyists, by recognising them independently and positioning them so that they can speak directly and immediately with the EU institutions.

Following the ratification of the Treaty of Lisbon, the powers of the European Parliament have been enhanced and this is attracting increasing numbers of representatives asking for intervention.

To close, the Transparency Register mainly serves transparency and democratic, pluralistic interaction between the social partners, the citizens who gave parliamentarians a mandate and the EU institutions. It goes without saying that all EU institutions and senior officers must have a place in any such Transparency Register.

Enrique Guerrero Salom (S&D). – (ES) Mr President, I should like to thank Mr Casini for the reports on this transparency register.

We are living through a crisis on an extraordinary scale, which has been with us for a long time and threatens to stay even longer. A crisis like this worsens the public's living conditions and lowers their expectations for the future.

When economic crises prevent us from legitimising politics with the positive results we offer the public, we must contribute to this legitimisation with our scrupulous respect for the political values that we advocate: austerity, honesty, closeness to the public, and transparency.

This register is a step toward transparency, but just a step. I am with my fellow Members who have stressed the need for this register to be obligatory, for it to incorporate the Council, and for it to include harsher penalties when irregular behaviour is detected.

Alexandra Thein (ALDE). – (DE) Mr President, ladies and gentlemen, it will be an important step in the right direction when we vote on the transparency register tomorrow, but no doubt this will not be the last word on the matter. Firstly, I am pleased that we have chosen a new name for the lobby register of the European Parliament, which dates back to 1996 and which is now to be known as the transparency register. I find it regrettable to see who will be required to register in order to obtain a one-year building pass – the list includes public institutions and bodies. As I have stated before, I can understand why it is necessary for a law society to register, but I find it harder to understand why public bodies which have never been active on a party-political level, and never will be, are also required to register.

In the final analysis, irrespective of all the transparency achieved, it all comes down to the moral compass of each Member of this House, as this dictates what he thinks is right, whom he meets and whom he decides not to meet, whom he listens to and whom he decides not to listen to. After all, people also contact us using many other different communication channels.

Hans-Peter Martin (NI). – (DE) Mr President, obeying your moral compass can be a tricky business. I think it is all a matter of the independence of the Members of this House. Of course lobbying becomes a problem if someone tries to change your convictions, using whatever arguments they can, particularly if these arguments are dishonest.

The fact is that even now the lobby register only covers 2 800 of the 20 000 lobbyists in Brussels. The fact is also that here in this House we have far too few opportunities to develop sufficiently qualified expertise; this could be changed quickly by redirecting funding and

this is something I would very much support. This transparency register may be just a small victory, however it can be seen as a move in the same direction as Washington D.C., where the Lobbying Act on Disclosure has existed for some time. This works better than anything we have here.

For my part, I believe that we should not only introduce the concept of a legislative footprint as soon as possible, but also a legislative fingerprint, in other words we should go public on all lobbyists with whom we come in contact and what our business is with them. I would invite you to take a look at my website, where I have set up a lobby ticker that registers every lobbyist contact, irrespective of whether or not I am currently working on a legislative initiative.

Seán Kelly (PPE). – (GA) Mr President, this report is important as it goes to the heart of the work we are doing in Parliament: preparing and implementing rules and laws.

As Mr Cassini said, the term ‘lobbyist’ is somewhat unfortunate because it creates the impression of privilege or corruption or both, whereas in reality these are experts in their field who help to inform us of the intricacies and the nuances of the various pieces of legislation that we are proposing.

I myself am at this point involved in an opinion on data protection and the number of groups that have come to me with their views amazes me. I would like, if I were compelled to have a register, to record those who came to me as well, because in that way, we could have true transparency. A register of lobbyists officially, but also a record of those who lobbied us. That would create true transparency, greater credibility and ultimately greater trust.

Stavros Lambrinidis (S&D). – Mr President, it has often been said that our citizens are unaware of the greater powers that this Parliament has had since Lisbon. This may be true, and it is very unfortunate, because, rest assured, lobbyists – or those pretending to be lobbyists, as proven recently – are very much aware of the powers of this Parliament. We co-decide on almost all major legislation in the EU, and that is a good thing, because we represent the people of the EU. We are the only body directly elected by them.

Now, although this is, and will remain, one of the most transparent institutions in the Union, I still believe that with greater power comes greater responsibility, and this is precisely what we must strive to achieve in the months to come. The agreement today with the Commission is not bad, but lobbyists must be obliged to put their names and their real interests in a register. And this is what this Parliament is already demanding of lobbyists coming here to us. I hope that the other institutions will follow suit.

I close by saying the following. As you mentioned, I am a co-chair of this working group that we have in place. I cannot say much about what we are discussing in detail. I can assure you, however, that we will ensure that the rules of conduct for this Parliament will be some of the most transparent and will be rules which can make our citizens and ourselves proud of being members of this extraordinary institution.

Monika Flašíková Beňová (S&D). – (SK) Mr President, I would like to start by applauding the fact that the submitted agreement will improve the situation in the area of EU transparency, but to be honest, it is still far from ideal.

However, it is good that lobbyists now have a greater incentive to join the register, as otherwise they will not get into the European Parliament. There is also improved access

to information concerning lobbyists, including their names, and we should also applaud the fact that lobbyists who fail to comply with the rules will face various penalties, for example they may be excluded from the register, which will mean they are blacklisted. The question is whether these measures are enough. For example, I cannot agree that registration is *de facto* mandatory when only registered lobbyists have access to Parliament. In the interests of greater transparency it is essential for registration in fact to be *de jure* mandatory, and I hope we will achieve this in the current parliamentary term. We also need to improve the rules on the submission of reports by firms of lobbyists regarding their outlays on lobbying activities. The current setup allows lobbyists to report far less than they have really spent. It is equally important to have transparency over the financial sources from which lobbyists and consultancy firms draw their revenue.

I would like to end by adding that I would very much appreciate it if Members would not confuse the topic of the 'transparency register' with that of the 'code of conduct', as it is a completely different issue. Members who have fallen victim in some way – even if through their own fault – to fictional lobbying agencies, should not be motivated in such a way when establishing the rules of the 'transparency register'.

Marita Ulvskog (S&D). – (SV) Mr President, a great deal has already been said, but it is worth repeating. It is good that we have now finally agreed on a lobbyists register. Many of us have been fighting for this for a long time. However, it is still a very cautious proposal. I nevertheless choose to see it as a first step that can be developed into a broad principle of public access in all of the EU's institutions. The comments from the Council and from Commissioner Šefčovič today are very positive.

The principle of disclosure and transparency is one of the few truly effective instruments for minimising the risks of infringements and fraud. It is also an important way of increasing confidence in those of us operating in this political system and in politics in general. The next steps should be for all institutions to be included, for the register to be made mandatory and, like the approach taken in some Scandinavian countries, for this to be supplemented by a form of informant protection for whistleblowers, who are also extremely important for openness and transparency. Thank you.

Miroslav Mikolášik (PPE). – (SK) Mr President, I welcome and fully support the establishment of a transparency register and a list of lobbyists intended both for organisations and for the independent lobbyists who participate in the creation and implementation of EU policy, because a tightening up of standards aimed at securing the stability and integrity of EU public administration and strengthening institutional regulations is a guarantee of the democratic functioning of the EU. On the other hand, the register must not, of course, prevent Members from fulfilling their duties arising from their mandate and meeting their constituents or representatives of public bodies on behalf of Member States at the European Parliament. There must, however, be clear rules applying to representatives of special interest groups, in order to ensure open, transparent and proper dialogue with those who seek to participate in some way in the creation of EU law and to influence that process.

Michael Cashman (S&D). – Mr President, I speak as the rapporteur on the public Access to Documents Regulation No 1049/2001 and, in the spirit of the openness and transparency enshrined within that regulation, I welcome this agreement. It is another step in the right direction because openness and transparency are at the heart of the democratic decision-making process and we should be made aware of all of those who influence and

sometimes have an undue influence on policy, procedures and outcomes. However, we need to do more work, we need to ensure that the transparency and integrity of the work of lobbyists at the EU level is of the highest. Furthermore, we need to make the new register operational as quickly as possible and, as soon as the register is operational, all persons and organisations falling into its scope should provide correct, up-to-date information so we can see who is influencing what.

Finally, let me quote Jana Mittermaier of Transparency International: 'The new register will be a test of the commitment of all parties involved in lobbying to greater openness.' You could not say it more succinctly.

Izaskun Bilbao Barandica (ALDE). – (ES) Mr President, I should like to say that the 21st century is the century of the Web, the century of WikiLeaks and the century of institutional openness. That means transparency and public participation, and we must be partly responsible for constructing our decisions.

We must decide together. Our work must therefore be proactive in nature. We cannot simply wait for lobbies and interest groups to pressure us: we must make the effort to get close to the public; to listen to them. I therefore believe that the transparency register and fingerprinting algorithms will be effective, and, far from limiting and causing fear, they are an opportunity to improve our reports and gauge our results.

I believe that this is the only way we can move toward becoming a modern parliament. I have been in charge of one report and in the explanatory statement I listed all the agents with whom I worked, because it is a way of working and an attitude that we should clearly separate from all the irresponsible acts we have seen in the past.

Isabelle Durant (Verts/ALE). – (FR) Mr President, I too would like to express my satisfaction at this text, which I will be pleased to vote for tomorrow. I would simply like to point out that the recent scandals we have witnessed are attempts at bribery, and nothing else. While this is a serious matter, these are recent developments. We began our work long before these recent, serious developments, which are covered in another piece of work. They are isolated cases, and a good job too.

Nevertheless, we can see that a number of groups are employing considerable resources and are doing all they can to influence decision making as much as possible. This register is therefore a step in the right direction. I contributed to its development and I am also extremely satisfied with the work that has been done.

However, further steps must be taken. This register must become a dynamic instrument and one which is assessed on an annual basis. It should be anything but rigid. In fact, I think that developments in technology and in the means employed by lobbyists will force us to continually review the instrument in order to ensure its effectiveness and to identify, through a directive, who is performing lobbying activities, for how much money and in what way. I am also entirely in favour of ecological footprints – I mean legislative footprints – which publishing the number of lobbyists and the names of the people they met in the reports could provide, and I am in favour of being able to find out exactly who said what and who influenced whom.

Finally, publishing the register is one thing, explaining how it works is quite another. Citizens also need to be given the means to consult these registers so that they can make meaningful use of the information when trying to understand how we make decisions. That is why our group will vote unreservedly in favour of this text.

Franz Obermayr (NI). – (DE) Mr President, lobbying is a central instrument for the involvement of citizens in political life, which is why it is important to prevent its misuse. That is why there is an urgent need for a transparency register for all institutions, not just Parliament and the Commission, but also for the Council, after all that is where the real decisions are made. To restate the point, registration must be mandatory, not just for access to Parliament, after all lobbyists certainly do not just seek out their contacts in the Parliament building itself, but also, more often than not in restaurants, at cocktail receptions or in the gym.

I would also like to say a word about transparency in relation to the political parties. Even if these are one-man parties and act as a one-man operation, seeking to portray themselves as whiter than white, these parties and persons must demonstrate the requisite level of transparency. They must ensure transparency in relation to their assets, their claims on the public purse and the reimbursement of campaign costs, in other words in relation to the actual moneys they have received from public bodies in their own countries during their election campaigns. These costs should be documented in a transparent manner.

Janusz Władysław Zemke (S&D). – (PL) Mr President, thank you very much for the opportunity to take the floor. In common with the majority of those in this Chamber, I agree that a register will represent progress in terms of the transparency of the legislative procedure, but in my opinion this is only a first step. We should give serious consideration to other steps and solutions.

As I see it, what is most important is the question of what MEPs are allowed to do. Are MEPs only allowed to work in a professional capacity here in Parliament, or are they also allowed to undertake other activities in addition to their work in Parliament? I personally believe that these other activities should be very narrowly defined, and should be limited to scientific work and publications. Any other activities on various boards will always provoke questions and doubts.

Lena Ek (ALDE). – (SV) Mr President, the Treaty of Lisbon has granted increased powers to the European Parliament and with this also comes an increase in responsibility. Transparency in our work is therefore extremely important in view of the fact that our work involves legislation for 500 million people and often very large sums of money.

The register for lobbyists that has now been decided on in the compromise is, of course, very worthwhile, and I hope that we can go further by providing informant protection for whistleblowers. I also hope that we can go further and ensure that the information in the register for financial contingent liabilities or ownership becomes mandatory rather than voluntary, as it is at the moment. I hope, too, that we will have a debate on what subsidiary activities are appropriate from an ethical point of view when we have a job to do as Members of the European Parliament.

I welcome the compromise and see it as a way forward, but there are many more steps to take on this road to transparency, openness and greater democratic trust. Thank you.

Maroš Šefčovič, Vice-President of the Commission. – Mr President, I think Mr Weber rightly said that the transparency register being jointly managed is something to be proud of because, with the exception of the United States or Canada, I do not know of any other place outside the European Union where such a lobbies' register with such parameters as we are going to establish is functioning. Here I am also referring to Member State capitals.

The question that was raised by several speakers, the first being Mr Groote and then Mr Häfner, concerned the mandatory register. We, in the working group, are discussing this issue at great length. The problem is that currently we do not see the legal basis that allows us to oblige companies, citizens or interest representatives to register in order to exercise their profession.

We, as an EU administration, cannot refuse to deal with such an entity or entities on this basis. Therefore we have been looking for ways in which we can turn to the positive motivation of companies, organisations and lobbies to register. I think we achieved a lot because, with the agreement of Parliament, we are actually turning this system into a mandatory one. With our joint actions, together with the Council, we will increase the reputation and pressure so much that we will see in the next two years how this is to work and it will give us additional experience to have a high-quality review and we will see how we can improve the working of the system further.

The calls for appropriate verification as regards financing the activities of those who register: here I can assure you that the Commission is already performing random checks on all the registrants that are already in the register and I am sure that these activities will even increase once we manage the register jointly. All those who are in the register should be sure that if there is something inappropriate we will find it, we will criticise it, try to correct it and we will not be afraid to shame those responsible.

I was very glad – I am coming back to this because several speakers referred to the importance it – that all three institutions are progressing in this work. I am sure that after this very important opening by the Hungarian Presidency, we will not waste a minute and we will try to start the interinstitutional talks with the Council as soon as possible so we can find, I am sure, a very accommodating manner in which to manage the register together, the three institutions working on this issue with the same goal of increased transparency of European Union legislation.

The last point that was raised by several speakers and described by Mr Casini: the transparency register is definitely not a silver bullet or a magical solution to fight corruption. We know very well that high moral standards, ethics, dignity and clear rules are key. But it would certainly serve as a very good instrument and good indicator that those who register are prepared to respect the rules and be transparent, that they have nothing to hide and – this should be the key indicator for all of us – that they should be real partners to work with us and exchange information with us and that they have trust in our future communication.

Enikő Győri, *President-in-Office of the Council*. – (HU) Mr President, Commissioner, ladies and gentlemen, please allow me to welcome, as a representative of a Member State which has had an act providing for lobbying since 2006, today's debate and the fact that Parliament and the Commission are able to agree in the issue of the transparency register.

Transparency has always been a very important issue for the Council. I am very happy to see that while we did not manage to achieve progress in 2008 and 2009, we now made a breakthrough during the Hungarian Presidency in that the Council is prepared to monitor processes, and inasmuch as it is able, will participate in this activity – we will see to what extent, negotiations are still to follow.

So we are ready for negotiations concerning our contribution and, as I indicated in my introductory speech, we think that we would affirm this intention in a political declaration

to be issued in June. So this does not mean that we would accede to the interinstitutional agreement.

The reason why Member States can accept this formula at the moment – which, I must emphasise once again, is a significant progress compared to the previous years – is that lobby organisations do not approach the Council as a European institution, there have been very sporadic examples for that. The targets of lobbying activities are rather the Member States, the governments of Member States, and governmental agencies. So the Council is not exposed to lobbying to the extent the Commission or the European Parliament is.

Mr President, Commissioner, ladies and gentlemen, I hope cooperation will be efficient, and we will be able to make this political declaration after these negotiations.

Carlo Casini, *rapporteur*. – (IT) Mr President, ladies and gentlemen, I would like to clarify a few things. I too would like to strongly emphasise that this agreement was concluded long before the outbreak of the episode with the British journalists. Unfortunately, this is one way in which false information is spread through the media. For example, a major Italian newspaper, the *Corriere della Sera*, has today poked fun at Europe by saying that we acted too late and only after these events with journalists. This is not true. It unjustly encourages distrust of Europe.

The agreement had been reached long beforehand. If anything, this discussion has arisen with some delay because, once the scandal had exploded, we wondered if we could attempt to further strengthen the agreement. The text has, however, remained the unchanged. That is the first clarification.

The second concerns the question of obligation. The register is already mandatory. Those who want to lobby must enrol themselves in the register. I cannot understand what ‘obligatory’ means: it cannot mean that all companies, all enterprises or all citizens must be entered in this register. That is not possible. If anything, it is up to individual MEPs, who, when approached by someone who wants to exert pressure on them, must invite them to register before making contact.

The third point refers to possible future amendments. There is a working group for this purpose, which I think needs to have as much room for manoeuvre as possible. I agree that we should identify the lobbyists encountered during the course of the negotiations but I do not know if this task belongs only to the rapporteur or whether it should be extended to the President. We grant the working group the freedom to submit any necessary recommendations.

Finally, I too wish to thank both Mr Šešćovič, who has made a huge contribution to the implementation of this agreement, and the representative of the Hungarian Government, for, among other things, the assurance given about the Council joining the agreement in short order, which without doubt has its own uncertainties seeing as the Council certainly represents the second chamber in this case. If the Council is also equipped with the register, this would therefore underline more effectively that the structure of Europe is made up of a government – the Commission – and a legislative body, consisting both of representatives of citizens and of states.

However, I realise that there are still questions to be answered, since the Council of Ministers represents the states. I am, however, confident that we will come to a positive conclusion.

President. – The debate is closed.

The vote will take place on Wednesday, 11 May 2011.

Written statements (Rule 149)

Zita Gurmai (S&D) , *in writing.* – We always pride ourselves on being the most open among the European institutions. However, the recent past has demonstrated that, no matter the advantages this provides, the system has its drawbacks, too. We all know how European citizens have lost and keep losing their confidence in Europe and, let us be honest, in us MEPs. An important way of regaining this trust is being open about what we do and what influences shape our work. The joint transparency register that we are to adopt today by voting yes to the two reports on the table is a great first step in this direction. It is a ‘first step’ as this will not solve all our problems. Even if it would be difficult to do it now, in the future we shall move towards mandatory registration for lobbyists. I would also like to underline that such a register does not replace our individual efforts for transparency and the need for rethinking our work in this regard.

Olga Sehnalová (S&D) , *in writing.* – (CS) I welcome the common transparency register of the Commission and the European Parliament, at least in this form. However, it should be just one of a series of essential steps towards greater transparency in the legislative process, which should apply to all three European institutions. The European Parliament is clearly willing to hold a serious debate on lobbying and the rules for lobbying. This will also set an example to those Member States that have yet to take such a step. I believe that the transparency register will also contribute towards the greater credibility of the political environment. Its actual impact, however, will depend mainly on the willingness of everyone involved to respect the more stringent rules.

Marianne Thyssen (PPE) , *in writing.* – (NL) I can only applaud the fact that the Commission and Parliament are pulling together to create a common ‘transparency register’ for lobbyists, think tanks and other interest organisations. After all, for every dossier on our agenda, we need to be able to make enquiries of various interest groups and to do so completely openly. There is nothing wrong, by the way, with organisations defending their own interests, as long as this takes place in an open and balanced fashion. The principle of ‘legislative footprint’, whereby rapporteurs have to state with whom they have been in contact in the process of drafting their proposals, is a good policy. I have actually already addressed this in my report on toy safety. Clear arrangements to make this principle generally applicable will enhance transparency. This is also a suitable instrument to bust the myths about lobbying which are circulating amongst the general public, whose common interest we, as members of the European Parliament, are promoting. The fact that the Council, also, eventually expressed its willingness to join this register means that we are going to have a unique register for all EU lobbyists, which is something that we, together with the European Parliament, have been working towards for years. I therefore support this approach.

17. Nuclear safety 25 years after the Chernobyl disaster (debate)

President. – The next item is the debate on the oral question to the Commission on nuclear safety 25 years after the Chernobyl disaster by Bogusław Sonik, on behalf of the Committee on the Environment, Public Health and Food Safety (O-000109/2011 – B7-0312/2011).

Bogusław Sonik, *author.* – (PL) Mr President, I would like to say how happy I am that this sitting of the European Parliament is commemorating the victims and all those injured by the Chernobyl disaster, which was the greatest nuclear disaster in history. Particularly in the light of recent events in Japan, this anniversary has become a tragic reason for assessments and considerations regarding nuclear safety. The Chernobyl tragedy also revealed the powerlessness and thoughtlessness of the then Communist authorities in Ukraine, which tried to conceal from the world the disaster and its scale.

Let us remind ourselves of just a few facts, which give some indication of the scale, extent and dimensions of the tragedy. The explosion of the reactor at the Chernobyl nuclear power plant resulted in the contamination of around 100 000 km² of land, of which 70% was in Belarus. Radioactive substances also reached Scandinavia and Central Europe, including Poland, as well as Greece and Italy in Southern Europe. Around 115 000 people were evacuated from the areas in the vicinity of the reactor, and around 220 000 people were relocated from Belarus, the Russian Federation and Ukraine after 1986.

It is very hard to assess the ravages wreaked by the disaster, both in terms of health and the environment. Specialists are still unable to determine the number of deaths caused by the disaster. According to the World Health Organisation, the number of those killed by cancers caused by contamination following the explosion in the nuclear power plant may be as many as 9000. Other sources estimate that around 200 000 people have already died from radiation-related diseases, and that a further 100 000 people may die from cancers caused by the Chernobyl disaster in future. According to the latest research, the residents of at least two Ukrainian districts are still eating contaminated food.

Let us not forget that the European Union, which set up the Chernobyl Shelter Fund, has contributed most in financial terms in the fight to mitigate the effects of the Chernobyl disaster. On the 25th anniversary of the disaster, the European Commission announced that EUR 110 million would be allocated to stabilising the situation and protecting the environment around the Chernobyl nuclear power plant.

In this context, we cannot forget that the question of how to approach nuclear safety is relevant across all borders around the world, and should therefore be considered in a spirit of solidarity and cross-border responsibility. Therefore I would both ask and call upon the European Commission to conduct long-term and comprehensive research into the health-related consequences of the Chernobyl disaster. Is the Commission prepared to undertake and support long-term research, over a human lifespan, into the effects of the Chernobyl disaster for the health of Europeans in all areas which suffered from nuclear fallout? Does the European Commission have any data regarding environmental contamination in the areas most affected by the explosion? On the anniversary of the disaster, is the Commission going to encourage governments to commit publicly to providing new funding for the fight to mitigate the effects of this nuclear disaster?

In view of the number of nuclear power stations on the territory of the European Union and the current level of coordination within the European Union, what possible scenarios is the Commission aware of regarding the effects of a serious nuclear accident in a power station for the populations resident in the individual Member States? Does the European Commission have any plans to coordinate the national positions in the event of a nuclear disaster? Nuclear disasters always come as a surprise, and always have international and global consequences. It is therefore better to have prepared a set of necessary responses in advance, which will make it possible to minimise the risk and avoid further disasters.

Günther Oettinger, *Member of the Commission.* – (DE) Mr President, honourable Members, in the 25 years since the nuclear accident in Chernobyl, the Commission has played a significant role in worldwide efforts to alleviate the consequences of the tragedy. The size of the task meant that a united effort was required. That is why the Commission cooperated with partners in the Member States, the G7 and Ukraine itself to ensure that the area can be stabilised in an orderly manner and secured in an environmentally appropriate way.

The EU took an active approach in mobilising more resources from the international community to enable outstanding work at the Chernobyl site to be completed and we are continuing our efforts in this direction with our own contribution. The Commission is the biggest contributor to the Chernobyl Shelter Fund and we promised a further EUR 110 million from our budget at the donor conference held in Kiev last April, which brought together pledges of a further EUR 550 million.

We have been busy on the diplomatic front and have also persuaded 32 countries, including 13 new donors, to commit to the fund. We intend continuing our activities among other donors, including the European Bank for Reconstruction and Development, so as to secure the financial resources still required to complete all projects by 2015. We are also working with the government in Ukraine to ensure that the plan to shelter the Chernobyl reactor core can be completed. This involves encasing the damaged reactor block IV with new protective cladding and the necessary steps to close down the other reactor blocks. All work should be completed by 2015.

Next we turn to the research projects under the aegis of the Euratom framework programme relating to the consequences of the accident and how these are to be overcome. At present, research into low doses of radiation is the subject of a large-scale initiative as part of a joint programme planned by the European MELODI platform.

As part of the mechanism for cooperation in the area of nuclear safety, we are considering a project aimed at helping the most significantly affected population groups around the Chernobyl exclusion zone. It is our intention to deal with the links between health and nutrition in greater depth. If it proves useful to carry out targeted activities in evaluating the consequences for human health in all areas affected by the fallout from Chernobyl, the Commission is ready to take action and to transfer responsibility for the coordination of the appropriate measures to the EU's Health Security Committee.

Another of the Commission's responsibilities is the combating of environmental contamination. After the accident, we contributed to joint research projects with the Commonwealth of Independent States in supporting the gathering of extensive data and the designing of strategies for disaster management in the nuclear sector and in the relevant areas in Belarus, Russia and Ukraine. We gathered data on the release of radioactive caesium throughout the EU following the accident. This was published in the form of an atlas in 1998, produced in cooperation with Ukraine, Russia and Belarus.

At present, under the aegis of the 7th Euratom framework programme, we are supporting a network of excellence in radio ecology in order to finance integration, networking and scientific excellence in the interests of radiation protection for human beings and the environment.

When it comes to civil protection, for the last nine years we have been fostering cooperation between the Member States in the area of civil protection exercises. These exercises also involve participants from third countries. Three exercises co-financed with funds from

our financial instrument for civil protection had a radiological component, namely TORCH, which dealt with an accident resulting in mass fatalities and its simulation, CREMEX, which involved a mass contamination in the form of a dirty bomb, and SISMICAEX, implemented one year ago, which dealt with a nuclear accident caused by an earthquake.

In the coming years we shall continue to provide aid in a spirit of European solidarity, doing all we can to reduce the damage and to avoid further damage from Chernobyl.

Herbert Reul, *on behalf of the PPE Group.* – (DE) Mr President, Mr Oettinger, ladies and gentlemen, I believe that it is always good to take stock of activities, which is why I am grateful to the Commission for having explained so clearly everything that Europe has done since the disaster, both immediately, in the medium to long term, and right up to the present.

Irrespective of how we view the problem, it is worthwhile pointing out that these damage limitation measures could never have taken place on this scale without the involvement of the European Union. I also find it very helpful to know that the Commission did not just provide immediate direct aid, but on behalf of Europe as a whole has also dealt intensively with the question of what conclusions are to be drawn from the disaster in terms of civil protection measures, information exchange systems, as well as research and related studies. I am not entirely convinced that it is absolutely necessary to come up with new studies. It may be that we need to evaluate the material already available to us to see whether it is sufficient for our needs. I believe that this will become clear during the course of a differentiated debate. Sometimes having access to a huge amount of information is no guarantee that meaningful progress will be made.

I would like to express my thanks and to say that the Commission and Europe as a whole can be pleased with what they have achieved in this case. They have demonstrated that these institutions are not just a talking shop, but also a source of practical aid.

Jo Leinen, *on behalf of the S&D Group.* – (DE) Mr President, Mr Oettinger, ladies and gentlemen, I would like to thank Mr Sonik for triggering this debate and for preparing the oral question.

I agree that we should never forget the Chernobyl disaster. We are well aware that the long-term consequences of the catastrophe are still being experienced a full quarter century later. There is still a large uninhabitable area, so that people can no longer return to their homes. Then there is the long-term impact on health. Television has shown us that women still suffer miscarriages 25 years after the disaster.

Europe shares some of the responsibility because the issue of nuclear safety is not a matter of national sovereignty, but rather one of European responsibility. On this densely populated continent, every nuclear power plant has consequences for neighbouring countries. It is for this reason, Mr Oettinger, that you have particular responsibility for ensuring that we get to grips with this topic, especially in the light of what has happened in Fukushima. Later on we are going to talk with you about the stress tests, in other words the safety analyses for the 143 nuclear power plants. I would encourage you to stick to your principles. We want the highest possible safety standard in Europe, not just investigations into natural disasters. Accordingly we must also investigate other risks, such as plane crashes, terrorist attacks, computer attacks, in other words this combination of attacks on nuclear power plants; what is more, you must guarantee that this does not become simply a token gesture.

There is still a great deal to be done in Chernobyl. The sarcophagus is not yet safe, which is why new financial resources are required to put this in order. I have not yet heard any plans for what to do with the nuclear waste lying about the site; the disposal of this material is not yet assured. Accordingly I believe, Mr Reul, that research studies are necessary because we do not have enough experience with the long-term effects of radiation. I would encourage the Commission to put such studies in motion.

In the final analysis, the safest option is the nuclear exit strategy. As we continue to cooperate with the affected countries, my greatest wish is that we should establish workshops for future technology there, and provide advice on how to save energy and develop alternative energy sources. This is precisely what is needed 25 years after Chernobyl.

(The speaker agrees to take a question in accordance with Rule 149(8) of the Rules of Procedure.)

Paul Rübzig (PPE). – (DE) Mr President, I would like to thank Mr Leinen. He referred to stress tests. What I would like to know is: the stress tests must have a consequence. Do you think it would be possible to establish a permanent European regulator for this area who would be responsible for dealing with these issues and who would have the power to remove dangerous nuclear power stations from the grid?

Jo Leinen (S&D). – (DE) Mr President, I would like to thank Mr Rübzig for his question. The aim must be to establish a European competence for monitoring nuclear power stations. If an issue has an impact that goes beyond national borders, then this involves a European dimension, which also requires a European competence. Mr Oettinger, we do not yet have this competence, however you must do all you can to ensure that we are given the basis to monitor nuclear plants independently and objectively from a European perspective, enabling us to draw our own conclusions when weaknesses are pinpointed. If the stress test shows that a power plant is unsafe, then it must be shut down or, if possible, upgraded.

Antonyia Parvanova, *on behalf of the ALDE Group.* – Mr President, while the question of pursuing our energy strategy, with or without nuclear power, is now being debated in the Member States concerned, we should keep in mind that, whichever decision is taken, nuclear safety will remain a long-standing issue for several generations. We should obviously develop and enforce common standards on nuclear safety at international level since radioactive contamination knows no borders, as the Chernobyl disaster revealed and as is confirmed by what is still happening in Fukushima.

Twenty-five years after events in Chernobyl, we still need further assessment and research on past and current impacts of contamination of human health and the environment. We have to think about nuclear safety, not as a protection measure but as a long-term and encompassing strategy. We should also address the issue of nuclear waste. What has remained from Chernobyl is waste and this is a serious and threatening issue in the region. It is also becoming a European challenge for the future of nuclear energy. We need more research in this field and we need to guarantee the long-term safety of storage or disposal of these materials.

Whatever decision we take now, reversibility and retrievability are therefore required. I would welcome a clear position from the Commission on this matter.

Konrad Szymański, *on behalf of the ECR Group.* – (PL) Mr President, Chernobyl has been a point of reference for European policy for the 25 years since the tragic disaster. Sometimes this is entirely apposite, but sometimes it is devoid of any sense. Unlike the Soviet Union of 30 years ago, in the European Union we have very good legal instruments to enforce

our safety standards. They are among the highest standards in the world, and so it is an abuse of history to exploit Chernobyl today for the purposes of anti-nuclear propaganda based on sheer prejudice. There is another aspect to the reining in of the European nuclear sector, namely that it helps maintain our dependency on imports of fossil fuels from third countries.

There are also useful conclusions that can be drawn from Chernobyl. A whole series of Russian nuclear power stations, which are intended to export electricity to European Union Member States, are being planned along our eastern border. They are being constructed without any regard for EU safety standards. It would be worth the Commission taking steps to ensure that its standards are enforced not only in the EU itself, but also outside its borders, since the plants in the Kaliningrad Oblast and in Belarus are aimed at the European market. The only question is whether the Commission will have the power and the imagination to succeed in taking action in this field.

Rebecca Harms, *on behalf of the Verts/ALE Group.* – (DE) Mr President, Mr Oettinger, it is true that the European Union has already done a lot in relation to Chernobyl and its aftermath. Nonetheless, the question remains whether we have done enough, whether we can ever do enough and whether we always do the right thing.

In my opinion, there are still some major gaps that need to be filled in the area of the health issues arising from the fallout. The dispute relating to the continuously falsified figures from the International Atomic Energy Agency needs to be teased out. I believe that the European Union, whose territory is affected by roughly half of the fallout from the disaster – I use the present tense ‘is’ advisedly – must look to its own interests here. This is very important. The international consequences that we, as an international community, must suffer are by no means limited to the territory of the former Soviet Union, Belarus, Ukraine and Russia, because more than half of the fallout following the fire and explosion fell on the territory of the European continent. So, I would encourage you to examine the need for a new evaluation of the incident’s impact on health. Many former employees of the World Health Organisation would be pleased to find their work assessed in a different light.

My next concern is the local clear-up operation. The large new shelter is currently the subject of much debate. Why is it that we still do not have a risk analysis for Sarcophagus I? Why is it that we are unable to understand the problem that exists there? How can it be that a project of this magnitude is being managed without a transparent risk analysis? I also wonder how it is that we still have no explanation for why it has not been possible to remove and store the spent fuel rods from Chernobyl Reactors II and III, which were shut down correctly? I regard that as a huge problem.

My third point is that we in the European Union have been on the threshold of nuclear meltdown several times since Chernobyl and long before Fukushima. Forsmark is a good example of this, Paks is another, as is the Brunsbüttel nuclear power plant in Germany. The stress tests now proposed are incapable of describing the risk that faces us in the existing European nuclear power plants. For this reason I would ask you, Mr Oettinger, not to try to pull the wool over our eyes. You promised tough safety tests. What has been placed on the table so far cannot be taken seriously.

Sabine Wils, *on behalf of the GUE/NGL Group.* – (DE) Mr President, following the disaster of Chernobyl 25 years ago, new investigations by the Society for Radiation Protection show that to date 1.4 million people have died from the long-term consequences of the

nuclear meltdown. Even in Germany we feared for the safety of our children, as they were exposed to radioactive rain clouds and contaminated foodstuffs.

The EU must now take the right steps in responding to the Chernobyl and Fukushima disasters. The fears that the promised stress tests for all nuclear power plants would simply provide an excuse for the continued operation of reactors have unfortunately proven to be well-founded in the light of the stress criteria announced. Other nuclear facilities will not be examined. Any threats that could cost the nuclear industry too dearly, such as human error or plane crashes, are simply ignored, despite the fact that these are key when assessing the safety of the population.

We are calling for extensive, binding stress tests carried out by independent experts. However this can only be the first step on the way to a Europe-wide nuclear exit scenario.

Nick Griffin (NI). - Mr President, the explosion at Chernobyl was a disaster, but let us keep it in perspective: 64 people were killed by Chernobyl radiation over 23 years, and it caused an unknown proportion of 6000 cases of thyroid cancer. These are tragic figures but they pale into insignificance compared to the death toll on our roads. Yet, while no one is using road traffic accidents to campaign to ban the motor car, a small army of leftists is using Chernobyl to push for an end to nuclear power.

I do not doubt that they mean well but the road to hell is paved with good intentions. The same people meant well when they helped to create the biofuels rush, pushing the price of food beyond the reach of the world's poor. Tonight millions of children will go to bed slowly dying of hunger because people on that side of the House meant well: that is what the fuzzy ideals of the Utopian left do in the real world.

The impact of a nuclear ban would be even worse because the alternative to nuclear power is not wind farms and solar panels. In our energy-scarce, post-peak oil world, the alternative to reactors is mass starvation.

Radvilė Morkūnaitė-Mikulėnienė (PPE). - (LT) Mr President, the causes of the Chernobyl disaster include mistakes in project design and the failure to test the reactor in extreme conditions. The tragedy that took place in Japan a quarter of a century later has forced us to check the safety of existing nuclear facilities through stress tests. I have no doubt that nuclear power plants within the European Union will pass these tests or will at least carry them out.

However, when there are accidents in such facilities, damage to the environment and human health does not stop at the border. The whole of Europe learnt that lesson well 25 years ago. Therefore stress tests must be carried out, and not only at nuclear power plants within the European Union. Currently two power plants are planned close to the European Union's borders – in Belarus and the Kaliningrad region. Unfortunately, in these cases it seems too early to talk about any stress tests. There has not been a proper environmental impact assessment of these cases, not all questions have been answered and a system for rectifying environmental damage has yet to be established. Moreover, the Belarusian power plant is to be built on a site that experienced a seven-point earthquake, the biggest in Belarusian history.

Therefore the entire European Union, both the Commission and the Member States should act in solidarity to ensure that nuclear power plants planned in the European Union's neighbourhood are subject to the same stress tests as European Union power plants. They must also ensure that the project developers provide the international mediating

organisations, the IAEA and the Espoo Convention secretariat, with clear and substantiated responses as regards the choice of construction sites, environmental impact, reparations and evacuation plans. Only then can we be sure that we will not have to evacuate 100 000 people, this time within the territory of the European Union.

Zigmantas Balčytis (S&D). - (LT) Mr President, this discussion is very important, but long overdue, in my opinion. The nuclear accident in Chernobyl is still having disastrous effects on the populations of both Ukraine and neighbouring countries. The people of Lithuania are to this day paying for this accident with their health; its consequences will also be felt by future generations. Unfortunately, the accident in Fukushima has shown that, because of the material benefits, in 25 years the world has made absolutely no attempt to evaluate the nuclear threat objectively. For many years we were told that nuclear is the cleanest and safest form of energy, but as we can see, when there is an accident its consequences are disastrous, they will echo through the generations and the cost of these consequences is immeasurable. The issue of nuclear safety must be fundamentally reviewed. I welcome the fact that the Commission has initiated the implementation of stress tests at European Union nuclear power plants, but such checks must become systematic and continuous, not random, in order to reduce the chance of accidents as much as possible. From our experience of the banking crisis we have learnt that not one institution or sector can guarantee effective self-regulation or self-control. Commissioner, I therefore feel you will agree that it is necessary to set up a nuclear safety policy as a matter of urgency and to supervise its implementation.

We must have a European Union position as regards third countries which intend to build nuclear power plants right next to the European Union's external borders. We must know what actions will be taken if the nuclear power plants fail to comply with stress test requirements and many other issues.

Lena Ek (ALDE). - (SV) Mr President, people and rescue workers in and around Chernobyl suffered very badly as a result of the disaster, but the effects also reached areas much further away. Today, 25 years after the Chernobyl disaster, animals kept in open pasture in certain areas of Sweden still have to be tested and given alternative feed before they are slaughtered. This has affected the Sami people in particular.

After the disaster in Fukushima, many people in Europe are now concerned about nuclear power once again. It is therefore extremely important that the checking and assessment of the European reactors does not become a paper tiger, but that it really is a proper assessment.

Transparency is of the utmost importance, and I am therefore very concerned to hear that the United Kingdom does not want to report the results of stress tests and that France is not interested in ambitious stress tests. Commissioner, as well as technology and geography, you must also ensure that the safety culture and the structure of safety policies are included in the stress test when the proposal is put forward. Thank you.

Zbigniew Ziobro (ECR). - (PL) Mr President, twenty-five years after the nuclear accident in Chernobyl, we are becoming ever more aware of the tragic consequences of disasters in nuclear power stations, for human health and even life and for the environment as a whole. We have also become more aware of this following recent events in Fukushima. We know for certain that one of the main causes of the Chernobyl accident was the flawed design of the reactor. This begs the question of whether the European Union is monitoring what is

happening with the other reactors from the Soviet era; what steps is it taking to ensure that they are safe?

At present over 140 nuclear power stations are operating on the territory of the European Union, with over 190 on the European continent. I therefore support the decision to conduct stress tests of nuclear power stations on EU territory. These tests will not be mandatory, however, and there will be no consequences for those who fail to participate in them. What will be the outcome of these tests for nuclear power stations which do not pass them or which do not participate in them? There can be no doubt that we need to set high standards for nuclear power stations in order to ensure that they can gain greater public acceptance than to date, since they are unquestionably an important source of energy for Europe. We should also develop other possible sources of energy, such as shale gas for example, which provides many opportunities to obtain energy without expanding the nuclear energy sector unnecessarily.

Jean-Pierre Audy (PPE). – (FR) Mr President, Commissioner, ladies and gentlemen, I shall begin by commending the initiative taken by my colleague and friend, Bogusław Sonik, in tabling this oral question on nuclear safety 25 years after the Chernobyl disaster.

Chernobyl remains the worst civil nuclear disaster in history. It is crucial that we learn lessons from the successive disasters involving nuclear power. Allow me to present four to you.

Firstly, we must guarantee maximum levels of safety and security to citizens. The European Union must have the highest standards in the world and must exert an influence on international authorities so that, within the framework of global governance which has begun to emerge, people throughout the planet can be certain that the strictest possible safety criteria are being applied as scientific knowledge develops. All commercialisation of low-cost nuclear power plants must also be stopped.

Secondly, the public domain, and more specifically the European Union and its Member States, as well as nuclear industry operators, must adopt a behavioural ethic of total transparency in relation to nuclear activities. Citizens accept scientific risk to some extent, but only if it can be measured. Only a transparency ethic, attracting heavy penalties if breached, can dispel this concern.

Thirdly, all safety-related costs should be included in the energy production cost, and if we have to set money aside to cover all the costs, that is, if we have to make it compulsory to set this money aside, then we must introduce legislation establishing mandatory levels of capital.

Fourthly, we must monitor the training of nuclear engineers and speed up scientific research programmes, and on that note I would like to express my satisfaction that the Seventh Framework Programme of the European Atomic Energy Community (Euratom) has been extended into 2012 and 2013.

Daciana Octavia Sârbu (S&D). – (RO) Mr President, I am from Romania, a country which produces nuclear energy, whose population even now has fears and questions that remain unanswered about the long-term impact of the Chernobyl accident. I welcome this important discussion with the European Commission. I think that it is our duty to show our concern, particularly about the issue of measuring the impact of nuclear accidents on human health.

A group of experts funded by the European Commission recommended an international study should be conducted, which would investigate all the effects that the Chernobyl disaster has had on human health. The World Health Organisation would usually be the most suitable candidate to carry out this study. However, there is, in actual fact, a conflict between the World Health Organisation and the International Atomic Energy Agency, with the interests of the nuclear industry seeming to take priority over human health. An agreement signed between these organisations well over 50 years ago implies that the Agency can prevent the WHO from having access to information regarded as confidential, even if this information may be crucially important for monitoring and understanding the effects of nuclear accidents on human health. In other words, an organisation concerned with promoting nuclear technology bans the WHO from accessing information about the impact of this technology on human health.

Jacek Olgierd Kurski (ECR). – (PL) Mr President, two weeks ago, we marked the passing of a quarter of a century since the explosion in Chernobyl, the effects of which were tragic. I remember very clearly the days immediately following the tragedy, when the Communist regime in my country, Poland, concealed the truth about the disaster itself, and then about its scale, and thousands of people were forced to participate in the May Day marches with no regard for their health, only five days after the explosion, when a radioactive cloud covered a large part of Europe, including the north-east region of Poland, which is the electoral district I have the honour of representing in the European Parliament.

Appropriate safeguarding of the explosion site is still an unresolved issue. Work on a new shell was halted due to lack of funds, and EU aid is therefore essential in order to make it possible for the work to be completed. Yet let us not run away from atomic energy, which is an ideal tool for establishing energy independence in Europe. Further expansion in this respect is therefore unavoidable, as proven by the plans to construct further plants in Poland, Lithuania and Slovakia, and I therefore support the introduction of stress tests and safety assessments for nuclear power stations. The tests should be mandatory and carried out periodically. We should also actively support international cooperation on improving nuclear safety, and therefore similar stress tests should be carried out in nuclear power stations in Ukraine, on Russian territory and in the former Soviet states.

Elmar Brok (PPE). – (DE) Mr President, Mr Oettinger, like Fukushima, Chernobyl showed that, despite all the rules we may set down, the residual risk from human error needs to be measured and that, in this context, we must identify more clearly where the limits of nuclear energy lie, because obviously even the strictest regulations cannot eliminate this residual risk as a result of human error.

My second point relates to the lack of available information because of the Soviet system that existed at the time. This socialist system lies behind the misinformation and lack of information at the time, as well as the paucity of data available to us today. The Soviet centralist model is largely responsible for this misinformation. This energy source and the associated residual risk are only acceptable – even on a temporary basis – if they are associated with the necessary degree of openness.

Thirdly, we must recognise that many people – including some from my own constituency – are still helping to alleviate the consequences of the disaster by inviting children into their homes, as well as many other initiatives. The consequences of this catastrophe can still be seen in a generation that had not even been conceived at the time. Accordingly, we

can only take this residual risk into account to a limited extent and should understand that nuclear energy can only be a stop-gap technology.

Finally, Commissioner, I wish to encourage you in relation to the stress tests. We need European criteria and inspection standards that are not solely open to the arbitrary will of individual states. These stress tests must establish a situation whereby no data can be provided that cannot be verified subsequently. That is why I would urge you not to allow yourself to be manipulated by members of the Council of Ministers, but rather to set down clear, common, verifiable standards, so that these stress tests fulfil their purpose.

IN THE CHAIR: EDWARD McMILLAN-SCOTT

Vice-President

Krišjānis Kariņš (PPE). - (LV) Mr President, Commissioner, if someone lives on a road that is too loud, there is always the possibility of moving somewhere further away, perhaps just a couple of blocks distant. Unfortunately, as the Chernobyl incident 25 years ago and the Fukushima incident a few weeks ago remind us, when it comes to nuclear power plant accidents, this possibility of simply moving a few blocks further away does not exist. Nuclear safety is not a local issue. It is, in fact, a global issue.

Next door to Europe lie Russia and Belarus, which do not currently have the same high safety standards that we have in the European Union. However, we in Europe have nowhere where we can move to away from our neighbours. We have to ensure that our safety standards apply not only to Europe but also to Europe's neighbours, and, in fact, to the whole world. I therefore call upon you, Commissioner, not only to carry out these stress tests in Europe (and they must be carried out, and carried out strictly), but also to work to ensure that European standards and European stress tests apply also to our neighbours and to the whole world. In this connection, Europe has the chance to exercise influence on our direct neighbours and link energy purchases with the nuclear safety issue. Thank you for your attention.

Thomas Mann (PPE). - (DE) Mr President,

(Mr Mann begins to speak without a microphone.)

.... 1986 and the nuclear meltdown of an outdated nuclear power plant. Fearing the danger from radiation, we stayed at home as much as possible for weeks on end, only venturing outside when absolutely necessary.

A nuclear emergency was declared on 11 March of this year in the Fukushima nuclear power plant. Even in a high-tech country like Japan, the promised safety levels could not be even remotely achieved. The responsible politicians need to distance themselves from over-hasty solutions. Sustainability involves compulsory stringent stress tests that examine the impact on nuclear power plants of natural disasters, as well as accidents, terrorist attacks and human error.

My country stands accused of 'typical German angst' – quite unfairly in this case. We need to take the fears of our citizens seriously. Everything needs to be on the table, from different timetables and decommissioning scenarios to qualified moratoriums – without false time pressures, polemics or ideologies. The work of the German Ethics Commission should be a shining model for Europe.

Workers in nuclear power plants need special protection. The Committee on Employment and Social Affairs wants to expand the legal basis for the directive on disposal to the Treaty on the Functioning of the European Union. This would also include those workers who deal with radioactive waste and spent fuel rods. Stringent criteria must apply in the areas of training and occupational safety and thorough investigations are required.

On a final note, Mr President: we must never compromise on safety issues. This is true for the EU and for our neighbours, who must be persuaded of the importance of joint decision-making.

Lena Kolarska-Bobińska (PPE). - (PL) Mr President, Commissioner, while we commemorate the victims of the Chernobyl disaster today, our thoughts are also with the victims of Fukushima, and we are also considering the safety of our citizens in Europe. This is the subject of our debate. Public fears regarding nuclear energy have recently intensified greatly in Europe, something which emerges from all the opinion polls carried out in all the EU Member States, including my own country, Poland, where support for the construction of nuclear power stations has fallen by 10-15%. It is therefore extremely important that the criteria of the six-point tests announced in Budapest should be met, since this will ensure that people feel safer. Commissioner, you must not yield to the will of the Member States which are calling for the criteria to be relaxed. This is currently a subject of disagreement, and we would insist most emphatically that half-measures and relaxed criteria should not be agreed to, in view of either crises or normal human error. This is all the more true since the results of the tests should form a basis for the drafting of guidelines for the Member States which are only just starting to develop their nuclear programme.

We have discussed countries neighbouring Europe which have nuclear programmes. I think that these issues should be included in the Commission communication on the external dimension of the EU energy policy. We are talking about energy which is supplied to Europe, and which should be covered by EU policy, in the same way as gas or other sources of energy. At the same time, we must also work on the Europeanisation of energy policy.

Miroslav Mikolášik (PPE). - (SK) Mr President, we all still remember clearly the terrible disaster at the Chernobyl nuclear plant 25 years ago.

Hundreds of thousands of people lost their lives, and many bear the consequences of the radiation to this day in the form of disease and death through cancer. I am delighted that the European Parliament is addressing the question of nuclear safety today and that this is a key point, but another key point is that without nuclear energy we cannot, unfortunately, get by at all. This applies in Europe, in the United States and in China, but in China, the United States and India there are projects for new nuclear plants, as you will surely be aware, and I think it is an over-reaction to exclude nuclear power in Europe in the future. Another key point, of course, is public health and safety, and I am pleased that the planned stress tests, both in the EU and, as has been said here, also in Belarus, and in the future Ukraine and Russia, should be such as to make people in the EU safe.

Edit Herczog (S&D). - Mr President, I would like to speak about one issue only. Twenty-five years after Chernobyl, there is a need to rebuild the sarcophagus, but we see how difficult it is to gather the financial resources: how difficult it is to get the financial resources from those European Member States that are, at the same time, worrying very much about nuclear safety.

We have to make sure that the long-term commitment is there for as long as the long-term risk of the nuclear facility in Chernobyl remains. The public commitment needs to be not merely verbal, but also financial; and human resources are necessary too, to provide the skills required for the long term – for as long as Chernobyl remains unresolved. We may not realise at this stage what is required in terms of Member States' financial resources, but until we understand the problem we will continue, for the most part, to pay mere lip service to tackling it.

Michael Theurer (ALDE). – (DE) Mr President, Mr Oettinger, ladies and gentlemen, even 25 years down the road, Chernobyl continues to be a cause for concern. Fukushima will also be a source of anxiety for years to come. The debate surrounding these major accidents is a sign that nuclear technology has inherent risks that it may not be possible to control. This is leading to a rethink in energy policy. However, it is also evident that unilateral action by individual countries is a mistake. We need international strategies, or at least EU-wide strategies when it comes to safety. That is why I fully support the Commissioner for Energy, who has made a number of important proposals in this direction. I would call on everyone here to work together to produce common principles so that the existing nuclear reactors really are safe, so that power failures are not allowed to happen and so that earthquake safety and other risks can be better estimated. We should then take a pro-active approach in bringing these principles to the attention of the international bodies.

Satu Hassi (Verts/ALE). – (FI) Mr President, ladies and gentlemen, it has been 25 years since the Chernobyl disaster, but we do not have any comprehensive, systematic research into the catastrophe's effect on health. There are just separate, uncoordinated studies: for example, regarding the increased incidence of thyroid cancer in Ukraine and Belarus. This absence of comprehensive, followup studies is a disgrace, and I would ask the Commission to commit clearly to measures to carry out a comprehensive, international study of this kind.

The claim has been made in this debate that Chernobyl might only have led to the deaths of a few dozen people. The estimates for deaths at the other end of the scale are in the millions. This sort of confusion is possible precisely because there is no comprehensive research. Research of this kind would also improve the knowledge that mankind has about the effects of radiation on health.

Miloslav Ransdorf (GUE/NGL). – (CS) Mr President, in connection with the 25th anniversary of the Chernobyl disaster, I believe that gratitude should be expressed to two countries which the European Parliament is none too fond of. First Belarus, which suffered the same consequences of this disaster as did Ukraine, and which has been funding recovery from the aftermath of the disaster patiently and without any posturing. Much has been done, without the EU authorities paying much attention. Secondly, thanks are due to the government and people of the Republic of Cuba, which has taken many children whose parents died in the Chernobyl disaster for treatment in Cuba. They were given the best possible treatment and the best possible care at a time when the Republic of Cuba was in a very difficult economic situation.

Angelika Werthmann (NI). – (DE) Mr President, Commissioner, ladies and gentlemen, we are all well aware of the direct impact of Chernobyl. I have a question because, after all, our citizens expect us to learn lessons from such events. There is little doubt that the Commission is aware of the consequences of Chernobyl and now Fukushima for the population of Europe, whether in terms of health risks or the financial consequences. What

steps are being taken to protect the people of Europe in the event of a new accident? After all, undeniable risks exist here in Europe too – for example in connection with the Isar I power plant, which is the same type as Fukushima and which is in the flight path of Munich airport, or Krško, which is located in an area prone to earthquakes.

Seán Kelly (PPE). - Mr President, in my half-minute I would say two or three things: firstly, the victims of Chernobyl are thankfully not forgotten. In my own country, a great lady by the name of Adi Roche and her organisation have given tremendous support and will do so long into the future, because the effects of Chernobyl will still be felt. Secondly, the role of the Commission, as highlighted by the Commissioner, is praiseworthy; and, thirdly, the point made by Paul Rübzig that a new regulator should oversee the stress tests and any future power plants that are built would be very sensible.

Jaroslav Paška (EFD). – (SK) Mr President, the Chernobyl disaster showed us the importance of having a highly-developed information system. We know that the Soviet leadership concealed the effects of the damage to the nuclear reactor for a very long time, and this had grave consequences for the inhabitants of nearby countries. We should also be prepared for the eventuality that, just as in Chernobyl, the operator of the plant in Fukushima has made an attempt to conceal the damage and has tried to water down the information relating to these issues. From the perspective of providing protection in the event of a nuclear disaster, it is therefore very important to ensure that information is provided very quickly and efficiently, both to the public and to the experts, and that it is accurate. In Chernobyl the cause was human error, while in Fukushima it was the natural elements. We know how to prevent human error, we know how to train workers and we know how to provide good automatic protection, and we must strive to ensure that we provide such mechanisms in the future.

Günther Oettinger, *Member of the Commission.* – (DE) Mr President, honourable Members, with regard to Chernobyl, I am happy to promise that your proposals and demands in relation to the issue of research, as well as other areas, will be examined by us and incorporated in the next steps. Likewise, we shall do all we can to finance the necessary technical measures in full within the international community with the involvement of the European Union.

I would like to express my general thanks for a very constructive discussion, including the question of what is to follow in the wake of Fukushima. Following this sitting we are scheduled to meet with the coordinators of the responsible parliamentary committees, where I will explain how things now stand.

Firstly let me point out that the stress test is uncharted territory for us. You are well aware of this. There has never been an inspection process for nuclear power plants at European level. I believe that this is already a significant fact that points to the way ahead.

My second point is that if one reads the Treaty of Lisbon, a document on which you all worked, then it is evident that the decision on the energy mix was and remains a matter for the Member States, in other words the countries where you live. For this reason, the decision in favour of coal, nuclear energy, gas or renewable energies is largely a matter for the Member States themselves. The 20% renewable energy requirement is the first time that we have had a European process that impacts on the decision in relation to the energy mix otherwise decided solely by the Member States themselves. We have 14 Member States that operate nuclear power plants and 13 Member States that do not. Poland, a very

European country, is on the point of deciding on two nuclear power plants. In Italy, the search for suitable sites has been suspended.

You have suggested that I should put a European regulator in place. If that is what you want, then give me the legal competence to do so and approve the relevant jobs. I will accept everything you have to offer. However, I am bound by law and legislation. As yet we do not have a European nuclear watchdog. There is no provision for such a body either in the Treaty of Lisbon, the Euratom Treaty or in the establishment plan for the Commission. You know this as well as I do.

I think that the stress test is important. It has been commissioned by the European Council and is intended to set the highest standards for safety as its benchmark. The key meeting between the European regulators, ENSREG and the Commission is to take place on Thursday. As yet there are no test criteria, even though judgments have already been made – judgments that the stress tests are too soft, disappointing or inadequate. There have not been any stress tests yet. The test criteria will be drawn up on Thursday.

What we do have is a proposal from a body of which the Commission is not a member. In April, the Western European Nuclear Regulators Association published its preparatory work, which it was fully entitled to do. It is up to us to decide what to do with this. Without any involvement on the part of the Commission, WENRA applied its expertise and, following a circulation procedure, came up with a resolution that human error and human causes should not be included. I do not think this is adequate.

That is why I will present my position on behalf of the Commission tomorrow evening to all 27 nuclear watchdog bodies, based on thorough groundwork, telling them that we need to take all risks into consideration, regardless of their origin. This applies equally to natural causes, such as earthquakes, flooding or extreme temperatures, and human causes, such as error, accident, intent or criminality. As far as I am concerned this also includes terrorist threats, cyber attacks and plane crashes.

I believe that this is in the interests of the people of Europe. Today's debate showed me that there is a broad interest among all parties in the European Parliament in this test and in the test criteria, which must include the human factor. I am grateful for this tailwind. By the way, it is not always easy to make a clear distinction: was Fukushima caused by nature or by human beings? I would claim it was originally a natural disaster – earthquake and flooding – however, human strengths and weaknesses came into play when it came to taking control of the risk and in reducing and avoiding damage. Human weaknesses have continued to play a role in Japan right up to the present.

After Thursday I will be more than happy to report back to you on what is to happen next. However, you must know that I need the approval of the European Commission – which I already have – and the national regulators – which I intend to obtain. I need to get approval for the test criteria of the stress tests from each national regulator, including our very competent and esteemed colleagues in Paris, London, Madrid and Brussels, where opinion is still inconclusive, although there is a feeling that there is little to be gained by taking matters to a European level.

I promise you transparency in this matter. We must learn the lesson of complete transparency from Chernobyl. I promise you transparency in relation to how negotiations proceed in Brussels on Wednesday evening and Thursday and what the result is. I will also tell you if we fail to reach an agreement between the Commission and ENSREG, at which

point we may return the mandate to the European Council. You will not find my signature on an abbreviated version of the stress test.

(Applause)

President. – The debate is closed.

Written statements (Rule 149)

Liam Aylward (ALDE). – *(GA)* The effect of Chernobyl on the world and the current events in Fukushima are clear evidence of the devastation which nuclear mishaps inflict on local communities.

Since there is a significant number of nuclear stations in Europe, and since these stations are often close to borders, a cross-border approach must be adopted to nuclear safety, coordinated at the EU level. Member States must share information on safety issues, potential threats and civil protection coordination with their neighbours and with nuclear facilities on a prompt and ongoing basis.

There is a significant nuclear risk to Ireland because of the nuclear plants on the west coast of Britain; Sellafield is the most famous. Five men were arrested under the Terrorism Act outside the Sellafield nuclear plant on 2 May, and the Irish Government has not yet stated whether the British Government shared all the security information about the incident with it.

The Irish people must be convinced that their government is fully informed of any neighbouring threat and of what is being done to combat those security threats.

Véronique Mathieu (PPE) , *in writing.* – *(FR)* The situation in Japan and at the Fukushima Daiichi power plant after the earthquake and tsunami of 11 March 2011 remains a cause for concern. This, coupled with the 25th anniversary of the Chernobyl nuclear disaster, which struck Ukraine on 26 April 1986, is a reminder to European leaders of their responsibility regarding nuclear safety in Europe. That is why Member States must take all the measures necessary to ensure and maintain a maximum level of security in European power plants and a maximum level of protection for citizens. Nevertheless, it is important to keep a cool head when addressing present and future energy challenges. Therefore, nuclear energy, as a low CO₂ emission technology, cannot be overlooked. The challenge lies in achieving a balance between the development of nuclear energy and the development of tools for preventing the risks associated with its production and for combating the effects of nuclear accidents.

Jarosław Leszek Wałęsa (PPE) , *in writing.* – *(PL)* This year is the 25th anniversary of the nuclear disaster in the Ukrainian town of Chernobyl. On 26 April 1986, a sudden power surge in the reactor during a system test damaged the reactor vessel, which gave rise to a series of explosions. According to UN data, areas within a radius of 500 km from the power plant were contaminated. Around 115 000 people were evacuated from the areas in the vicinity of the reactor, and since 1986 around 220 000 people have been relocated from Belarus, the Russian Federation and Ukraine.

Nuclear accidents occur without warning and unexpectedly. The accident in Chernobyl occurred 25 years ago, but as recently as March of this year there was an accident in Fukushima. It should be noted that the cause of the disaster was the breakdown of the cooling system due to a power outage, and interruptions to power supply are a frequent

phenomenon in the Member States. There can be no doubt that we should draw conclusions from history, but we should not become hysterical in response to the disaster in Japan. This accident has given rise to serious doubts regarding the safety of nuclear energy around the world. Everything points to the fact that nuclear energy will become a significant source of energy in the near future, and therefore it is absolutely crucial to ensure that the highest feasible level of safety is achieved in the energy sector.

18. Question Time (Commission)

President. – The next item is Question Time (B7-0303/2011). Colleagues, please note that we are starting 40 minutes late.

The following questions are addressed to the Commission.

Gay Mitchell (PPE). - Mr President, I know I am pushing an open door with you in raising this, but would say again that it really is not acceptable that Question Time be conducted in this way.

There is no Parliament in the world in which Question Time is not sacrosanct. I would ask you again to raise this matter with the Bureau.

President. – Mr Mitchell, it is not the Bureau, it is a matter for the Conference of Presidents, but no doubt the Swoboda reforms will make proposals on how to deal with this. I agree with you. It is totally unsatisfactory, but I took the chair at just 19.40 so I am not really responsible for the delay.

Question 16 by **Georgios Papanikolaou** (H-000154/11)

Subject: Provision in the new draft budget for combating youth unemployment

The flagship initiative ‘An agenda for new skills and jobs’ underlines the fact that because of the crisis employment has fallen below 69%, while the figure for unemployment has risen to 10%; assuming that the job market will stabilise in 2010-2011, attainment of an employment rate of 75% by 2020 will require an average increase in employment of slightly more than 1% per year. At the same time, unemployment of young people under 25 is approaching 20%, while the persisting financial crisis is leading to a reduction in the employment rate, rather than the target of an annual 1% rise.

How, and with what provision in the draft budget will the Commission attempt to achieve by next year the objective of an average 1% increase in employment in the EU?

Does the Commission think that the proposed cuts in next year’s budget will have a negative impact on the amounts allocated to education, training and boosting employment in the EU in general?

László Andor, *Member of the Commission.* – As you all know, the EU headline targets under Europe 2020 include increasing the employment rate to 75%, lifting at least 20 million people out of poverty and social exclusion, reducing the proportion of early school-leavers to under 10%, and ensuring that at least 40% of the younger generation will have completed a tertiary degree by 2020.

The Commission helps Member States to achieve these targets through financial support, in particular the European Social Fund, policy coordination and policy guidance at EU level under the European semester. The 2011 Joint Employment Report, which is based on the Commission’s assessment of the Member States’ draft national reform programmes,

calls on them to improve the functioning of the labour market by introducing more employment-friendly tax systems and by making work pay, ensuring that wages reflect developments in productivity, introducing flexible working arrangements to facilitate the further integration of women into the labour market, ensuring that pension reforms include a more direct link between later retirement and increased pension entitlements, removing incentives for people to retire early and linking unemployment benefits with the business cycle.

This means that safety nets should be reinforced at times when most needed as we have seen in the past couple of years, while money would be saved in good times. When exactly we enter good times is a country-by-country assessment. Hopefully, in a couple of years' time we will all get there. But under the current very difficult circumstances, it is also important that public employment services provide better job search assistance. We also need to reduce labour market segmentation. Indeed, evidence shows that particular groups, and notably those under temporary or precarious contracts, have taken a much bigger hit as a result of the crisis. This is the reason why the Commission has invited Member States to introduce open-ended contracts with a gradual increase of protection rights.

Although small in comparison with national public budgets, the European Social Fund has been helping the Member States weather the recent economic crisis. In line with the Commission communication on the budget review and the conclusions of the fifth report on social cohesion, the Europe 2020 Strategy provides both a clear set of common priorities and the framework for identification of funding priorities post-2013 in line with the objectives of smart, sustainable and inclusive growth, including human capital development. The Commission will present its proposals for the next multiannual financial framework at the end of June.

As regards the 2012 budget, I would like to point out that the draft budget that was adopted by the Commission on 20 April is in line with the European Council conclusions of 24 and 25 March, which state that fiscal consolidation efforts must be complemented by growth-enhancing structural reforms. To that end, Member States will implement measures in order to invest in education and training. The Commission has applied a restrictive policy as regards administrative expenditure, with a nominal freeze for Commission administrative expenditure. However, the Commission has proposed to increase its commitment and payment appropriations, by 3.7% and 4.9% respectively, with a focus on expenditure related to the Europe 2020 strategy including the ESF, the lifelong learning programme, the Youth in Action programme, the seventh framework research programme and the competitiveness and innovation programmes.

Georgios Papanikolaou (PPE). – (EL) Thank you, Commissioner, for your reply. I would, of course, remind you that unemployment, especially among young people in Europe, is currently close to 20.5% and, in some instances, is now out of control. According to the data available to me, it is 43.5% in Spain and in Greece it is close – I repeat among young people – to 36%. Bearing in mind that this critical state of affairs is a one-off occurrence which we could not have forecast 2 or 3 years ago, may we expect a new intervention by the Commission in this particular situation, in addition to what you have told us?

Gay Mitchell (PPE). – Commissioner, would you consider an area-based response to youth employment problems? You will find that it is people with the lowest level of education, perhaps living in local authority complexes, lacking access to education and on social welfare who have the highest levels of unemployment.

There are models of local development which have started to address this issue on an area-specific basis. Would the Commission consider doing anything in partnership with Member States to try and tackle the areas with highest unemployment?

Nikolaos Chountis (GUE/NGL). – (EL) Mr President, as we have already heard, there is massive unemployment among young people in both Greece and Europe. At the same time, young people, women and immigrants are the most vulnerable groups of society when it comes to the arbitrary action being taken by employers, by which I mean action against labour rights and disregard for collective bargaining. I should therefore like to ask you, Commissioner, what measures you intend to take to protect young workers from precarious jobs and arbitrary action by employers.

László Andor, *Member of the Commission.* – The picture in the European Union is quite uneven. The overall statistics – the averages – are very bad; they are really alarming. However, the point is that some countries have relatively good performances, successfully fighting youth unemployment even in the recession. This is particularly the case in the Netherlands and Austria, and to some extent also in Germany. Countries with weaker performances can learn from these experiences.

The successful model has several components, and there are also several reasons for failure in countries where youth unemployment has risen to one third of the age group. There are quite a few – more than half a dozen – countries in the second group at this moment. The link between education and the labour market is absolutely key to improving the performance of the education system – vocational training and further training opportunities are particularly important – so we advocate reforms which point in that direction.

There is clearly a role to play for better employment contracts, which is why, in the flagship initiative Agenda for New Skills and Jobs and subsequent documents, we highlighted the problem of segmentation and advocated the use of open-ended contracts, which may have a wider relevance but which help the younger generation in particular.

We have also advocated youth guarantees, which have been successfully applied in some Member States; wider use of these is very promising. I would also like to highlight the youth-specific ESF programmes. I have seen quite a few of them. I think that they are very important, especially where the risk of marginalisation, of being locked out of employment opportunities, is a great social risk. I think that the European Social Fund can be used in an innovative way; there are many very good examples.

We are prepared to disseminate good projects which can provide employment and learning opportunities where young people live; but there are also many examples which provide opportunities to go and work in other countries. I believe that, especially at this time, we also have to draw the attention of young people to the need for mobility and to foreign opportunities. We need to help boost skills and spread information – the EURES network is very useful there and that is what the Commission directly supports – and also help mobility, because job opportunities and vacancies very often come up in different regions or different countries. At a young age, this should not be seen as an obstacle.

President. – Question 17 by **Seán Kelly** (H-000158/11)

Subject: The CAP and the multiannual financial framework beyond 2013

The need for an adequately-financed CAP, which delivers public goods, such as a secure and sustainable food supply for the EU, which ensures a stable food price regime both at the farm gate and on the shop shelves and which underpins a vibrant rural economy, is as important now as ever, especially in the light of the recent rise in energy prices and instability in certain regions of the globe.

Can the Commission confirm that an adequately-financed CAP, maintaining the current share of the EU budget, will be a central part of any reform to the multiannual financial framework, in the light of the central role that the common agricultural policy plays in continuing to deliver such public goods?

Question 18 by **Brian Crowley** (H-000192/11)

Subject: The funding of the CAP post 2013

Can the Commission confirm its support for a strong and well resourced common agricultural policy under the next multiannual financial framework?

Dacian Cioloș, *Member of the Commission.* – (FR) Mr President, honourable Members, the future common agricultural policy must rise to the challenges facing agriculture, and here I am referring to food security, the stabilisation of agricultural incomes and the production of high quality and extremely safe food products. At the same time, however, the common agricultural policy must meet the environmental and territorial challenges and objectives of the Europe 2020 Strategy while also supporting the competitiveness and sustainability of agricultural industries and rural areas.

The Commission intends to propose an ambitious and comprehensive reform of the common agricultural policy which will require farmers to make a significant contribution towards achieving the objectives of the Europe 2020 Strategy. The cumulative impact of a 'greening' of direct payments and better targeted rural development measures will mean that the CAP offers a more robust and comprehensive response to the provision of environmental public goods.

A strong and ambitious common agricultural policy also requires an appropriate European Union budget. To that end, the Commission is due to present its legislative proposals for the next multiannual financial framework at the end of June 2011. Following this, the Commission will present its proposals on the reform of the common agricultural policy in the second half of 2011, in order to ensure that we can coordinate the submission of legislative proposals at budget level while taking into account our ambitions for the future common agricultural policy.

Seán Kelly (PPE). - Just a brief follow-up. In the communication on the CAP towards 2020 it says that achieving all the objectives in the future CAP 'will require that public support to the agricultural sector and rural areas be maintained'. You mentioned this yourself, Commissioner. How do you propose to ensure that this support for the CAP is maintained in the new EU multiannual financial framework?

Liam Aylward (ALDE). - Commissioner, as you know, the delivery of public goods and security of food supply comes at a very significant cost. Farmers need to know that they will get a fair return for their efforts. They also need to be in a position to plan ahead.

In this regard, and in terms of moving the negotiations on the CAP forward, when does the Commission expect to be in a position to reveal the detailed proposals of the next multi-financial framework and the allocation of the CAP budget? I think it is imperative that we know that as quickly as possible because, as Members, we are working somewhat in the dark, not knowing what finances are going to be available to us.

Janusz Władysław Zemke (S&D). – (PL) Commissioner, from what you have said it appears that very far-reaching changes will be made to the common agricultural policy. My question in connection with this is as follows: will these merely be qualitative changes, or are there plans for them also to include changes to the way funding is allocated to individual countries, for example? Today the funds earmarked for agriculture are divided up very differently between the individual countries.

Rareș-Lucian Niculescu (PPE). – (RO) I sincerely thank the Commissioner for the answer he gave. In a global index indicating vulnerability to food price rises, out of the 40 countries occupying the top places in the index four are Member States of the European Union. I do not doubt the Commissioner's best intentions regarding the budget, but to what extent will the future budget be able to meet both the food demands and the new environmental ambitions?

Dacian Cioloș, *Member of the Commission.* – (FR) Mr President, it was asked how the budget will be able to respond to the food challenge while at the same time responding to the objectives set by the Treaties of the European Union concerning the common agricultural policy and the Europe 2020 Strategy. The answer is that we will achieve this through several measures that we are planning to take in the context of this reform, first of all to improve the targeting of the budget available to us, to ensure a better balancing of payments among the various categories of farms and among the various Member States, and also to use the budget as an incentive to farmers to produce goods for the market as well, in parallel with food production, making use of well-focused agricultural practices.

I think that, in this way, we will ensure that the future common agricultural policy, which is a sectoral policy, provides multi-sectoral responses, and thus that the budget which is to be allocated to the common agricultural policy will demonstrate and provide a genuine European added value. I think that, in this way, we can justify a substantial budget for the common agricultural policy, and a budget which is consistent with the objectives that we are setting for this policy. Clearly, what the common agricultural policy and European farmers provide in terms of production of goods for the market will be proportional to the resources that we will be able to allocate.

When we talk about the budget, we must also take into account the framework and the general economic context in which we are discussing the budget – this is why, for the moment, it is difficult to talk about actual figures. The Member States are making efforts to reduce their spending; at European level too, we need to be able to target the financial resources available to us towards genuine priorities and added value for Europe. I think that, in this way, Mr Kelly, we can justify a substantial budget for the common agricultural policy by mentioning the positive contributions that this policy makes to European society, not just in terms of agricultural production for the markets, but also in terms of non-marketable production – products which are not paid for by the markets. Both in terms of payments to farmers and in terms of the second pillar – or through investments, by supporting the production of local goods – we will be able to respond to these objectives.

The proposals on the multiannual framework, as I said in my introduction, will be forthcoming in June, and only after that, in the autumn, will the Commission table legislative proposals. The measures taken in the Commission are totally consistent, as we have already presented the broad outlines of this policy in the communication sent out by the Commission last November. At the end of June, the Commission will table proposals for the multiannual budgetary framework. On this basis, and on the basis of the communication containing the broad outlines of the reforms, the Commission will table the legislative package in the autumn. At that point, we will certainly not be totally in the dark, because the multiannual budgetary framework will already have been presented.

The changes made to the common agricultural policy will therefore not be merely qualitative – improving the targeting of our objectives – they will also aim to distribute payments among the Member States – both within the Member States themselves and among the various categories of farms – precisely in order to make better use of the available resources in terms of the objectives that have been set. This balancing of payments will not just be fairer, but will also better mobilise the various structures involved in agricultural production in order to respond to the new objectives that we are setting ourselves, because the historical examples of payments based on allocations received beforehand are no longer justified in the current context, in which we are now setting very clear objectives for the future common agricultural policy.

Mr Niculescu, how will we succeed in ensuring a good relationship between the production of goods for the market, food products and environmental goods? We will not achieve this by trying to burden farmers even more, but rather by trying to use part of the budget as an incentive to produce goods using agricultural practices which respect the environment but which do not necessarily require too much of an increase in the costs of production. Therefore, thanks to this incentive, and without significantly affecting the level of agricultural production, European farmers will also be able to produce goods for the market. Clearly, however, the production of goods for the market will be directly proportional to the scale of the budget that we will be able to confirm in order to cover the costs associated with agricultural practices of this kind. In this way, the common agricultural policy will be able to integrate various aspects – economic aspects, environmental aspects, aspects associated with climate change and aspects associated with harmonising territories in rural areas – into the objectives proposed in this reform.

President. – Question 19 by **Spyros Danellis** (H-000185/11)

Subject: Innovation and measures to combat climate change

In order to achieve its ambitious climate objectives, the EU needs new innovative technologies. Adjustment to climate change could thus become an instrument for growth, generating hundreds of thousands of jobs as well as exports of advanced technology. However, insufficient private investment in new high-risk small and medium-sized enterprises (SME), will leave green technology innovation in Europe largely dependent on public funding. According to the OECD, intergovernmental coordination is vital in the EU with its 27 national innovation policies and a plethora of EU programmes (for example, EERP, SET plan, NER 300, Europe INNOVA, Cohesion Fund).

Would the Commission therefore consider it advisable to entrust a specialist body operating across the board with the task of simplifying matters, establishing common objectives and selection criteria and providing information for stakeholders regarding EU programmes for innovation in green technology?

Would the Commission consider the introduction of fresh incentives, such as an annual climate innovation award?

Dacian Cioloș, *Member of the Commission*. – (FR) Mr President, the fight against climate change is a major challenge for Europe, and more efforts in research and innovation will be needed in order to develop a society whose carbon emissions are low and which is resilient to climate change.

At the moment, there is no single specialist body operating in these areas, nor is there a specific incentive such as the annual climate innovation award that has been mentioned. Nevertheless, many efforts have been made to achieve a coordinated approach among the Union's various policies and programmes.

The Europe 2020 Strategy and its flagship initiative, the 'Innovation Union', have been adopted in order to bring the European economy out of the crisis and to confront the social challenges that exist. Investment in research and innovation – including new technologies such as eco-innovation, for example – is at the heart of this strategy, and new financial instruments are being planned with the aim of obtaining a substantial increase in private investment and establishing sustainable and long-term growth. As part of the Innovation Union, a pilot European Innovation Partnership has been proposed with the aim of covering the whole of the innovation chain, from research and development onwards, in order to guarantee that adequate conditions are in place to bring the results of research and development successfully to the market. Other European Innovation Partnerships could be proposed later.

Secondly, the Commission's Green Paper entitled 'From Challenges to Opportunities: Towards a Common Strategic Framework for EU Research and Innovation Funding' proposes important improvements to the research and innovation programme which will form part of the next EU multiannual financial framework.

Firstly, the idea is to link research and innovation by bringing together all the relevant European Union instruments into a common strategic framework allowing for the introduction of genuinely cross-cutting strategies that cover the entire range of innovation systems, from research to technological development, demonstration and the market.

There is, in addition, a proposal to link European Union financing with the major challenges that society faces, such as climate change. The aim would be to use European Union financing as a lever to obtain more private investment, for example in the field of innovation in green technologies.

Finally, the Green Paper poses the question of how European Union financing would be used to support small and medium-sized enterprises as well. The Commission has asked the parties involved to submit contributions on the topic of the Green Paper before 20 May 2011. Subsequently the Commission will present its legislative proposals for the future financing of this European Union of research and innovation towards the end of this year.

Spyros Danellis (S&D) . – (EL) Thank you, Commissioner, for your reply. I should like to ask you, in connection with your sector, with agriculture, how you imagine innovation might help, when applied to the agro-foodstuff production chain, not only in combating climate change, but also in addressing and preventing the adverse impact that we all know we shall have on rural life.

Dacian Cioloș, *Member of the Commission*. – (FR) Mr President, on a practical level, we can guarantee this by providing incentives to farmers to adopt agricultural practices which not only respect the environment and the quality of soil, water and biodiversity, but which ensure that farmers succeed in reducing carbon emissions and keeping more carbon in the soil.

Our plan, particularly in the second pillar of the common agricultural policy – including investment measures designed to enable farmers to modernise their operations – is to give them incentives to focus these investments in a way that seeks to reduce carbon emissions. For example, the level of public cofinancing for a tractor with high or normal carbon emissions will not be the same as for a tractor and agricultural equipment with lower carbon emissions. Thus, we will use public financing as an incentive to farmers to take this issue into consideration.

Secondly, we are planning to create an instrument which will contribute to a knowledge-based type of agriculture, that is, one which will allow us to use the results of research, development and innovation – including research carried out in the framework of the common research strategy – and to put all these results into practice. We will create a network of good practices and innovation at European level, a network containing researchers, consultants, instructors, farmers and the food production industry, in order to ensure that we can shorten the chain from the production of knowledge to its use in practice. In this way, we can also contribute – thanks to the technologies and the agricultural techniques that will be used by farmers – not only to ensuring economic competitiveness, but also to reducing the impact of agricultural activity on climate change.

President. – Question 20 by **Nikolaos Chountis** (H-000170/11)

Subject: Need for changes to the EU budget

The onset of the crisis in 2008 sent EU Member States' deficit and debt levels spiralling to unprecedented levels, thereby increasing the cost of credit and creating serious debt servicing difficulties. Nearly all EU Member State governments have adopted tough austerity programmes with a view to cutting both public spending and public investment programmes. The effect of this has made itself felt immediately, drastically undermining social benefits and causing the recession to spread. Given that the EU budget is potentially a major instrument for growth and given that it has not yet undergone substantial restructuring in response to the new developments resulting from the generalised economic and debt crisis:

Is the Commission considering proposals for a general restructuring of the EU budget, involving modifications to budgetary guidelines and appropriations, with a view to helping the Member States respond to the social impact of the crisis and support their endeavours to stimulate growth?

Janusz Lewandowski, *Member of the Commission*. – The question addressed to the Commission actually implies the diagnosis of the real state of the economy in Europe, as well as the prescription. I can share to some extent both the diagnosis and the prescription. Yes, we are in a Europe of austerity, meaning socially painful savings, politically costly and economically necessary, but challenging to some extent for the very fragile recovery of the European economy.

The European Commission is a strong supporter of fiscal consolidation as a precondition for sustainable growth, but we are more than ever conscious of the sensitivity of the

economic debate now being discussed as the 'relaunch versus austerity' problem, and this was discussed even today in the College. When you take the long run and when you read the 2020 Strategy, this is clear, as it is with the relaunch of the Single Market strategy, but this is about the unlocking of the potential of the European economy. The European budget should be the answer right now as we need growth and jobs right now.

This is because of the specific nature of the European budget, with its focus on investment. The national budgets are mainly about social transfers; the European budget is mainly about investment and therefore could have a multiplying effect on jobs and growth and when we see the proposal for 2012, what is growing, with competitiveness, is cohesion, that is structural funding, and research and development; the other category of growing expenses is on migration. So this type of expenditure is conducive to growth and jobs. In the long run the same should be valid for the proposal we are to reveal at the end of June for the next financial perspective, adding a lot on top of what I have mentioned relating to the energy and trans-European infrastructure generally that is also conducive to growth and jobs.

Therefore I can say that the European budget, due to its nature, could be the delivery mechanism in a time of austerity to replace the investment cut normally at the national level. Therefore we should exploit this potential of the European budget to its limits.

Nikolaos Chountis (GUE/NGL). – (EL) Thank you, Commissioner, for your reply. I do not know if the Commission is currently discussing recent press reports about the Greek debt, with talk about secret meetings, debt restructuring, new loans and the possibility of Greece's leaving the euro. At the same time, we are living with the drastic effects of the Memorandum. Without sustainable growth, the debt will not be paid off and the economy will not improve. My question is this: what measures are you proposing, right now, in connection with the budget, in order to help countries which have been hit by the crisis, such as Greece?

Janusz Lewandowski, *Member of the Commission.* – I admit that, but of course this is of such importance, and this is such an urgent issue, that the leakage from last week's meeting was discussed in the College.

This is fuelling speculation. That sort of leakage has its cost, and what comes out of this deteriorating atmosphere around Greece is not helping Greece. It is of concern for the next meetings on the conditions for the Greek restructuring programme and on the Greek conditional aid rescue package. However, I am not here to discuss what should be agreed among competent Members of the Commission and the International Monetary Fund with the participation of the Greek authorities.

We can only wish all the best for the efforts made domestically, which are probably very painful politically and costly for the government undertaking these measures. I admit that the leakage is fuelling speculation and causing a deterioration in the conditions for a potential recovery in Greece.

President. – Question 21 by **Marian Harkin** (H-000161/11)

Subject: European voluntary humanitarian aid corps

In this the European Year of Volunteering 2011, can the Commission update Parliament as to where we currently stand in the legislative process establishing the European Voluntary Humanitarian Aid Corps (EVHAC)?

In particular, what actions are likely to be taken based on the results of the public consultation, and, secondly, can the Commission indicate which specific pilot projects have been selected at this point?

Kristalina Georgieva, *Member of the Commission*. – Mr President, I will try to do my best to keep my answers short.

The Lisbon Treaty provides for the setting up of a European voluntary humanitarian aid corps with the objective of establishing a framework for joint contributions from young Europeans to the humanitarian aid operations of the Union. Last year, 2010, we reviewed the existing situation of volunteering, through bilateral meetings, surveys and a dedicated conference in September 2010. As a result, on 23 September we adopted the communication setting up a phased approach for the corps.

The first stocktaking phase allowed us to identify current gaps, needs and conditions for the voluntary corps to make a positive contribution to EU humanitarian assistance. This year, 2011, the main activity is to further develop the approach, including a public stakeholder consultation with results to be made available by the end of this month, May 2011. Secondly, a preparatory action which allows the Commission to finance pilot projects aimed at selecting, training and deploying a limited number of volunteers in view of the adoption of a legislative proposal. Third, we will carry out a full impact assessment which will inform us about the potential economic and social impacts of the voluntary corps. The results of these activities will feed into a proposal for a regulation which will be tabled in 2012.

The results of the public stakeholder consultation, as well as the selected pilot projects, will be presented at the dedicated conference organised in June 2011, this year in Budapest under the auspices of the Hungarian Presidency.

Marian Harkin (ALDE). - Mr President, given that we are under time constraints and the Commissioner has answered my question quite precisely, I have no follow-up.

President. – Question 22 by **Bernd Posselt** (H-000169/11)

Subject: Humanitarian aid for Libya

What is the state of progress with regard to the Commission's humanitarian aid for the rebels and innocent civilians in Libya and other crisis areas in North Africa? What is the overall outcome of the Commission's activities in this field in the past few months?

Question no 25 by **Sarah Ludford** (H-000193/11)

Subject: Civilian and military disaster response

The conflict in Libya has shown the importance of Europe's ability to mobilise a range of resources for rapid reaction.

What is the Commission's assessment of the EU's progress in its ability to draw on both military and humanitarian capabilities in a coordinated way?

Has the suggestion of a permanent body to coordinate both civilian and military disaster response from the EU and Member States made any headway?

Kristalina Georgieva, *Member of the Commission*. – Since the beginning of the Libyan crisis, the European Union has shouldered its responsibilities to alleviate the suffering of the civilian population by providing timely and significant humanitarian assistance.

To date, the Commission has allocated EUR 50 million – EUR 40 million from our humanitarian aid budget and EUR 10 million from the civil protection budget line – while the 27 Member States have collectively contributed EUR 52 million, bringing the total amount of EU humanitarian assistance to EUR 102 million. We are by far the leaders in addressing the needs of people in Libya.

Our humanitarian funding supports activities implemented by partners, UN agencies, the Red Cross and Red Crescent, and NGOs. Our activities address both pressing needs inside Libya and the needs of people who have been fleeing Libya. As of today, 740 000 Muslim migrant workers have left the country in search of safety.

Inside Libya, our activities include the evacuation by sea of about 2000 civilians from Misrata, the provision of food, water, sanitation and medical supplies in Misrata and other areas of Libya, and provisional materials for food, as we expect the food situation to worsen in the next four to six weeks.

In border areas outside Libya, the Commission is supporting the pre-positioning of emergency stocks. We are also supporting operations in Tunisia, Egypt and Algeria for people who have left Libya.

The EU civil protection mechanism has been activated twice: firstly to support Member States' consular operations to evacuate our citizens – 5800 Europeans have been evacuated –, and secondly to facilitate the return home of migrant workers stuck in Tunisia and Egypt. We have provided 157 flights from Member States with support from the Commission, and we have also funded the repatriation of third country nationals through the International Organisation for Migration. In total, over 56 000 people safely made it home. This, of course, also helps to reduce the risk of a wave of migrants into Europe.

Despite the ongoing fighting and its spread to various parts of Libya, humanitarian organisations are doing a remarkable job in preventing a major humanitarian disaster. At this point, our main concern remains that, in large parts of Libya controlled by Gaddafi, access for these humanitarian workers is limited.

I want to assure you that the Commission will continue its efforts to help people affected by this conflict.

Bernd Posselt (PPE). – (DE) Mr President, Commissioner, thank you very much for your dedication in this matter. I would like to emphasise this in the strongest terms. I would just like to ask the following question: either yesterday or today the United Nations requested a ceasefire so that humanitarian needs could be tended to. Is humanitarian aid actually reaching the majority of Libya's population and what percentage of the country or population do you estimate is inaccessible to the aid agencies?

Sarah Ludford (ALDE). - Commissioner, in the light of Parliament resolutions and the Council conclusions of last December, could you give us your assessment of the progress that has been made since the 2006 Barnier report in setting up a really coherent rapid reaction or disaster response mechanism: one that draws together humanitarian, civil protection and military assets and that has a pre-identified pool of resources from Member States rather than an ad hoc approach? Are we getting our act together? Can you reassure us?

Kristalina Georgieva, *Member of the Commission.* – In reply to the first question, access in areas of Libya where military operations are taking place is limited but we still – thanks

to the courage of humanitarian workers – have been able to reach two affected populations in Misrata as well as in the contested cities in the coastal area. Where we have not been able to reach affected populations is in the western part of Libya under the control of Gaddafi.

We are also very concerned that we are now seeing an increase of Libyans fleeing the country. Out of the 740 000 people I mentioned today, some 50 000 are Libyans and it is their number that is growing, facing us with an additional challenge to help these people. Most of them are moving to live with host communities in Tunisia and in Egypt. We now have to find a way to support these communities.

As far as the ceasefire is concerned, we have been calling for a ceasefire to allow safe access for humanitarian assistance and, of course, we very much support the UN in this regard. I can assure you that we are in constant contact with the UN and the UNHCR so that we can deploy assistance when a window of opportunity opens up, as we have now done on numerous occasions, for example in the case of Misrata.

There was actually a separate question on the coordinated response. May I continue with an answer to this question? We have made significant progress in advancing work on the communication on strengthening the EU disaster response that was unanimously supported by the Council at the end of last year. Our intention is to actually accelerate work on implementing this communication with an eye to setting up a 24/7 European emergency response centre by the end of this calendar year. It will be built on the basis of the current MIC – the monitoring and information centre – and also on the basis of the emergency teams of humanitarian assistance that existed in ECHO. It will have the physical capability to operate on a 24/7 basis.

Over the last year, especially in the context of the response to the Haiti disaster, the Pakistan floods and today in response to Libya, we have built very strong and effective working relations with the EU military staff in the European External Action Service to the point that now EU military staff designate liaison officers as part of our humanitarian operation, so we can make sure that we plan and execute together as one.

To give a straightforward answer to your question: yes, we are making progress. Unfortunately, due to the events of the last year, we have faced exceptionally difficult circumstances in 2010 – and also this year – that have given a very strong impetus to advance this work.

President. – Question 24 by **Pat the Cope Gallagher** (H-000190/11)

Subject: Canned fish products as part of food aid

Has the Commission included processed canned fish products as part of food aid packages sent by the European Union to countries suffering from a humanitarian crisis? Would the Commission not agree that processed canned fish products are ideally suited for food aid as the product is high in protein, has a long shelf life and can be supplied at short notice?

Kristalina Georgieva, *Member of the Commission.* – The European Union is one of the major donors of food assistance. The Commission has been committed to providing leadership in ensuring that the most vulnerable people in crisis have access to safe, adequate and nutritious food. The Commission does not implement aid operations itself. It provides funding to partner organisations – the UN agencies, international NGOs, the Red Cross

family – or partners who have vast experience in carrying out aid operations among the most vulnerable people.

Our implementing partners have the authority to decide what the most appropriate food assistance needs are in any specific circumstance. We encourage them to purchase food locally as much as possible. Why? Because, by doing so, they provide useful assistance to local farmers and we do not end up feeding the people yet, at the same time, killing the livelihoods of the local farmers by providing our own food. The Commission is always validating these choices and making sure that factors, such as the availability and nutritious quality of commodities, dietary habits of the local populations, availability of cooking facilities and cost considerations, including transportation costs, are taken into account.

On that basis the exact composition of our food assistance will be determined. Obviously canned food has its advantages, including canned fish, because it can hold for a prolonged period of time and is therefore suitable for managing stocks. It also has some disadvantages, which are sometimes related to costs or dietary habits in local populations. So we always have to be sure that what we are doing is helping people in the most effective way.

Pat the Cope Gallagher (ALDE). - Thank you for your reply, Commissioner, which I believe. In your speeches you have mentioned nutrition on a number of occasions and in fact canned fish tick all of the boxes: they are low in value, high in protein, with no necessity for refrigerated transport or for cold storage facilities when they arrive, and, of course, they have a long shelf life. And when it comes to cooking, the fish are already cooked. I am thinking in particular of mackerel and herring.

What I am saying to you is, could you use your offices to at least suggest the use of canned fish? We are the people who are funding this and I would like to have an opportunity to meet with somebody from your DG to discuss this, because I come from an area where there is an abundance of fish but there is no other type of job. We should try to help our own people and by the same token help others.

Kristalina Georgieva, *Member of the Commission.* - The point you are making is very valid. We need to look at high nutritional value and also simplicity of use. At the same time, what I would like to caution against is expanding the intervention of the Commission in deciding up front what exactly should be the composition of food assistance in any given circumstance.

We have taken a very important leadership role in the European Union with regard to food assistance by untying our food assistance or, in other words, not making it a requirement that European food assistance includes food produced in Europe. Sometimes agricultural surpluses from Europe are used in food assistance.

We do require that food provided to people in any circumstance is the most appropriate for the particular circumstances. And why do we do that? When we untie our food aid, this allows our partner organisations to purchase food locally and provides an incentive for local farmers. We do not end up bringing food from Europe, killing the livelihoods of local farmers and then giving them development assistance and actually bringing even more food because we have been unwise in our approach to food assistance.

I can assure you that, globally, what Europe has done in this respect is seen as the right thing to do and we are applauded by people in developing countries and by our development partners for taking this approach to food assistance. Having said that, we also support prepositioning of food, in which case canned fish is very appropriate. I can assure you that

we strive to do the right thing. When it is the right thing we of course encourage it to be done.

You are very welcome to visit our services – we are always very happy to interact with the European Parliament.

President. – Baroness Ludford, you have had your answer. Do you want to press me for a supplementary? Is that what it is? You have had the answer to your question.

Sarah Ludford (ALDE). - Yes, indeed! The Council conclusions of last December talked about various Commission proposals during 2011. I cannot claim to be a specialist in this area but they have not hit the headlines and I wondered whether any have been made. This is going back to proposals that have been made in the past, including by colleagues in my political group, for an EU fast-track organisation. The Parliament called for a European civil protection force, with the idea of having some kind of permanent body so that we would not have to keep relying on this hand-to-mouth exercise; we would set up the mechanisms so that we could go into action very quickly. I know you said we have made progress, but are we getting to the really ideal situation?

Kristalina Georgieva, Member of the Commission. – What the Council conclusions gave us a mandate to do is to work towards the establishment of European civil protection capacity that is predictable and ready for immediate deployment, based on our Member States dedicating modules that we can mobilise and transport to where they are needed immediately, as the disaster hits.

Where we are today is actually quite impressive because we already have 104 modules that Member States have registered with us and we have their commitment that we can mobilise and deliver assistance in a predictable manner, as long as they do not need these modules to fight the same disasters at home.

We still have work to do in identifying the gaps and how we are going to fill these gaps. For that we will do the prudent work and then come to our authorising environment, to the Council and to Parliament, for your approval of the approach we are proposing to fill gaps.

What is advancing faster than anticipated last year is the creation of the European Emergency Response Centre. I can assure you it would make a big difference because it would allow us to accelerate work on scenario planning – what kinds of disasters we have to be prepared for, and also on modelisation of the committed Member States' assets.

The words that made a difference were 'voluntary commitment from Member States'. But once that commitment is made, these assets belong to the Community and they are deployable by us.

President. – Question 26 by **Jim Higgins** (H-000157/11)

Subject: Climate change and the role of farmers

Does the Commission have a view on what importance should be given to the role of farmers, in terms of carbon sinks, forests and other measures, when fighting one of the biggest challenges our environment faces today?

How does the Commission intend to support farmers in their battle against climate change?

Connie Hedegaard, *Member of the Commission*. – Both agriculture and forestry can, of course, play an important role in achieving the EU's climate objectives, and non-CO₂ greenhouse gas emissions from agriculture are actually included in the EU's Effort Sharing Mechanism, but emissions and removals of CO₂ related to land use, land-use change and forestry (what we call LULUCF) are not part of the current reduction commitment as adopted back in the 2008 in the climate and energy package.

However, as part of the package, the Commission was requested by the European Council and Parliament to assess modalities for their inclusion in the EU reduction commitment by mid-2011, and to make a legislative proposal as appropriate. So the Commission plans to publish the relevant communication this summer, i.e. in a very short time from now.

Inclusion could strengthen the environmental integrity of our climate commitments, ensuring that all emissions and removals are covered, while enhancing the visibility of efforts by farmers and foresters to increase sinks through sustainable land-use management.

The current CAP includes instruments that address climate change, mainly through the multiple co-benefits between agri-environmental policies and climate action. Pillar one provides income support to farmers who have to respect cross-compliance – a concept that includes baseline obligations, some of which are relevant to climate action. Rural development policy in pillar two makes more targeted climate-change measures available to Member States.

The 2008 Health Check reconfirmed climate change as one of the major challenges to be addressed, and already measures in relation to forestry – for example, afforestation – can be supported under the rural development policy.

A reformed CAP with a greener first pillar, introducing non-contractual and annual environmental actions that go beyond cross-compliance, and a second pillar more focused on climate action, supported by a professional farm advisory service, could be tailored towards helping farmers to manage their land-use systems so as to contribute to climate action (mitigation), and also become less vulnerable to climate change (adaptation). That is definitely what we intend to achieve through the next CAP.

Jim Higgins (PPE). – (GA) I want to thank the Commissioner. It is clear that her policy is going in the right direction. In terms of the state of agriculture in the economy of my own country, it is clearly very important indeed. For example, in 2010 the net transfer from the EU to Ireland's agricultural budget was estimated at EUR 978.3 million. It is clear that farmers are willing to work with you, in terms of climate change and other things like that, but they must receive compensation and money if we want to achieve that kind of cooperation. It is clear that they are willing to cooperate but, at the same time, they can not do so without compensation, without economics, without money.

Connie Hedegaard, *Member of the Commission*. – Basically I think that we agree. You use the word 'compensation'. I prefer to say that we should have the common agricultural policy move more towards a situation where there would be some help available for people who are delivering something to the common good. It thus becomes a much more tangible and more concrete option for farmers to move in the direction of doing something for the climate, for water quality, or whatever, so that we get more value for the subsidies that we give to agriculture. That is, at least, the thrust of our thinking in the Commission.

President. – Question 27 by **Justas Vincas Paleckis** (H-000162/11)

Subject: Gender equality in the fight against climate change

According to the 2011 global climate risk index there are six Member States among the 35 countries in the world which are most at risk. In terms of climate change, women comprise the most vulnerable group, as they form the majority of the poorest populations. Although gender equality is recognised as a precondition for the achievement of sustainable development and the Millennium Development Goals, climate change policy does not, in the view of the experts, pay sufficient attention to this. There is clearly no procedure for involving women in the fight against climate change.

What action does the Commission plan to take in order to include the subject of gender equality in European climate change policy?

Connie Hedegaard, *Member of the Commission.* – The European Union has for a long time been a promoter of gender equality. In support of this, the Commission has a well-established practice for widespread consultation both within and outside the Commission. In particular, the consultation of all Commission departments allows for consideration of gender equality aspects of all legislative proposals and other initiatives, including in relation to climate change.

The Commission recognises the serious social impact upon women of climate change, as well as the important role of women in combating climate change. The Commission, back in October 2009, called for there to be a platform for women to make their voices heard, in particular as agents in the fight against climate change.

In addition to this, the Commission is working closely with Member States and the EU Presidencies for the development of indicators for the follow-up at EU level of the 12 areas of concern of the so-called Beijing Platform for Action.

In this respect, in the strategy for equality between women and men 2010-2015, the Commission has designated the development of indicators in the area of women and the environment among the priorities of the future work of the European Gender Equality Institute. We also understand that in the first half of next year, the Danish Presidency wishes to develop indicators in this field with a particular focus on climate change. A report is to be prepared by the European Gender Equality Institute and specific conclusions could be adopted by the Council on this issue towards the end of the Danish Presidency semester.

So climate change and women is very much on the agenda.

Justas Vincas Paleckis (S&D). – Thank you for your comprehensive answer. A couple of years ago the Commission announced that the main security threat now is climate change and that mankind has approximately 10 years in which to make the changes reversible. I personally am of the opinion that the economic crisis, revolutions in North Africa and now Fukushima have distracted attention from the fight against climate change. Do you have this impression as well?

Connie Hedegaard, *Member of the Commission.* – It is clear that we have had very many challenges in the last couple of years. However, regarding North Africa for instance, I must say that – as was just mentioned – what started in Tunisia was, among other things, triggered by the increase in food prices there.

I think that the world saw that climate change is not the only reason why we have increases in food prices, but climate change is a threat multiplier. It makes other kinds of threats worse. It is not an 'either/or' situation. However, I think that in many respects it is dawning on ever more countries, governments, businesses and sectors that there is a link between how we address climate change and how we provide security for people.

President. – Question 28 by **Zbigniew Ziobro** (H-000164/11)

Subject: Costs of cutting CO₂ in the European Union

The European Union is planning to cut CO₂ emissions by 20% by 2020. This ambitious target cannot be attained without affecting the economies of the Member States. Firms are already moving their production out of the EU as they are unable to afford the cost of European climate policy.

Has the Commission carried out any simulations to show how cutting CO₂ emissions will affect the economies of the EU Member States?

Which countries will be hit hardest by this move and how will it affect their GDP?

What would be the costs to the Member States' economies of a target to cut emissions by 10 and 15% by 2020?

Connie Hedegaard, *Member of the Commission.* – The Commission has actually already responded to similar written questions from the honourable Member Mr Ziobro on the cost of reducing greenhouse gas emissions in the European Union by 2020 and on the question of carbon leakage, back in March and April 2010.

The EU has managed to decouple its economic growth from its emissions. EU GDP has increased by 45% since 1990 while emissions have been reduced by 13%, and that includes 2010 figures, meaning that was after we exited the crisis. Over the same period, the European Union manufacturing industry grew by more than 30%. These figures show that continued growth can go hand in hand with reducing emissions. For instance, it is actually estimated that, between 2005 and 2009, 550 000 new jobs were provided by the renewable energy industry alone.

Firstly, with regard to carbon leakage, the Commission would like to stress that in the latest amendment of the ETS Directive the European Parliament and the Council have decided to tackle this issue by allocating a higher share of free allowances for sectors and subsectors deemed to be at a significant risk of carbon leakage. The Commission's analysis published back in May last year confirmed that free allocation is an effective means to address the potential risk of carbon leakage.

Moreover, the risks for carbon leakage have been reduced further, since now more than 80 countries, amongst which all emerging economies, are implementing the pledges they committed to in Copenhagen and are implementing their domestic targets. I must say that the Commission has no evidence that companies are moving their production outside the EU due to climate policy.

Secondly, the European Commission has assessed in detail the costs and benefits of CO₂ emission reductions on the European economy in the framework of the Climate and Energy package agreed back in 2008. More recent analysis conducted in 2010 shows that the costs of meeting the 20% greenhouse gas reduction target have fallen by at least one third compared to the analysis made in 2008. Now they are estimated at EUR 48 billion, which

represents 0.32% of the projected 2020 GDP. Having said that, it should also be mentioned that some of these investments will come back in, for instance, saved oil expenditure.

In developing the climate and energy package, the Commission has taken due account of the different circumstances in the Member States in terms of economic development, wealth and energy mix. In addition, the climate and energy package contains three specific mechanisms to balance overall costs across Member States, so that efforts are shared in a fair and equitable manner.

Zbigniew Ziobro (ECR). – (PL) Mr President, thank you very much for having been so kind as to include my question. In view of the fact that we are running very late, however, I will limit myself to one consideration, if I may. I will happily pass on information to the Commissioner regarding companies which are deciding to transfer production outside EU Member States due to the constraints associated with reduced CO₂ emissions. In my opinion, if I present you with these concrete facts then the Commission will also be persuaded to analyse the negative consequences this process has for the European Union economies.

In view of the fact that CO₂ emissions know no borders, and that after production is transferred emissions will continue, which will unavoidably have a negative impact on the environment, the European Union economy will lose out, since it is exporting jobs.

Connie Hedegaard, *Member of the Commission.* – We all agree with that, of course. That is also the reason why, through the benchmark system, we have ensured that the sectors most exposed to carbon leakage will get almost all of their allowances for free.

But let me correct just one misunderstanding: I think we should be very careful in the European Union and not believe that others are doing nothing. Last week, I came back from Korea. They are also introducing carbon trading now; they are finding out exactly how to do it. They will start it on 1 January 2015. China is carrying out huge pilot projects on carbon trading. They want to make it a national system in the very near future. They are also introducing environmental taxes, and so on and so forth.

I could cite a lot of economies that we are competing with who have now realised that they also have to conduct ambitious environment policies, energy policies and climate policies. They have also realised that, if they do this intelligently, it will benefit their economies in the end.

President. – Questions which have not been answered for lack of time will receive written answers (see Annex).

That concludes Question Time.

(The sitting was suspended at 20.20 and resumed at 21.00)

IN THE CHAIR: RAINER WIELAND

Vice-President

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

President. – The next item is the recommendation for second reading by Mr Manders on behalf of the Committee on Internal Market and Consumer Protection on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on textile fibre names and related labelling and marking of

fibre composition of textile products and repealing Council Directive 73/44/EEC, Directive 96/73/EC of the European Parliament and of the Council and Directive 2008/121/EC of the European Parliament and of the Council (13807/4/2010 - C7-0017/2011 - 2009/0006(COD)) (A7-0086/2011).

Toine Manders, *rapporteur*. – (NL) Mr President, I want to thank everyone and, in particular, all the shadow rapporteurs for the excellent cooperation we have experienced. I want to thank the Commission for the way in which we have worked together. I also want to thank the Council, because I believe that, thanks to the Hungarian Presidency, we have broken the impasse on this particular issue. What I am particularly happy about is the fact that this is a regulation and not a directive. I take the view that regulations are the right tool for completing the Internal Market, which is, incidentally, what Professor Monti also clearly demonstrated in his research.

We are producing too much legislation that is implemented at various levels, and because of that the Internal Market is failing to function as it should. I am happy that this issue is being discussed in this case and I note that we have, indeed, improved a number of things on that score. The proposal was dealt with by the Committee on Internal Market and Consumer Protection. In the original proposal, there was, in fact, hardly any mention of the consumer; we, as politicians, understood that we also have to protect the interests of the consumer in this report, as, indeed, we have done.

There are several important considerations and here I am thinking, in particular, of research into allergic reactions. The Commission has indicated that it is prepared to carry out a study of these important issues. It will present the study by 30 September 2013 at the latest and incorporate the positive results from the study into additional legislation. The Council has stated that it would be willing to help think things through, if the result is positive and attainable.

Let us consider allergic reactions and chemical substances – we are witnessing increasing numbers of consumers developing allergic reactions when wearing certain clothes or eating, smelling or inhaling certain products. We believe it is necessary to examine the possibility of warning consumers of such potential allergic reactions. Very often, deceptive trade practices are also going on. In fact, they have been prohibited in the European Union since 2005, but we can see that there is too little clarity about the country of manufacture when it comes to made-in labels.

There is too little legislation available, which means that it is quite often abused. We have also asked the Commission to examine the possibility of laying down clear laws and conditions, in order to ensure that manufacturers who claim a particular product was manufactured in, say, the Netherlands, Italy or Germany can guarantee that that really is the case. We do not want situations where 99% of a product is made in China and only the finishing jobs are carried out in one of the Member States of the European Union, but the lovely ‘Made in Europe’ label is still attached to it.

This would also cover counterfeiting, for example. What I am particularly pleased about is the fact that we are opening the door to modern technologies, that we are not sticking with simple old-fashioned textile labels in textile products and that we are actually going to look into the possibility of using modern technologies in order to provide the consumer with the best possible information. The Council has already directly agreed to labels indicating whether garments contain animal products, because it is becoming more and

more difficult to work out whether a piece of fur is real or fake, and there are a great number of consumers for whom that kind of information is important.

The upcoming study by the European Commission is particularly intended to eliminate barriers to the proper functioning of the Internal Market and to anticipate developments in the area of electronic commerce. Because, if we want there to be more e-commerce, then we have to ensure there are European standards for labelling. I hope this study will lead to clarity on this.

It also seems to me that, in the modern world, we no longer need to put 23 languages on a label, because modern technologies can provide improved solutions to this problem.

I hope that the Council's statement tomorrow will be a positive one and that it will assure us of a positive result, and I wish to thank everyone who has contributed to that positive result.

Enikő Győri, *President-in-Office of the Council*. – (HU) Mr President, Commissioner, Mr Manders, ladies and gentlemen, it is a great achievement that a second-reading agreement has been reached on the proposal concerning a regulation on the naming of textile fibres and the related labelling of textile products. This would not have been possible without the close cooperation of the three institutions.

Allow me to convey the appreciation of the Council to the European Parliament for the excellent cooperation. I would like to thank especially the rapporteur, Mr Toine Manders and his colleagues for the highly valuable work they have contributed to this process. I also appreciate the work of the Swedish, Spanish and Belgian Presidencies, because the current result is due to their work of superior quality.

The Commission has been a very constructive and cooperative partner throughout the whole period, and thanks are due to them as well. If all proceeds as planned, the Council will be able to adopt the text of the regulation in early autumn, and therefore the legislation will be applicable from 2012.

This regulation will significantly contribute to the operation of the Internal Market, and will strengthen competition in this important sector. The simplification and development of the present regulatory framework for the development and application of new textile fibres will motivate innovation in the textile and clothing industries. Users of the fibres as well as consumers will be able to enjoy the benefits of the new and innovative products sooner.

The Hungarian Presidency believes that the regulation will provide greater legal certainty for economic operators, and will improve consumer protection on the Internal Market.

As a result of the provision on revision the co-legislators can make informed decisions because the Commission will conduct an in-depth survey on further compulsory labelling requirements. These may include handling instructions, standardisation of sizes, indication of country of origin and allergens, electronic labelling and other new technologies.

In their draft joint declaration, the European Parliament and the Council emphasise that they attribute particular importance to the traceability of textile products and the use of new technologies.

We hope that the Commission will pay special attention to these issues in its report. Until then, this piece of legislation will allow rapid authorisation of new textile fibres.

The regulation states that the label must include the accurate fibre make-up, but it also introduces a new labelling requirement concerning non-textile parts of animal origin. As Mr Manders has indicated, as a result consumers can make much more informed decisions. Furthermore, the fact the legal instrument was created in the form of a regulation will improve legal certainty in this field. Congratulations, once again, and thank you for your attention.

Antonio Tajani, *Vice-President of the Commission*. – (IT) Mr President, ladies and gentlemen, I thank the rapporteur, Mr Manders, together with all the other shadow rapporteurs and the Committee on the Internal Market and Consumer Protection (IMCO) for their work towards reaching an agreement after difficult negotiations. I believe it is crucial to reach an agreement at second reading because it will allow citizens and businesses to benefit more quickly from new fibres and innovative products resulting from it, and national governments will be able to reduce costs.

Once again I thank the House for contributing to the interinstitutional debate through the amendments presented, some of which have given particular emphasis to the political dimension and consumer interest in this issue. In fact, at the first reading of this report when it was adopted by Parliament with a large majority, it was stressed that we need to launch a broad debate on the labelling of textile products, including the issue of origin marking and we proposed to extend the scope of the regulation to certain sectors. As you all know, the negotiations with the Council in the following months called for flexibility from all sides to identify workable solutions for the institutions.

I believe that the agreed text is a balanced compromise that incorporates many of the amendments presented by Parliament and leaves room for further developments in the near future, which – as Mrs Győri pointed out during her speech – is very important. In the short term, or as soon as the new regulation comes into force, consumers will have more information about the presence of non-textile parts of animal origin and will also have access to information on the full composition of textile products.

Another immediate result of the new regulation is simplification, since the Commission will turn a detailed technical attachment of more than 50 pages into harmonised European standards. However, even more importantly, the immediate results of this regulation are not the last stage of the process. On the contrary, they are a starting point for further analysis and for improving the legislation. In fact, in the short term the new regulation provides a comprehensive review clause which invites the Commission to set out, where necessary, further labelling requirements in this area. The Commission will then make suitable legislative proposals in the areas which require greater harmonisation. It is my intention – and I hereby take on the commitment before Parliament – to deal with this review both immediately and thoroughly.

We are already preparing for the task of consulting consumers on some fundamental questions, namely: what kind of information is important and how should it be made available; in what way should technological developments, such as electronic commerce, affect the purchase of textile products; to what extent does the growing need for traceability, sustainability and corporate social responsibility influence the textile fibre market; how can we make better use of available technology in the digital age; how can we, as institutions of the European Union, adapt our laws to the growing needs of citizens regarding ethical, social and environmental issues.

Mr President, these are just a few of the topics on which work has already started. As you can imagine, origin marking will undoubtedly be one of the priorities and core elements of our work. The review will therefore provide an opportunity to reaffirm my support for origin marking and clarify this issue once and for all, as it is an essential instrument for the competitiveness of European companies and the health of EU citizens. We will examine this matter in depth in order to provide clear rules, prevent misleading information and facilitate responsible choices by consumers when purchasing textile products.

As stated by the rapporteur, Mr Manders, the Commission will also evaluate the link between allergies and chemicals used in textile products. Specific analysis in this field will be able to indicate the best way to use existing legislation, such as REACH. Let me explain briefly: through the use of origin marking, buyers will be sure they are buying a textile product that is not harmful to their health nor that of their children because the labelling will comply with all the rules of this important regulation which, at the cost of significant sacrifices, European institutions have imposed on all industries in this sector.

The review clause – and again I thank the Council for having stressed its importance and declared their willingness to work with the Commission immediately to transpose the regulation – requires the Commission to submit a report, possibly followed by a legislative proposal, by 30 September 2013. I am determined to cut down the time required and have already instructed my staff to start work.

Lara Comi, *on behalf of the PPE Group.* – (IT) Mr President, Commissioner, ladies and gentlemen, we have finally reached an agreement on this important dossier, thanks to a great effort from everyone to find common ground between the divergent positions of Parliament and the Council. My goal was, is and will be to ensure that binding rules are adopted on textile product origins, since consumers and businesses must absolutely be protected. I believe that the compromise reached today is a very good result.

I urged my fellow Members to fight the Council, and I use the word ‘fight’ with good reason, because negotiations have not been at all easy. We fought not only to achieve origin markings but also for traceability. The latter represents a key piece of information for the consumer before a product is purchased. Today, European consumers find textile products labelled ‘Made in Italy’, ‘Made in Germany’ or ‘Made in France’, when in fact they have been almost entirely produced elsewhere.

We also ask for new labelling technologies, such as microchips and Radio-Frequency Identification (RFID), to be used in order to combat product counterfeiting. It is true that we have expanded the scope of the proposal for a regulation because we believe that the textile sector urgently needs greater protection. The joint declaration to be adopted by Parliament and the Council shows the importance of traceability and origin marking. I do not hide the fact that the Council’s *volte-face* makes me confident for the future.

We await with great interest the study requested from the Commission, whom we thank once again for their cooperation, and I thank the Mr Tajani sincerely for having just committed himself to reducing the timescales involved, because the textile industry is in urgent need. We cannot leave unheeded our citizens’ need for truthful product information. After all, we are all consumers and reaching this objective is in everyone’s interest.

Christel Schaldemose, *on behalf of the S&D Group.* – (DA) Mr President, Commissioner, ladies and gentlemen, I would also like to say a very big thank you for the excellent compromise that we have reached. The rapporteur, Mr Manders, in particular has done

some sterling work and he ensured that we experienced truly excellent cooperation here in the European Parliament. We have come a long way since the Commission tabled its original proposal. It was a mainly technical proposal and it was one that only contained benefits for businesses. Fortunately, however, by working on the proposal here in the European Parliament, we succeeded in incorporating elements that make this legislation beneficial for consumers, too. I believe that this is absolutely crucial.

As a result, we will have better labelling and a higher level of safety for consumers once we have finally implemented this legislation. The most important aspect for me and for the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament was to ensure that the textiles that are sold on the Internal Market do not cause health problems. We are therefore very pleased that the requirement for there to be no residues of hazardous substances in our textiles that could give rise to allergies was successfully voted through – and, as the Commissioner has just said, that we are to have a study carried out to ensure that this is the case. This is absolutely vital and it is something that we in the S&D Group are very pleased about.

We also agree that traceability and origin are extremely important, and this is also the type of information that consumers are very keen to have. Personally, I also hope that we can achieve a little bit more than this and that we might also be able to have harmonised clothes sizes and use new technologies in our labelling of textiles in the future. I do think that we have achieved a great deal, however. It should be a lesson for us that, when we lay down legislation here in the EU, it is important for it to benefit both businesses and consumers at the same time. That is the best way to ensure that we have a well-functioning Internal Market. I would like to finish by expressing my sincere thanks once again to all my fellow Members for their outstanding cooperation. I think we have achieved a very good result.

Cristian Silviu Buşoi, *on behalf of the ALDE Group.* – (RO) Mr President, first of all, I would like to congratulate our rapporteur Toine Manders for the fine job he has done and for the perseverance he has shown in the negotiations with the Council on this proposal for a regulation.

I welcome the agreement which has been reached with the Council at second reading. I believe that this is an agreement which, although it can be improved, will boost the competitiveness of the textile industry, while at the same time providing consumers with better information. This agreement has a large number of positive points. Firstly, the procedure for including new fibres in Annex I has been simplified. This will help reduce the administrative costs for the textile industry and allow this money to be reallocated to innovation. This measure will also benefit consumers as innovation is encouraged.

I also think that this regulation will offer benefits to consumers due to the labelling requirements. Providing consumers with sufficient information so that they can make an enlightened choice is a completely natural step. The discussions about the labelling have lasted longer than the Commission initially proposed. However, I think that this can only benefit European consumers. I agree that we need more time to evaluate the impact of some additional labelling requirements, especially regarding origin, the care treatment method and the introduction of a harmonised size labelling system. This is why the study carried out by the Commission marks a first step forward.

Finally, I believe that the labelling requirement for non-textile parts of animal origin is a sign of real progress as it is consumers who do not want the textile products they buy to

contain such materials. I think that, as a whole, this regulation will help deepen the single market for textiles, a move which I fully endorse.

Adam Bielan, *on behalf of the ECR Group.* – (PL) Mr President, simplifying the binding legal framework in respect of the labelling of textile products is intended to encourage the development of new textiles and their introduction onto the market. The proposal we will vote on tomorrow differs significantly from that put forward by the European Commission, which mainly consisted in technical changes simplifying legislation already in force.

The original aim of the report was to speed up the procedure for registering the names of new textiles, in order to provide effective support for innovation in the European textile and clothing industry, while at the same time making it possible for consumers to benefit more rapidly from modern products. Despite the fact that work on the simplification of procedures has slowed down during the more than two years spent on this dossier, I would note that Parliament proposed extending the original scope of the regulation, in particular to include provisions concerning the country of origin of textile products, so I am glad that a balanced compromise has been reached. I would point out, however, that my group decided to approve the proposal in its initial version, which provides rapid benefits for business and consumers. We proposed right from the start that work on these issues should not take place in the context of the technical report. The Commission will therefore be asked to carry out a more in-depth analysis of the issue of mandatory 'made in' labels for textile products manufactured outside the EU, and by 2013 it will produce a report on the possible launch of a system for country-of-origin labelling for products. This report may be accompanied by a legislative proposal.

The compromise between Parliament and the Council also guarantees that labels on clothing products will provide information regarding the use of materials of animal origin. If work is to be carried out in future on new opportunities for informing consumers about textile products, for example Europe-wide size harmonisation or RFID technology, let us remember to take a pragmatic approach, in line with consumers' expectations and what industry can achieve.

Eva-Britt Svensson, *on behalf of the GUE/NGL Group.* – (SV) Mr President, we say that consumer power is important, and if we are serious about this we clearly must also give consumers the opportunity to use their power. We must ensure that they have adequate product information etc. to be able to make wise and informed choices. I would therefore like to thank our rapporteur, Mr Manders, in particular for his persistence and commitment to ensure that the report includes the consumer perspective. I would also like to thank the shadow rapporteurs, who have shown a great deal of commitment to increasing consumer power. As shadow rapporteur, I have tabled an amendment on behalf of the Confederal Group of the European United Left – Nordic Green Left concerning origin labelling, mandatory labelling of animal products and ethical and environmental labelling. It has not all been included, but I am very pleased with the compromise that we now have and I would like to express my support for it.

There is a lack of information when it comes to chemicals and various products used in textile manufacture. The Commission has promised to carry out a study of this, and I would simply like to emphasise how very important it is that we have such a study done in order to be able to protect public health and combat allergies, among other things, in which we have seen a significant increase. We need to be able to see, and, where present, substantiate the connections that exist.

I am also pleased that parts of textile products of animal origin are also to be labelled, and I wanted to use my speaking time to say thank you to everyone for their excellent work to increase consumer power. Thank you.

Oreste Rossi, *on behalf of the EFD Group*. – (IT) Mr President, ladies and gentlemen, the measure in question is designed to replace three obsolete directives and relates to the labelling of textile products entering the European Union and the registration and naming of the substances they are made of.

A text was adopted at first reading which called for labels to indicate the place of origin as well as a complete and mandatory list of the product's composition. Unfortunately, the Council's position appears to contradict the text approved by Parliament since, in particular, it is against any reference to origin marking and the introduction of traceability in textile product labelling.

Just to get the measure approved at the second reading, the Internal Market and Consumer Protection (IMCO) Committee has agreed to a text which does not satisfy us because it does not provide for origin marking. We will therefore vote against it, because the aim of providing consumers with correct and accurate information about the origin and composition of the product has not been met.

Antonio Cancian (PPE). – (IT) Mr President, Commissioner, Minister, ladies and gentlemen, through this new regulation on textile product labelling, which we will vote on in plenary tomorrow, Europe will reach an objective it has been pursuing for years. However, it can only be considered a first step towards comprehensive legislation to protect all European consumers by indicating the country of origin and adopting a new and accurate traceability mechanism.

I welcome the invitation to the European Commission to draft a legislative proposal for the adoption of new, more accurate and complete labelling systems. These will offer greater information about the characteristics and origins of textile products imported from third countries and sold in the European Union, thereby protecting consumers from false, improper and deceptive claims of origin. I hope it will encourage innovation in textiles and clothing, making it easier for consumers to benefit from innovative products.

The proposal also supports the European manufacturing industry and guarantees its business in the global context. Finally, through these measures Parliament is sending the governments of the Member States a positive message in order that they will consent to the introduction of textile product traceability. This will provide consumers with more comprehensive and truthful information than under current legislation on origin marking and avoid them being misled.

We now need the regulations on textile product labelling to be extended to all other market sectors, thereby coordinating the various legislative proposals and insisting that the fibres and textiles proposal, as well as the general origin marking regulation approved in Strasbourg last October, are adopted the Council in short order. As Mr Tajani has already emphasised, the deadline of 30 September 2013 is too distant. We are therefore relying on his stated commitment to bring it forward.

María Irigoyen Pérez (S&D). – (ES) Mr President, I should like to start my speech by congratulating all those who have made it possible to reach an agreement.

It is a report that we should all welcome because it affects the day-to-day lives of all members of the public, but, in the constructive spirit characteristic of me, I should like to point out a few things.

To begin with, I should like to draw attention to the importance of providing consumers with information that is precise and relevant, but above all comprehensible and uniform, regarding the components of textile products: exhaustive information is useless if the public is then unable to decipher it. We have achieved a step forward that is necessary but not enough: we must make further progress and protect the most vulnerable members of the public.

Ladies and gentlemen, it is essential to establish a European size labelling system based on body measurements, because the first thing we look for when we go to buy clothes is the size. We must therefore be much more ambitious and seek the harmonisation of sizes.

Olle Schmidt (ALDE). – (SV) Mr President, I would like to thank Mr Manders and offer particular praise for the fact that the request that parts made of animal fur be identified has now been included. Labelling is good for consumers, as we all know. We also know how important it is to have freedom of choice, and in order for consumers to be able to make considered choices it is necessary to have good information that is truthful and easy to understand. In this regard, I have a problem with origin labelling. Modern products are often made up of textiles and parts from different countries and it is almost impossible to correctly label an item of clothing with its origin. Mr Manders touched on this himself: where do we draw the line, what should we label and how much should come from a particular country?

In the modern global world, origin labelling could be a way of enabling consumers to be well-informed and to make the right choices. However, it could also be a sign of hidden protectionism, and sometimes when I hear these speeches I feel that I can both hear and see this. It is open borders and free trade that has made Europe rich and Europe's consumers know that. Thank you.

Anna Rosbach (ECR). – (DA) Mr President, the textile industry is a global industry. The clothes that we wear have often been around the world before they end up with the EU's consumers as finished products. This report is comprehensive, thorough and very technical. Finding the right balance between competitiveness, consumers' right to information and the possibility of traceability at global level is difficult. Consumers have a right to know what chemical substances were used in the manufacture of a product, where the raw materials come from and other relevant information. However, how do we find the balance between an endless declaration in the collar of an item of clothing and a small label that simply says that the clothing should not be washed?

Labelling must be unambiguous and provide clear information to enable citizens to make their choice according to their own conceptions. This compromise is a step in the right direction. However, the study by the Commission will not be carried out until 2013. This study is to form the basis for how consumers, via the labelling, can obtain 'accurate information on the country of origin and additional information ensuring full traceability of textile products'. I hope that this basis will translate into a sensible and useable piece of legislation. 2013 is still a long way off, so I am pleased that the Commissioner wishes to bring forward the date for legislation that will provide full information for consumers. Thank you Commissioner. The European Conservatives and Reformists will vote in favour of the proposal.

Jacky Hénin (GUE/NGL). – (FR) Mr President, in 2005 the abolition of textile quotas left the doors of the Union wide open to all kinds of dumping. That was disastrous for employment and the environment, and, despite appearances, it is disastrous in the long term for consumer health.

It is high time that we introduced measures aiming to protect and develop jobs and to promote know-how among textile employees, as well as consumer health. Even though we wanted to go further, we are approving the proposals that have been submitted to us concerning origin labelling, the study on hazardous substances and the mandatory marking of the fibre composition of textiles. We must still make sure that we have the resources to implement this protection and information in all the Member States and to take action against offenders.

Yes, we must make sure that we have the resources to combat counterfeiting – at the borders of the Union, for example, but also in the very heart of the Single Market. This is a question of political will. It has to be said that, unfortunately, more resources are being put into tracking down Tunisians at the French-Italian border than into combating the sale of counterfeits.

If we consider that fact, then, it is clearly better to be a commodity than a human being in Europe. We must change this.

Matteo Salvini (EFD). – (IT) Mr President, ladies and gentlemen, while thanking the President of the Commission and Mr Tajani for their efforts, we of *Lega Nord* must say that we are completely and utterly dissatisfied.

This debate seems surreal to me. It is a con, a downright con. Some excited left-wing Members are suggesting that we agree on uniform sizing, while we do not know the origin of the goods worn by consumers. So much for free market! I would like the surreal debate of this Tuesday evening – which was held in a half-empty Parliament – to be heard by a few thousand of the manufacturers that survived the crisis in the sector.

I understand the logic of compromise, but the current text destroys the one which resulted from the first reading and was voted for by an overwhelming majority. It was a balanced text that took account of the needs of both producers and consumers. Since then it has been a complete fiasco: if I am not mistaken only two out of the 27 Member States have asked that the consumer be informed of the composition of garments, and the Hungarian Presidency of the Council has ignored this fact. Is this not yet another demonstration that Europe is light years away from the interests of citizens, be they producers or consumers?

Csanád Szegedi (NI). – (HU) Mr President, ladies and gentlemen, Mrs Győri, please let me divide the topic of labelling textile products into two important issues. The first important issue is that it is necessary to indicate where, which country a textile product originates from. The other important issue is of course that the materials the textile product is made of should also be indicated accurately. A single system of regulations is of course beneficial in both cases.

If we take a look at the first issue, namely, the origin of products, it makes sense to begin with the cliché that there is an ongoing crisis in the European Union that is due mainly to the fact that production industries, for example the textile industry, were outsourced to different countries in the Far East for easy and quick profits, and therefore production in the European Union has declined.

We have to find the breakout points that will help the European Union overcome the crisis. The textile industry is especially such a sector, along with, for example, agriculture, machine production or tourism.

European manufacturers are at a marked disadvantage in the textile industry, because the dumping of cheap and poor quality products from the Far East makes it impossible for European manufacturers to make progress.

Country of origin must be indicated, and I would definitely support even the indication of the EU Member State, trusting the wisdom of costumers who support their own economies, as everyone will see, say, a Bulgarian, a Czech, a Hungarian or a German person, that they are buying a product manufactured in their own country.

We must protect our markets with new technologies, and the quality of materials must be indicated, backed by strict laboratory testing.

Zuzana Roithová (PPE). – (CS) Mr President, it was one year ago last week that a very comprehensive bill on labelling textile products, as tabled by our Committee on the Internal Market and Consumer Protection, was passed by a large majority at first reading. I greatly applaud the work of the rapporteur, Toine Manders, and others who negotiated up to the last minute with the Council on a compromise at the second reading, which allows the more rapid introduction of new fibres in European manufacturing and improves product safety.

I must express regret, however, over the fact that the Council has so stubbornly refused to introduce country of origin labelling and to harmonise size labelling. I am very disappointed with the approach of the Council, which deprives consumers of the right to find out before purchasing where a significant part of a product was made. After all, this not classified information. It will reinforce the promotion of high-quality European brands, and will rightly inspire pride in citizens for what Europeans still manage to produce, despite the competition from cheap labour. If consumers know where a product was made, they will also more easily avoid purchasing hazardous products, of which there are still very many, despite improved controls. This is absolutely not about protectionism.

I am pleased that the Commission, at least, is prepared to present an impactsassessment by September 2013, which, apart from country of origin, will also focus on harmonised methods for treating products, size labelling, and the inclusion of information on hazardous substances, allergens, flammability and so on. It remains to be seen whether this will have any effect in two years' time on the Council, which protects the interests of businesses importing textiles from third countries more than it protects European producers and consumers. It is also up to us, however, to convince people about this, not only here in Brussels, but also our governments at home, if we want to achieve these goals. I would like to end by thanking Toine Manders once again, as well as the Commissioner and everyone else, for today's result.

Gianluca Susta (S&D). – (IT) Mr President, ladies and gentlemen, this proposal for a regulation is worthy of support because it helps to simplify and harmonise the different laws in the Member States. The proposal sends out a signal that is in line with the Commission's proposals on small and medium-sized enterprises and the strategies to stimulate European competitiveness in the manufacturing sector. The regulation also implicitly rewards product innovation and contributes to greater transparency in the process.

However, I would point out that the compromise reached with the insertion of the review clause and the joint statement by Parliament and the Council on origin marking – the political significance of which is not lost on me – could set a precedent and compromise the outcome of the difficult negotiations between the Commission, Parliament and the Council on the complex issue of origin marking for non-EU products, which Parliament approved at first reading last October and which concerns non-textile products also.

It is high time that the Council acknowledged once and for all the democratic will expressed here by the majority of MEPs. However, despite these concerns, we will vote in favour of the proposal for a regulation.

Claudio Morganti (EFD). – *(IT)* Mr President, ladies and gentlemen, while on the one hand this report contains useful measures designed to simplify and harmonise this area, on the other hand I oppose it because we did not manage to include a reference to origin marking within the text. This measure would have been of fundamental importance for the textile sector, and would have provided a guarantee for European citizens and consumers.

Our main competitors, such as the United States, Japan and even China, have already been applying a similar rule on imported products for some time. Who knows why, but Europe seems to consider this point to be completely irrelevant and extraneous. The issue, however, is anything but trivial: labels with origin marking can help prevent fraud, as well as protect quality. Just last week in Prato, my hometown, more than 73 000 counterfeit items were seized and the majority of them were textile products.

Counterfeiting, imitations, extremely low-cost manufacturing in the Far East, and so on, have brought our textile and manufacturing sector to its knees, and Europe ignores our every request. Forgoing origin marking is, sadly, only the latest terrible idea.

(The speaker agreed to take a blue-card question under Rule 149(8))

Lara Comi (PPE). – *(IT)* Mr President, I am addressing the Members from the *Lega Nord* party to ask what their party has done during the negotiations and the trialogue, since I personally, together with the Group of the European People's Party (Christian Democrats), asked them to make an active contribution.

It is right to criticise, but it would be better to work together to achieve tangible results and not just reel off slogans.

Claudio Morganti (EFD). – *(IT)* Mr President, during the first reading in committee, a completely different text – one including the product origin certificate – was approved. It is not clear why the Council and the Commission gave up on this point: we do not intend to give up, and so we are voting against the report precisely because the origin certificate has been omitted.

Elisabetta Gardini (PPE). – *(IT)* Mr President, Commissioner, ladies and gentlemen, we are all here to assess a text that certainly contains a few gaps, since I think that – as is often said in this House – we all wanted something more ambitious. However, we are also all aware that we are on the right track. Obviously, a clear and mandatory labelling system for all items of clothing allows for greater control and means that fraud and illegality can be combated more effectively.

For example, there was practically unanimous praise for the fact that this text makes it obligatory to indicate where trimmings are of non-textile animal origin. We hope that this will make for a more effective fight against the heinous trade in dog and cat furs, which are used as trimmings on garments placed illegally on our market. We had hoped for a more ambitious plan including an indication of the place of origin, or at least immediate origin marking for products from those third countries that are notorious for not respecting any rules or regulations protecting consumers, workers, the environment or children – rules and regulations which are now established practice in Europe and represent a genuine guarantee for our consumers and citizens. I should like us all to remember, however, that this is a battle we must win together and by working as a unit because, as Mrs Comi pointed out, this fight began a long time ago and today we are marking important progress.

The consumer consultations that the Commissioner has pledged to carry out will be a fundamental step, not only for the textile sector but also for all those sectors in which Parliament has often questioned the general public's desire for information concerning place of origin. I think that this information will be at the top of consumers' list of preferences, and I acknowledge the efforts made on this matter by all those Members who worked personally on this important text.

Ildikó Gáll-Pelcz (PPE). - (HU) Mr President, we must pay particular attention to the interests of consumers during the discussion of the report. Accurate indications and labelling must be sought, because these are the measures by which the added value of the European Union can be displayed for consumers. The current legislation in force allows for derogation. This means competitive disadvantages for the European Union, so the time has come to a legislative revision in line with the present market relations.

The rapporteur may be right in that there is no sufficient evidence for the potential effects of hazardous materials applied. Conversely, maybe the rapporteur is not right, and it would be advisable to examine this issue more closely. It is also important to assess cause and effect relations, if any, between allergic reactions and synthetic fibres and colourants used in textile products. Therefore the issues concerning quality, origin and traceability must be given even higher priority.

Phil Prendergast (S&D). - Mr President, EU citizens have a right to know the make-up of the clothes they wear and this regulation will allow them to avoid purchasing products containing non-textile parts of animal origin, whether for health, ethical or other considerations. When used in garments, for example as trimmings, such materials are currently not subject to mandatory labelling; most consumers are unaware of this and may not know the exact make-up of the textiles they buy.

EU legislation providing for this already exists for footwear, and it makes sense to provide our consumers with the same level of information when they buy their clothes. Allergy sufferers in particular stand to gain from this proposal, as fur is potentially hazardous to their health, and the Commission must also study the possibility that potentially hazardous materials and chemicals used in textiles may lead to allergic reactions.

Future applications of new textile fibre names must include available scientific data on possible allergic reactions and other adverse effects on human health. It should be stressed that these are balanced proposals which exempt clothes made by self-employed tailors from such labelling requirements.

Antonio Tajani, *Vice-President of the Commission*. – Mr President, rather than a technical debate, I think this is more of a policy debate within the context of decisions made by the institutions of the European Union – in this case Parliament, the Commission and the Council – to boost the real economy.

The European Commission and the Commissioner for Industry and Entrepreneurship intend to carry on supporting industrial policy and small and medium-sized enterprises, partly so as to provide answers to our citizens on the issue of the quality of the products made by our businesses. The competitiveness of the European economy is also measured in terms of product quality as a factor in the protection of the health of our fellow citizens. That is why this evening, at the end of this debate, the European Commission is renewing its desire to press ahead with origin labelling. As I already announced – and in order to reassure Mr Cancian and all the other honourable Members who have voiced concern about the overly long timescales – I can confirm that we will try to present our work ahead of schedule. In this regard, I confirm that I have authorised my staff to continue down our chosen path, because the Commission has always supported origin labelling both for products made in the European Union and for those that are imported.

This evening's debate has certainly not been fruitless, because Mrs Győri clearly stated that the Council sets great store by the clause we are discussing – which is the key to today's policy debate – and that it is ready to reach a forward-looking rather than a backward-looking agreement with the Commission and Parliament in order to provide our citizens with real answers.

I continue to believe that the traceability issue affects the competitiveness of SMEs and – just as my top priority since being appointed as a European Commissioner has been SME policy, so continuing the work of my predecessor – I intend to continue protecting the health of consumers through quality products which will be the only competitive ones on the international market, because the competitiveness of European Union products is measured in terms of quality. That is why I think it is important to continue working in this direction.

I am satisfied with the agreement reached between the co-legislators. As you well know, Parliament and the Council have to assess it at second reading, but the European Commission intends to seize back the policy initiative and reinvigorate it. In other words, the Commissioner for Industry and Entrepreneurship intends to start work immediately on ensuring the protection of our products, for the sake of the competitiveness of our businesses and the health of our citizens.

Before concluding, I should like to mention our commitment to supporting innovation in the textile and clothing sector. Adjusting legislation is one way of defending our competitiveness, but there are other industrial policy initiatives in the works as well. I will mention just two of them. We are developing measures to support the transfer of research outcomes and their transformation into tangible, marketable products and services. We are also preparing a communication on the fundamental aspects of competitiveness in the fashion industry.

All of this goes towards underlining the need to protect European businesses and the fact that there can be no growth and development, and above all no jobs, in a social and market economy situation in which the market – which is also a fundamental instrument of our European Union – does not pursue a higher and more important goal, namely social policy.

Enikő Győri, *President-in-Office of the Council*. – (HU) Let me respond in a few words to the questions concerning the indication of the country of origin, because this was the most exciting part of the debate, and I must say that this issue generated a lively debate not only during the consultation with Parliament but also in the Council, and we discussed this issue at great length.

Since consultations on the horizontal proposal concerning the country of origin in trade policy have not ended yet, it did not seem appropriate for us to create a precedent that would jeopardize the proposal and prejudice the outcome of that debate. We also considered the possibility of establishing a system operating on a voluntary basis for indicating the place of manufacture. In practice this option is already open to operators. But if we laid down this voluntary system in a regulation, without a proper implementation mechanism, it would lead to unjustified burdens and distortions, and that is something we wanted to avoid by all means.

I am positive that the Commission report will assess the effects of a possible system for designating origin, so that the legislators can make a sound decision at a future point.

(IT) (...) I must also express my gratitude to Mr Tajani for his willingness to speed up the work in the Commission aimed at finding a solution on this highly important matter.

(HU) So at the end of the day, it seemed to be a practicable solution to include a review clause in the text, and also settle the topic in a paragraph in the preamble, and it is a great pleasure for me that Mrs Lara Comi, who was the most important representative of the topic today and who is also a pioneer of the issue, has also said that this solution is an acceptable and good solution and can serve as a basis for joint work in the future.

So I would like to thank everybody for this useful debate once again, it is good that now we have a schedule concerning the future as well, and it is very important for us that, as several Members have indicated, we can combat counterfeiting as efficiently as possible and that the European consumer can trust the traceability of textile products.

So on behalf of the Presidency I would like to once again thank the rapporteur, the shadow rapporteur, the chairman of the IMCO committee and his colleagues for their joint efforts aimed at reaching an agreement on this piece of legislation in the second reading, through which the Internal Market of textile products can operate even more efficiently.

Toine Manders, *rapporteur*. – (NL) Mr President, the Committee on Internal Market and Consumer Protection stands for free trade and against protectionism. Protectionism was never the intention behind this proposal, but what it is intended to do is to ensure that modern technologies are used to provide adequate information for the consumer and also to provide accurate information. I also find it nonsensical that some members should say, after the first reading, 'Well, that is over, so now we can carry on regardless', because we in this House know that if we want to carry on as we were and if we want something other than what the Council or the Commission wants, then we will be thwarted in that aim. It is easy to call your attention to this now, but I do think this is the right way forward. I have seen how strongly Mr Tajani has supported our compromise and I call on Minister Győri to be just as strong in his attempts to persuade the Council to accept the positive elements which the study produces and enshrine them in legislation.

If that happens, I think that we will be able to show that we are making laws which are beneficial for our industry, for our consumers and also for us, because we do need to retain public support in Europe.

I thank everyone for their support and once again, Mr Tajani, thank you for your support and I hope that we will have the results of the study as soon as possible. I also hope that the President-in-Office will succeed in persuading the Council that we can set to work in a positive spirit.

I think that the future will show that the course we are now taking is a template, an example for a great number of sectors, a course that is worth the trouble we are taking. No legislation should ever be based on emotions, because that is not what anyone wants. On the other hand, legislation which is underpinned and supported by scientific arguments, with input from all parties, and which will eventually lead to legislation that is acceptable for all, whilst still being workable – now, that will lead to greater prosperity in Europe.

President. – The debate is closed.

The vote will take place on Wednesday, 11 May at 12:30.

Written statements (Rule 149)

Ilda Figueiredo (GUE/NGL) , *in writing.* – (PT) We know that on 30 January 2009, the Commission adopted the current proposal on a regulation on textile fibre names and related labelling of textile products. The aim of the proposal is to simplify and improve the existing regulatory framework for the labelling of textile products with a view to encouraging the development and uptake of new fibres. The proposal facilitates the process to adapt legislation to technical progress by transforming the three existing directives into a single regulation, which would avoid transposition of merely technical updates, and shortens the time between the submission of an application and the adoption of a new fibre name.

The majority of Parliament supports the simplification of the existing regulatory framework, which encourages innovation in the textile and clothing sector, whilst allowing fibre users and consumers to benefit more readily from innovative products.

In its position at first reading, adopted on 18 May 2010, Parliament approved 63 amendments with a very large majority, including rules on origin marking, indication of animal-derived materials, use of language-independent symbols and a review clause, but the Council did not accept everything. It is important that it accept several proposals, particularly those on origin marking.

Therefore, we support the majority of the positions adopted here.

20. Stress tests of the EU banking sector (debate)

President. – The next item is the debate on

– the question for oral answer to the Commission on the 2011 stress test of the EU banking sector by Mrs Wortmann-Kool, Mr Gauzès and Mr García-Margallo y Marfil on behalf of the Group of the European People's Party (Christian Democrats) (O-000063/2011 – B7-0216/2011),

– the question for oral answer to the Commission on stress tests of the EU banking sector by Mrs Bowles, Mrs Goulard, Mr Sterckx, Mr Haglund and Mr Schmidt on behalf of the Group of the Alliance of Liberals and Democrats for Europe (O-000074/2011 (B7-0219/2011) and

– the question for oral answer to the Commission on stress tests of the EU banking sector in 2011 by Mr Bullmann on behalf of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament (O-000105/2011 (B7-0309/2011)).

Corien Wortmann-Kool, *author.* – (NL) Mr President, the Group of the European People's Party (Christian Democrats) has concerns about the European banking sector stress test which is to take place in June, because last year's stress test lacked credibility and the consequences of that were painfully obvious when the Irish banks that passed the test landed in serious trouble shortly thereafter. We need to ensure that the same thing does not happen this year. The question is whether our financial sector is equipped to cope with severe weather. This knowledge is important, if we are to restore confidence in the financial sector.

Hence my question to the Commissioner: what are the most important changes that have been made to ensure that, this year, there is no repeat of the failure of last year's stress test?

Mr President, last year individual countries were able to decide which banks would undergo the stress test, but this year the newly-established European Banking Authority has been charged with ensuring equal criteria for every bank and for every Member State. This stress test will be a test, not only of the banks, but also of the credibility of the new supervision structure. Is the Commission happy with the fact that, while in some countries the stress test will cover 85% of the banking sectors, in others it will cover barely more than 50%? Now, that is a rather remarkable statistic, and I am curious to hear your explanation of this point.

Mr President, we need a robust European crisis resolution mechanism for cross-border banks and while, by obtaining the results of the stress test as early as June, we might be helping banks in difficulty, we will be missing an opportunity, in that we will still not have a European crisis resolution mechanism in place. The PPE Group encourages you to come up with ambitious proposals and you will be able to count on our support here in Parliament.

Sharon Bowles, *author.* – Mr President, I should like to say this to the Commissioner: the bank crisis resolution is being elaborated at an international level and there are also important competition issues to address, but this does not mean that everything has to wait, in particular when we have a combined sovereign debt and banking crisis.

Last year's tests were weak. We said so then and have repeatedly said that bank stress tests must be credible, robust and transparent. Indeed we need a whole lot more banking transparency in general. So I suggest that we take a lesson from the US and the Dodd Frank Act which requires disclosure, with a two-year time lag, of the US Fed's liquidity provision. There are European names in the US disclosures, and it would be an altogether healthy thing for EU central banks to follow suit with similar disclosure about support during 2008 and 2009 as an accompaniment to the new stress tests.

Now these new stress tests are improved under the EBA but there are still issues being avoided due to guarding and prevarication by Member States. It is about time that the message sank in that feeble political will is not the answer to this crisis and makes solutions more expensive. Why try and hide the full level of banks' exposure to sovereign debt, especially when we all know the likely reality?

There really is no excuse not to stress-test the banking book. Various assets got parked there, under the heading of Hold to Maturity, which would have been moved if they had

not lost value. Of course, analysts in the market are well able to read across from stress tests and other information and make an estimate as to what is going on in the banking books. But a darker interpretation, reflecting on some Member States themselves, will be cast by the fact that Member States – and in many cases the supervisors are the culprits – were not bolder incoming clean.

Meanwhile actions are being provoked by the stress tests; banks are seeking capital; some Member States are being proactive in pushing banks to raise capital. But there is no overall plan to address under-capitalisation. This simply does not stack up; surely one thing we have learned in the crisis is that we are very interconnected. If banks do not trust one another and inter-bank lending is frozen, we have a big problem. So please can we have proper disclosed coordination of the response?

But let us not dodge the elephant in the room: this is not just about banks, it is about sovereign debt and the stability of the euro: inextricably linked and overwhelmingly important.

Antolín Sánchez Presedo, *deputising for the author.* – (ES) Mr President, Commissioner, it is time to carry out European stress tests that are transparent, flexible, reliable and effective: their quality and credibility are a necessary contribution to financial stability and the reestablishment of market confidence.

Stress tests are an essential supervisory tool for evaluating the specific solvency of individual banks and the ability of the system as a whole to withstand stress. The intention of their design and implementation is to calculate how banks would withstand stress under certain adverse conditions, and to detect risks of contagion in order to prevent a domino effect that could lead to collapse.

The European Union has prior experience with stress tests, carried out by the Committee of European Banking Supervisors (CEBS). The experience dates from May 2009, when the Ecofin Council mandated the CEBS to organise stress tests on the financial system, in cooperation with the European Commission and the European Central Bank. The goal was to have a level of aggregated information on the ability of the European financial system as a whole to withstand stress, and they focused on the 22 largest banks. The results were not made public, because the market was very sensitive, it was said at the time. All that was released was a methodology providing for three outcomes – the best, average and worst – and the purpose of the tests was not market transparency.

During their development, in July 2009, guidelines proposed by the Commission on state aid were adopted, establishing that banks needing financial aid to tackle the crisis should also be subjected to stress tests. On 1 October 2009, the aggregated results were sent to the Ecofin Council, which, on 2 December that year, asked the CEBS to provide it with information on the strength of the banking system, for which new stress tests would be carried out.

The results of these stress tests carried out by the CEBS were published, in line with the European Council's June 2010 guidelines. They affected 91 banks in the European Union, but were criticised because they lacked a European focus, because each country decided which banks should be subjected to the tests, because the scenario was different for each country, and because the information provided was often incorrect; we all remember the case of Ireland and the lack of information on some aspects of the exposure to sovereign

debt of some countries' banks. Despite improving the perception of some Member States, all this did not succeed in re-establishing confidence within the European Union.

These are the circumstances in which the time has arrived to suggest a new round of stress tests, but in a totally different situation, with new European supervisory authorities. For the first time, there is a new European supervisory framework with experience of the two previous tests, enabling the promotion of transparency, the promotion of reliability and, clearly, the promotion of effectiveness, which is the key aspect of these third tests.

Obviously, the first thing we want to know is what will be done to prevent the errors made in the two previous tests. Secondly, we want to know what will be done to cover and capture the potential for significant risk in all the Member States. Adequate diagnosis is necessary. The method also needs to be developed in line with the banks' various business models and structures, so the stress tests need to be able to provide the information needed to take appropriate action.

This is a very important time, because the new financial supervisory authorities are starting to operate. On 18 March, the European Banking Authority published an executive summary containing the methodology, and we would like to know, when the European Council thought that the information should be published, what measures...

(The President cut the speaker off)

Michel Barnier, *Member of the Commission.* – (FR) Mr President, I thank Mrs Wortmann-Kool, Mrs Bowles and, just now, Mr Sánchez Presedo for their three questions concerning an extremely important subject, namely the credibility of the stress tests for banks.

Honourable Members, we are in a situation where the financial industry is slowly recovering from this crisis, an unprecedented struggle – even though, for some banks, the crisis already seems to be over. We have not yet learned all the lessons from this, and we are all engaged in an important legislative task.

In order to get to grips with this crisis and the lessons that we must learn from it, we need a supervisory framework, and we have had one since 1 January, thanks to you in particular. We need tools for anticipating problems as well as better governance in each of these establishments. We also need better capitalisation, and we will come back to that. Then, we should be measuring, taking the temperature, constantly taking the pulse. That is why, as some of you said just now, we need reliable measuring instruments. The stress test is a key measure and a key tool in this context, and not only have we discussed it here, we have also discussed it on many occasions – and as recently as April, in fact – with the finance ministers in the Council.

As you said, last year's stress test was clearly insufficient, and the Commission itself has said this on numerous occasions to the new supervisory authority, the European Banking Authority (EBA), which coordinates the test in cooperation with national supervisory bodies. You are therefore right to wonder about the quality and, I would say again, the credibility of the new 2011 tests, which began a few weeks ago in April, and I would like to respond to your questions and to give you our analysis on five points.

Firstly, as you wanted, the stress tests for 2011 have undergone genuine improvements, particularly in six areas that I would like to inform you about briefly.

1. The adverse macroeconomic scenario that is applied simulates conditions much more severe than those of the 2010 scenario. Among other things, it adds severe real estate shocks, as well as an explicit impact on the cost of financing.
2. The coherence of the exercise has been very significantly improved thanks to a consolidated methodology upstream and a strict assessment subject to the adversarial principle downstream; in other words, peer review.
3. Under the principle of increased transparency, the dissemination of the results in June will be improved and accompanied by a separate detailed publication of the bank balances. That will also include the dissemination of sovereign debt holdings as well as capital structure.
4. The banks will also be tested on the basis of an upper capital threshold, core tier one.
5. The dissemination of the methodology prior to the publication of the stress test results will improve the general credibility of the exercise.
6. Finally, coordination among the national authorities responsible for applying what we call 'backstop' solutions, which are to be imposed on banks that fail this test, has been significantly enhanced and improved.

That is the progress that has been made, the improvements on last year's tests that you quite rightly hoped for and which have been made this year.

A second point that I would make, honourable Members, is that we must have much more clarity on exposures in relation to sovereign debt. Several of you – in particular, the Group of the Alliance of Liberals and Democrats for Europe – asked me about the methodology applied in this context, as Mrs Wortmann-Kool did just now. The adverse scenario proposed by the banking authority, the EBA, envisages a significant shock in the form of price fluctuations of sovereign debt and the cost of its financing.

As you noted, however, this scenario does not extend to cases in which repayment of sovereign debt is defaulted on. This is because the shock envisaged by the EBA would only have an impact on sovereign debts held in the banks' trading book.

Nevertheless, there is an explanation behind this choice that was made this year. I would repeat that the stress tests simulate extreme scenarios, but ones which must nevertheless be considered plausible. Today, in the context of the recent introduction of the new European Financial Stabilisation Mechanism and the European Financial Stability Facility, which provide several governance tools for the euro area, we think, quite reasonably – and the European Banking Authority thinks so too – that it is much more useful now to ensure complete transparency of exposures relating to sovereign debt as they appear in the banking book and the trading book. The dissemination of these will therefore be much more detailed than last year.

Thirdly, you have also drawn our attention to the need for more consistent implementation of stress test scenarios throughout the Union. This is indeed essential for the credibility of the exercise. The Banking Authority is making considerable efforts by carrying out a strict assessment of the results of this exercise. This will ensure consistency between the methodologies applied by the banks as well as a convergence – an appropriate one, I think – of the ways in which the macroeconomic scenarios are retranscribed into parameters of respective risks. This approach does not prevent the banks from reflecting certain specific aspects of their trading book or a particular management model.

There is another element which is essential for the consistency of the exercise: the use of common definitions for the capital thresholds according to which the participating banks will be assessed. The reference for capital announced by the EBA is based largely on the current provisions of the Capital Requirements Directive, which already takes into account the different banking structures and the management models which exist in Europe.

Fourthly, Mrs Bowles and other speakers asked us about the differences in coverage of the banking sector within the Union. The Banking Authority has tried hard to develop a sufficiently representative sample, both at national level and across the entire European Union, whilst ensuring that the exercise remains manageable. Honourable Members, the banks tested during the 2011 exercise account for 65% of the European banking sector in terms of total assets. In each Member State, the sample was determined in such a way as to cover at least 50% of the total assets of the national banking sector.

With that, I come to my fifth comment, mentioned by Mr Sánchez Presedo in particular, concerning the question of the corrective measures – the backstops – that banks could expect if they turned out to be vulnerable or potentially undercapitalised. These banks will have to implement appropriate measures to remedy their weaknesses and above all to turn to the private sector by financing themselves directly from the markets or by selling assets. If, and only if, these measures turn out to be insufficient, public support could be envisaged, on condition, of course, that it conforms to the European State Aid Regulations. My colleague Mr Almunia and his entire team are working upstream with the Member States on this very question.

If public support is needed, the banks benefiting from it should, pursuant to the December 2010 communication on the application of State Aid Regulations to support measures in favour of banks, provide the Commission with a restructuring plan which is appropriate for dealing with the problem, in order, in particular, to consolidate and restore their long-term viability.

Finally, you quite rightly hoped for a strategy to recapitalise and restructure failing banks, as Mrs Ferreira proposed in her report on crisis management. As you know, we are working, honourable Members, on a legislative framework on the management of the crisis, the banking resolution, which we have had the opportunity to discuss several times. My aim is to give supervisory bodies and the future resolution committee for these cross-border institutions a toolbox in order to take preventative measures and to prevent risks that are diagnosed fairly early on from turning into crises, and to prevent the crises themselves from turning into catastrophes.

Therefore, to ensure – and to finance, if necessary – early intervention, and to ensure that the banks pay for the banks: that is what we consider to be an orderly resolution, and I intend to present this proposal both to the Council of Ministers and to you yourselves before the end of the summer.

Those are the technical responses that I wanted to provide, in as precise a manner as possible, to the three extremely relevant questions that were asked at the beginning of this debate.

Jean-Paul Gauzès, *on behalf of the PPE Group*. – (FR) Mr President, Commissioner, as you acknowledged just now, last year's tests have not had the anticipated effects. We ought to avoid the same errors of conception and implementation. The fields of investigation must

be consistent and similar. There will be no stabilisation if the diagnosis is not correct. Governments must be aware of that.

This being so, the tests must quite clearly be realistic. The solutions that you have just given us, in a particularly detailed fashion, are of a kind that can provide an answer to our questions. It is now the job of the European Banking Authority, in supervising and examining the conclusions of these tests, to give a first test of its effectiveness.

The tests must allow us to better define the potential recapitalisation needs of the banks and to take the measures that you have just mentioned. However, performing credible stress tests is the best way to calm the financial markets and to limit the influence of credit rating agencies and the negative effects of their decisions on the whole of our economy.

The credibility of the results of these tests can end the dependency on these agencies, or at least can reduce it. The supervisory authorities have no choice but to ensure that the tests are successful; that is, that they provide convincing evidence.

Let me use my allotted time, Commissioner, to draw your attention to the fact – in my opinion, a serious one – that the legislation relating to credit rating agencies, which has now entered into force, has not been applied, and that the authorities to which these agencies submitted their files did not take steps to inform them of the requirements of the agreement. We planned a transitional period pending the establishment of the European Securities and Markets Authority, yet today we are continuing to act as if nothing had happened.

Anni Podimata, *on behalf of the S&D Group.* – (EL) Mr President, Commissioner, if there is one thing we have learned in Europe from the recent financial crisis, it is that full capital adequacy of our credit institutions and effective supervision of the level of risk they undertake are key points in overall economic – not just financial – governance. Lasting and cohesive restoration of growth in the European economy necessarily depends on the restoration of confidence in the banking sector and the restoration of a financial system in general that functions smoothly and transparently and resumes its basic role as a source of finance for the real economy.

As we have seen in practice, and as various speakers have pointed out, last year's stress tests did not achieve their objective of highlighting which banks enjoy the necessary confidence of their consumers, their creditors and the national regulatory authorities.

This year, we are in a different situation. The stress tests will be carried out by the new supervisory authority, the European Banking Authority, and we must avoid last year's failure at all costs. This will basically depend upon imposing common stress criteria to banks, which are interpreted and applied uniformly and broadly, so as to cover the various risks to each national market.

Commissioner, this is, without doubt, the top priority at the stress test stage; however, I would also point out that, in the second stage, full and fundamental preventive supervision will need to include appropriate mechanisms to address what, to date, has been a particularly shadowy banking sector.

Sylvie Goulard, *on behalf of the ALDE Group.* – (FR) Mr President, Commissioner, a lot of things have been said about methodology. You have responded in detail. I would just like to make a brief comment about what is going to happen after the stress tests, by echoing

slightly what Mr Gauzès said, which is that one cannot indulge oneself by adopting laws: they have to be adhered to.

For my part, I see these tests as supplementing the economic governance package. We can do whatever we like with regard to sovereign debt, but if we do not clean up the banking sector, we will achieve nothing. I simply wanted to draw your attention to what is going to happen and to how these famous backstop measures will enable action to be taken at the end of the stress tests.

I also wanted to draw your attention to what happened during the hearing with Mervyn King and Andrea Enria, whose very determined action we applaud. They came to see us in their capacity as Vice-Chairs of the European Systemic Risk Board, and we had the pleasure of hearing, from Mervyn King in particular – it was rather amusing, if you recall last year's negotiations, Commissioner – that the safeguard clauses, which the Member States delighted in adding to the package developed by the Commission, would not prevent them from following the recapitalisation guidelines given by the European Banking Authority (EBA).

I just wanted to bring that small point to your attention. From a systemic point of view, the Systemic Risk Board itself believes that this is important, and I believe that if the quality of the work done by the EBA, with your support and under the supervision of the Systemic Risk Board, means that we can happily shelve those absolutely ridiculous safeguard clauses that the Member States sought to include in the supervision package, then we will have taken a step forward. I therefore hope that the Commission and the Board will be very keen to ensure that concrete measures are taken by the Member States, large or small. Spain has set an example by doing a certain amount of work; we hope that the others will follow.

Vicky Ford, *on behalf of the ECR Group*. – Mr President, last summer's stress tests were meant to restore confidence in banks. This was Europe's attempt to tell global markets to 'calm down, dear'. It failed. Nineteen weeks later, the Irish banks collapsed and taxpayers across Europe were forced into a bail-out, and just last week we learnt that EUR 12 billion of the proposed Portuguese bail-out is for their banks. The sovereign debt crisis will not be solved until the bank crisis is solved – and the bank crisis will not be solved until markets are confident in providing capital and liquidity to banks.

Stress tests are meant to stress risks. To assuage market concerns they must stress the risks that the markets are concerned about, and right now the markets are concerned about sovereign debt levels. Refusing to test the sovereign debt held on the whole bank balance sheet will not restore confidence. The European Banking Authority is of course caught between a rock and a hard place: publicly admitting that the risk of a write-down exists may perpetuate the risk of it occurring, but denying that it exists at all would be downright irresponsible for a regulator.

And then there are the trillion dollar questions. Behind closed doors the argument has focused on the numerator. What type of capital do banks hold? The longer individual countries fight for their own opt-outs, the more everyone becomes aware that not all banks are equal and market concerns multiply. But we should also be concerned about the denominator. What is the risk of the assets on the balance sheets, and can you trust the risk weights applied to those assets? If US banks have risk weights 50% higher than European counterparts, are Europe's banks being allowed to fundamentally misrepresent the risks on their balance sheets?

The financial crisis should have taught us all to value transparency. For depositors, investors, borrowers and taxpayers these stress tests do not offer transparency and that is a travesty.

Sven Giegold, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Mr Barnier, ladies and gentlemen, the reason why the issue of the bank stress tests is of such decisive importance and is regarded so critically by our citizens is because the banks are at the centre of this crisis. It was the banks who invested huge amounts of money without considering the risks, creating property bubbles in a number of Member States, who are now stricken by this crisis. Something that we always believed to be impossible, namely that the markets might be less well informed than many external observers, has actually come to pass and the markets got things severely wrong. It is evident that the banks that caused the crisis were unable to make the right decisions during the crisis.

It is now also apparent that national debt has also increased enormously during the downturn, firstly due to the cost of rescuing the banks and the associated guarantees and secondly, and more importantly, due to the cost of the downturn itself. Thus, the central question is: are any serious lessons being learned from the banking crisis? It is not simply the case that the banks are responsible for what happened in the past, but also for present difficulties, because the markets are still not operating correctly.

A total of EUR 427 billion in outstanding demands have now accumulated between the central banks in the accounts of the European Central Bank system and the TARGET2 payment transaction system; this is because the system has intervened between the central banks in place of the non-functioning markets.

Because of the weakness in the banking system, we are hesitant about introducing the debt restructuring measures urgently needed in the weaker countries. To put it in a nutshell: people in Greece, Ireland and Portugal have the feeling that they are suffering because the structure of our bank system is weak. European stress tests have been carried out over the last two years. We believed that we would finally find out the truth. As has already been said many times, the 2010 stress tests were weak, particularly in relation to government risks, which were ignored almost entirely. These bank stress tests did not reflect reality.

The picture is very similar in 2011. Although we are grateful for your contribution Mr Barnier, you have not explained why the risks associated with government bonds are recorded in the trading book, but not in the banking book. The explanation is always the same: we always have the rescue packages to fall back on. However this is just an audacious way of pre-empting a political decision. After all, the rescue packages cannot simply be taken for granted, but must first be approved by the national parliaments. If these rescue packages are quoted as the reason why risks are not priced correctly, then in practical terms this is like nationalising private risk as a *fait accompli*.

What is more, we still do not have a proper stress test for the insurance market. I am calling on you, Mr Barnier, also to take a close look at this area. I am disappointed that the European Banking Authority, which we established and which is responsible for the stress tests, actually failed its own stress test.

Mr Barnier, please stay on track and pursue this matter with greater urgency. This whole issue seems to illustrate the words of Bertolt Brecht when he said: founding a bank is a much worse crime than robbing one. However, he was wrong. We must now learn that carrying the burden of the banks' debt is much worse.

Paul Murphy, *on behalf of the GUE/NGL Group*. – Mr President, the most fundamental weakness of the proposed stress tests has now been referred to. It is the possibility of widespread sovereignty faults. Surely, this is a very likely development, given the incredible level of debts that have been loaded onto economies that are simply unable to pay. For example, the Irish State is on track to owe EUR 750 billion by 2014, and we have a government debt that is more than EUR 120 000 per worker.

Irrespective of a potential cut in the interest rate and our so-called bail-out, this is unsustainable and the Irish State will default. I understand that German banks are exposed to Greece, Ireland, Portugal and Spain, the so-called 'PIGS', to the tune of EUR 400 billion. French banks are exposed to the tune of EUR 260 billion and British banks EUR 300 billion. This massive exposure explains the vicious austerity applied by the Commission and the European Central Bank to working people in the peripheral economies.

It is my understanding that the stress tests will assume that the funding needs of the banks remain stable. Given the potential for a deepening of the crisis, this is unlikely to be the case. For example, EUR 34 billion left the six Irish domestic banks in the last three months of 2010, forcing them to rely on what is supposedly short-term funding from the ECB to the tune of EUR 160 billion.

On the restructuring of the banking sector, surely the most fundamental lesson that has to be drawn from the experience of the last number of years and the major crisis is that the major financial institutions and banks cannot be left in private hands. The pursuit of profit by these private institutions has played a significant role in wrecking our economies, for which working people have paid a terrible price. The major financial institutions, the major banks, must be taken into democratic public ownership. The dictatorship of the financial markets must be ended, and their massive resources should be used to benefit ordinary people through the granting of loans to small businesses, affordable mortgages to help homebuyers, and so on.

Jaroslav Paška, *on behalf of the EFD Group*. – (SK) Mr President, on 18 March the new European banking authority published the scenarios and the stress tests through which it wishes to check European banks.

If we want the experts to accept the results of these tests, we must avoid the superficiality and inconsistency which characterised the banking sector tests of July 2010. In view of the fact that the credibility of the entire European financial sector will probably be assessed according to the stringency of these tests, it would be good for the tests to be as comprehensive as possible, and for them to reflect in their stringency the actual risks the financial sector may face in the current period. In my opinion, these tests should not therefore avoid an adequate assessment of the exposure of the banks towards specific state debts, or the debts of other banks, in order to take account of the worst case scenarios in the tests, such as a country becoming bankrupt, for example. We must also ensure a balanced and fair approach towards assessing the various banking structures and business models in the individual Member States, and try to ensure that the new stress tests relate, as far as possible, to the entire banking sector in each Member State. Only thus will we regain the confidence of the financial experts.

Elisa Ferreira (S&D). – (PT) Mr President, Commissioner, in the analysis of the banks carried out in 2010, it was uniformly recognised that one of the problems of these tests has been the predominant national logic, whether with regard to methodology, to diagnostics or to the choice of criteria. Later, in the report that you kindly mentioned, for

which I was rapporteur, this Parliament asked for the strengthening of a European dimension for managing bank crises.

In the meantime, the Systemic Risk Board and the European Banking Authority (EBA) have been set up, indicating that finally, we were going to give the banking sector a European dimension.

However, the stress tests that we are discussing were referred to as follows by the European Council on 24 and 25 March. I will read it in English, because that is the document I have.

'Member States will prepare, ahead of the publication of the results, specific and ambitious strategies for the restructuring of vulnerable institutions, including private sector solutions ... but also a solid framework in line with State aid rules for the provision of government support in case of need.'

– (PT) Therefore, as regards the stress tests, what we are doing at the moment – without any clear, comprehensible framework harmonising the various national practices – is again recommending that it is up to the Member States: we are again reinforcing the national dimension of approaching the solution and of correcting the stress tests on the banking sector.

This leads me to a fundamental question. With this type of methodology, will we not lose a golden opportunity to finally create a European, rather than national framework to solve the problem of regulation?

Olle Schmidt (ALDE). – (SV) Mr President, we are living in difficult times. The financial crisis has shown us how important it is for citizens to have confidence in the banks and the payment systems. Stress tests for the banks are therefore an important instrument for examining the resilience of the banks to unexpected shocks. Financial stability is about how well capitalised the banks are and how much resilience they have. Our experience shows that vigorous tests increase confidence in the banking system and the tests should be tough, credible, comprehensive and have clear requirements. The example of Ireland demonstrates the opposite, unfortunately.

I would like to emphasise the importance of openness and transparency with regard to publication of the results of the stress tests. Publication of the individual tests is very important in order to help strengthen citizens' and the market's confidence in the banks. Just as Mr Barnier said, it is all about confidence.

Future stress tests need to be continually developed in order to include real market conditions and risks. By reporting the level of exposure to sovereign debt, the market players can make their own risk assessments. This is important in order to strengthen the market's confidence in the design and credibility of the tests. The Commission, the European Systemic Risk Board (ESRB) and the European Banking Authority (EBA) should be clear about what the stress tests are intended to show and they should check and ensure that the assumptions of the stress tests reflect the risks.

If the stress tests reveal that any particular banks do not meet the requirements, the Member States must take immediate action. The Swedish experience of expansive banks in the Baltic States demonstrates that the risks can quickly build up as a result of growing imbalances. History has taught us that caution is necessary, but delays or hesitation in the face of unsatisfactory results can be devastating. Thank you.

Philippe Lamberts (Verts/ALE). – (FR) Mr President, Commissioner, ladies and gentlemen, stress tests are the latest thing. We have a deep economic and financial crisis, so we will make our banks take stress tests! We have a nuclear crisis, so let us make our nuclear power stations take stress tests! As if the very idea of stress tests was going to reassure our fellow citizens or the financial market. Because, clearly, everything depends on the possibilities they cater for, and as you said, Commissioner, we cannot say that last year's financial stress tests were very credible from that point of view.

Furthermore, the nuclear stress tests, as your colleague Mr Oettinger acknowledged this afternoon, are also a big joke – they have been so far anyway – since the possibility of an aeroplane crashing into a power station has not been taken into account. I would therefore like to say that, in a case such as that, where an aeroplane crashes into a nuclear power station, there is clearly a default risk.

Commissioner, you say that plausible possibilities should be taken into account, and so we are not taking into account the possibility of a sovereign State defaulting in Europe. I would therefore like to make the following point: either you regard this as a possibility to be rejected, and if so I would say to you that you are in denial, because the figures of the Greek debt and the Irish debt clearly show that, sooner or later, those States are going to have to restructure their debt, or you are playing for time, and if so I would say to you that that is equally irresponsible, because the longer it takes to tackle the issue, the more it will cost society as a whole. I therefore appeal to your sense of reality and responsibility in this matter, Commissioner.

You are an ambitious European; you know that the people whose stress levels are tested every day are our fellow citizens, who know only too well that, until we take the bull by the horns, we will be unable to guarantee their security or the security of the financial market. Taking the bull by the horns today means radically restructuring the finance industry in Europe. I know that you have started, but this also implies the need for a European budgetary federation. We will discuss this point again tomorrow, however.

Othmar Karas (PPE). – (DE) Mr President, Mr Barnier, ladies and gentlemen, firstly I would like to express my thanks for the detailed answer to my parliamentary question of 8 February on the stress tests as they related to the Irish banks.

We have made something clear today: credibility engenders trust. Also, a serious, upright and determined approach will help us overcome the crisis in credibility. It is for this reason that I am forced to say that I do not believe the last stress test was adequately evaluated. The consequences are unknown. Despite the logical conclusions that you have outlined today, I am still not clear about the consequences of the forthcoming test. For this reason I have three questions.

My first is this: Commissioner, how can you guarantee this time that a long-term view will be taken, rather than the short-term focus applied last time with the Irish banks?

Secondly, is the European public debt crisis deteriorating before our very eyes, as Mr Giegold describes? This deterioration will only be tested in the banks' trading books in the current stress tests. However the titles held by the banks until final maturity are listed in the banking book. Yet the banking book will not be included in the stress test. How can you justify this distinction?

Thirdly, will this not yet again give rise to a feeling that the long-term survival of the banks is guaranteed because our main problem, the state debt crisis, is not adequately being evaluated?

Antolín Sánchez Presedo (S&D). – (ES) Mr President, Commissioner, ladies and gentlemen I should like to thank you for your answer.

The important thing is to make the proper diagnosis, but also to be able, after the diagnosis, to apply the proper treatment. We therefore need to make the stress tests more transparent and reliable – and we are headed in the right direction – but we also need to make the response more effective.

We need solvent financial institutions, a stable financial system and, above all, the restoration of the flow of credit into the real economy.

Banks that pass the stress tests are not exempt from making every effort to tackle adverse scenarios and to prepare for an increasingly demanding regulatory situation. Banks that do not pass the tests should immediately seek solutions to tackle the situation, and the Member States – those that have not done so already – should adopt initiatives to help them and contribute to their recapitalisation or to seeking means of resolution.

The European Banking Authority can issue recommendations to correct risks detected, so as to identify any institutions presenting systemic risk – which will be subjected to a higher level of supervision – and so that rescue, recovery and resolution procedures can be followed.

You will have our support for those procedures, Commissioner, so that an ambitious European framework can be created even in order to go further, because monetary union requires greater financial integration, but it also requires greater fiscal and political integration.

Theodor Dumitru Stolojan (PPE) . – (RO) Mr President, the stress tests are important for assessing the health of the banking system. However, two conditions are absolutely essential. Firstly, the quality of these tests and the accuracy of the actual assessment process. I would like to mention that the banks have had different business models in different countries. In Romania, as in other countries, the banks were not involved in transactions dealing with toxic assets. On the other hand, however, they carried out expansionist lending based on external resources assigned in the short term and providing funding in the long term. However, the results were the same: losses, particular vulnerability generated in the relevant countries and, obviously, a lack of responsibility for risk management. The second condition is the transparency of the test results which we will apply in the banking systems. This transparency is demanded by both financial markets and citizens.

Olle Ludvigsson (S&D). – (SV) Mr President, during the turbulent period that we have been experiencing with regard to our public finances over the last few years we have lost our focus on the root of the problem. In our work to rescue the public finances of the weakest countries we have tended to forget that it is the banks that are our biggest problem.

This is the case partly on account of the fact that the long line of disasters in the banking sector is the main reason why the public finances of so many countries are so fragile now and partly because many of the key weaknesses of the banking system still remain. We need to find viable solutions for the public finances of Athens, Dublin and Lisbon. However, these solutions will not be worth very much if we do not at the same time support those

European banks that are still not able to stand on their own feet. If we do not make the effort that is needed at this stage to create a sustainable banking sector, it will sooner or later result in a burden on public finances that even the strongest countries will find it difficult to cope with.

What is particularly disheartening in this context is the fact that several countries that currently have robust finances are doing so little to deal with the weaknesses in their own banking systems. They loudly demand that Greece, Ireland and Portugal improve, but fail to do their own homework, despite the fact that they have the resources. That is unacceptable.

It is clear that the ongoing stress test must be carried out in a stringent and transparent way that inspires confidence. It is equally clear that the stress test must be followed up with appropriate initiatives to address the weaknesses that are identified. A common European strategy for this would be very valuable. I expect the Commission shortly to take such an initiative on the basis of the guidelines proposed by Parliament in Mrs Ferreira's report on crisis management in the banking sector. At the end of the day, however, the main responsibility remains at national level. All countries, and the strongest ones in particular, must ensure that they deal with the shortcomings that still remain in the banking system. Thank you.

Thomas Mann (PPE). – (DE) Mr President, Mr Barnier, the EU stress test for banks conducted last summer is in need of a radical overhaul. It is patently not enough simply to focus on the banks' capital base. The impact of the crisis on the banks' liquidity must also be examined. As a reminder: banks like Lehman Brothers collapsed because they were faced with significant liquidity problems. I fail to understand the debate as to whether or not the results of the liquidity check should be published.

Anyone who insists that the data should be kept secret is undermining the purpose of the test. There is little doubt about what is intended: the aim is to stop the markets from losing confidence in the banks that fail the tests. However the effect of keeping the public in the dark about the results of the tests would simply be to engender even more uncertainty. Rumours and half-truths flourish in such an environment.

Even though people will criticise the new methodology and various parameters, the common objective must be clear. Transparency is essential in order to determine the European banks' susceptibility to crisis. There is an urgent need for broad-based confidence and the banks must play a role in this in their own interests.

Antonio Cancian (PPE). – (IT) Mr President, ladies and gentlemen, I would like to thank Mr Barnier for the excellent work he is doing. We need to restore stability and confidence, and I think that an enormous effort is being made to that end. The legislative framework for the management of the crisis is providing Mr Barnier with the means to take a range of preventive measures as well as to manage the current situation. We need to watch out for and resist the bureaucratic temptation to create bodies, agencies or other instruments that could complicate life in future.

A coordinated approach within a general European Union legal framework is essential to prevent problems and future financial crises and to allow the banks to operate in a more orderly fashion and under the same conditions throughout Europe. I am of the opinion that, in order to ensure transparency, regulators should be continually developing standard rules and procedures.

I would stress, however, that care must be taken when publishing results. The financial year 2010 showed clearly how sensitive and important the publication of results is in terms of consistency. They can also produce counterproductive reactions in the markets and cause disruption. Attention must therefore be paid to this issue, and it must be taken seriously into consideration.

Seán Kelly (PPE). - Mr President, banks were once revered in Ireland. Now they are reviled, and there is no need to go into the reasons why. I am here to ask questions rather than give insights, and I have a number of questions.

Firstly, do all banks have to be stress-tested? Secondly, can we be assured that the stress tests from now on will reflect the true position of banks? And thirdly, what authority does the European Banking Authority have to impose its authority on errant banks, banks that are over-exposed, banks behaving recklessly, and so on?

Finally, Mr Gauzès referred to the need to rid ourselves of dependency on the rating agencies. How can this idyllic situation be brought about as soon as possible?

Janusz Władysław Zemke (S&D). - (PL) Thank you very much for the opportunity to ask a question. I would like to make it quite clear that if it were not for the measures taken by the European Commission and by you yourself, Commissioner, there can be no doubt that we would be worse off today as regards the situation in the European banking system. The situation is very dynamic, however. We have fortunately resolved some of the problems relating to bank liquidity, but new problems and threats are emerging. In connection with this, I should like to ask, Commissioner, if you could give us your current thoughts regarding the threats which are emerging at present, and the threats which we will need to deal with in the near future. I wish to stress most emphatically that some of the problems are fortunately already behind us, but that other problems are constantly emerging.

Mairead McGuinness (PPE). - Mr President, lest we forget that there are people affected by these problems, I met a young Irishman on the flight to Frankfurt today, on his way to Australia with a one-way ticket, and he is just one of thousands who are doing this because of our economic and banking problems.

Would the Commission accept that the damage done to Europe's credibility by the fudging of the first banking stress tests – and I say this with great regret – is almost irreparable? European Union citizens are looking on in distress at what has happened in relation to banking. We have damaged confidence in the European Union and in the eurozone.

As you know, the Irish banking sector has had its second round of stress tests and the new government has put in place a restructuring plan. The additional capital required was EUR 24 billion. The impact on the Irish economy now is that good enterprises are starved of capital as banks struggle to meet the various requirements. This is an impossible scenario, and I would ask the Commissioner to address it.

Elena Băsescu (PPE). - (RO) Mr President, the fact that the previous stress tests were not credible makes carrying out the next tests complicated. The crisis in Ireland has altered the new data in the European banking system considerably. In this context, future tests must be much more precise in terms of providing information. The national authorities must apply the action plans already. This would therefore resolve the problems from stress tests in general. We should not expect to see banks failing the test. The new tests should highlight the weaknesses of the banking system, while identifying where the capital needs to be

consolidated. I should emphasise the importance of the Commission adopting a fair approach in applying the stress tests in absolutely every Member State.

Finally, I also find useful the information from the Commission on the major modifications it has proposed.

Ildikó Gáll-Pelcz (PPE). - (HU) Mr President, the importance of this topic is best highlighted by the fact that three MEPs have addressed similar questions to the Commission. This is not an accident, because if we conduct a stress test similar to last year's, which has not managed to restore confidence in the European banking sector, this might damage the credibility of the European Union. The work of ESRB and EBA preparing the test seems to be sound, both as regards its unified methodology and the method used to conduct it.

However, some questions still remain open for me, even after the answer of the Commissioner. For example, does the selection process manage cross-border business and shareholder relations, as well as different business models? Another question is whether it can be stated with absolute certainty that such a series of stress tests will not ignore any bank whose operation might present a risk to the European economy.

Michel Barnier, *Member of the Commission.* - (FR) Mr President, I am grateful to everyone who has taken the floor at this late hour for demonstrating the European Parliament's vigilance, and I would even say its intelligence, on this difficult issue.

Firstly, to come back immediately to the issue raised just now by Mrs Gáll-Pelcz, who talked about the responsibility of the Commission – I am used to facing up to my responsibilities – I would point out that these stress tests that are being performed today have been designed by, and are the responsibility of, the new authority that we have created together, the European Banking Authority. Of course, we are working closely with that authority and we, like the European Central Bank, have helped prepare this new round of tests with the EBA, but it is the EBA that is mainly responsible for this.

Mr Zemke asked a rather broad question about future threats and risks. Firstly, I believe there is no such thing as zero risk, either in this field, or in the environmental field. I think it is very difficult to predict the future, and we know after all, Mr Zemke, that the markets move much more quickly than the age of democracy, than our age, no matter how quickly we move or how quickly and effectively we want to move.

How, though, can we be better prepared than we were four years ago when faced with the crisis that originated in the United States and nearly swept everything away? By creating tools, frameworks for governance, supervision, responsibility, transparency, everything that was lacking, everything that had been part of the very powerful tide of ultraliberalism that first swept through the world in the 1990s, everything that was partially dismantled, too, with the foolish idea that the markets could regulate themselves.

Within the framework of the G20, and perhaps going further in some areas than the G20 had requested, we are today patiently recreating the governance, regulatory, transparency, I was going to say quite simply 'moral' – if I can use that word – or ethical frameworks and tools that have been singularly lacking in the financial market set-up for around 15 years.

That is why your understanding of this situation is important, and why your role in creating proper European supervisory authorities – Mrs Goulard mentioned the European Systemic Risk Board – is very important.

That is why – and this is also addressed to Mr Gauzès, who mentioned rating agencies – we are including this action, the specific topic of tonight's sitting, everything that we are doing patiently, week after week, in the major European financial and economic governance project, and we have more work to do yet. I do not have a problem with using the word federation in the context of this major project; I think it was Mr Giegold who used that word earlier. We need to pool our energies and our policies more, and at times we need to go beyond mere coordination.

I agree with Mr Gauzès on the importance of continuing the reforms in the area of rating agencies. We are working on a third reform, which will complement the previous two. As for the issue that you raised, Mr Gauzès, with regard to excessive dependence on ratings, we are going to get rid of a number of ratings very shortly, at the beginning of July. We are going to get rid of several references to ratings so as to prevent this excessive dependence on ratings by the banks, and not just by the banks in fact. We are going to work on this point, therefore.

Mrs Goulard referred to the comments made by Mr King and Mr Enria, and I have noted them down. I thank her for having drawn my attention to their comments, which demonstrate, moreover, a proactive and changing approach, which I am very pleased about. I should also like to thank her for having mentioned the very important role – and we know how much we owe you, Mrs Goulard – of the Systemic Risk Board. We must work with all these stakeholders and the EBA, and naturally we must have regard for the role of the Systemic Risk Board, so that we apply the stress tests consistently and so that we learn from them.

Ultimately it will be up to the Member States rather than the EBA to learn lessons by putting in place conditions and backstops, which we will be monitoring closely in the period immediately after the stress tests.

When the three European supervisory authorities and the Systemic Risk Board were set up, I said that we were going to test the ground by walking on it. That is what we are doing. I believe that the EBA is doing a good job under the leadership of Mr Enria; the same applies to the other authorities, to the Systemic Risk Board and, Mr Giegold, to the European Insurance and Occupational Pensions Authority (EIOPA). Earlier you mentioned the tests in the insurance sector; the EIOPA is currently preparing a series of tests in that sector, as the EBA did for the banks.

You raised a sensitive and very important issue, Mr Giegold, as did Mr Karas and Mr Schmidt earlier, namely sovereign debt shock. As I have already said, and I will not be saying anything else on the matter this evening, the EBA has been tasked with designing and developing the tests. It felt that a banking book shock was unrealistic, and so there was no point in carrying out tests on the banking book at this stage. All I can say is that we have this dialogue with the EBA, we are determined – Mr Giegold has drawn all the lessons from this new round of tests, just as we drew lessons from the previous round, which was unsatisfactory – and we have an ambition – Mr Sánchez Presedo asked me to show ambition – which is to be demanding and rigorous when holding this dialogue, while respecting the powers and the independence of the EBA, just as we in the Commission demand respect for our own independence. My ambition, Mr Giegold, is to reflect rationally on what we have learnt from this round of tests, which will end in June, and to learn as much as we can from our dialogue with the EBA, in order to improve the following round.

Mr Mann, like you, Mr Giegold, mentioned the evaluation of liquidity risk. As you know, the evaluation of this liquidity risk is not part of the stress test itself, the results of which will be made public. At the beginning of the year, the European Banking Authority announced that it would be carrying out a separate thematic review of the liquidity risks in the EU banking sector as part of its regular risk assessment cycle in the first quarter of 2011. It will therefore address this issue in this parallel context, so to speak.

Mr Karas called on his fellow Members and the Commission to integrate everything that we are doing into long-term strategies, and I would like to say to Mr Karas that this is a general principle to which I subscribe, and it is also the spirit in which I am working with my teams in order to propose all the new legislation that is part of this financial and economic governance that we need. This specifically applies to the issue of governance, to what we are going to do in terms of shareholder liability – we are working from a long-term perspective – and to what we want to do, as I was saying earlier to Mrs Ferreira, with regard to bank resolution. It also applies to another point that I have in mind; although you have not mentioned it, it is one of the reasons for, or one of the causes of, the crisis: the obscene pay and bonuses, which were even higher when more risks were taken, since those taking the risks knew that everyone else would pay for them.

When we review the application of the current guidelines on pay and bonuses, and see where they fall short, I will clearly ensure that, as many of you have requested, they are transposed and applied in every Member State over the coming weeks. When I say that I am considering new guidelines on this issue, it is precisely in order to address one of the causes of the crisis – this crazy risk-taking – and to make those involved in the banking sector more prudent and responsible again.

Mrs Ferreira and Mr Lamberts made the point that the stress tests were inconsistent. I have said what I think about the shortcomings of the previous tests. We need more consistency, we need more Europe in the application of these tests, and that is why the peer review with the EBA will also be very useful.

Regarding the issue of a harmonised bank resolution framework, that is precisely what we are working on, Mrs Ferreira. I can confirm to you that we will be presenting our proposal before the end of the summer, and that we will be relying in a very real and sincere way on many of the proposals you have made.

Several of you, including Mr Ludvigsson, Mrs Ford, Mr Cancian and Mrs Bănescu, just now, called for the tests to be – I shall repeat what I heard – rigorous, credible and transparent. Once again, in the overall context of this financial and economic governance that we are in the process of establishing together, the 2011 tests will be more rigorous, credible and transparent than the previous round, and we are going to build on the lessons and the review of this 2011 round in order to ensure that, as you have requested, the subsequent stages in the banking sector stress tests are even more effective, rigorous, credible and transparent.

President. – Thank you very much, Mr Barnier. Our discussions have gone on a little too long. It is very much to your credit that you have responded to each speaker. However, perhaps in future, for educational reasons, we should agree that the final statement by the Commissioner will only respond to those speakers still actually in the Chamber. This would save us a little time. The last debate has actually taken us right to the limit of the time we have available to us.

The debate is closed.

Written statements (Rule 149)

Zigmantas Balčytis (S&D), *in writing*. – (LT) As we can see today, the stress test of banks operating in European Union Member States carried out last year failed to reveal the true situation in this sector. The Irish example has shown that this check was fundamentally unreliable. This year a slightly improved test was also carried out, and we are all awaiting its results. I feel that in order to restore EU citizens' faith in the banking and financial system in general and to ensure the credibility of the whole European financial institutional framework, the newly created European Banking Authority must be given much greater powers and a more important role. I believe that tests should be carried out systematically and cover as broad a range of risk elements as possible – these vary across the Member States. The European Banking Authority should also lay down clear procedures and have the opportunity to submit decisions that are obligatory for banks if the checks carried out reveal banks' financial instability or unreliability.

Csanád Szegedi (NI), *in writing*. – (HU) It is interesting that after the failure of the stress test the press was flooded by false success reports even last year – obviously this was also due to the machinations of the European Commission. And now not just us, but everybody from the liberals to the PPE demand an explanation for the failure. They, however, are seeking a solution in false answers, for example in the form of additional governmental capital injections pumped into banks or in further Brussels centralisation. But the actual reason for the failure is precisely that the Brussels bureaucracy is simply not able to assist us efficiently in most of fields of our lives. So after the fiasco they should not want to withdraw further licences from Member States and waste billions of euros on establishing further mammoth authorities; instead, they should admit that Europe cannot exist as the United States of Europe, and the more power is given to Brussels, the more efficiency will decrease.

21. Enforcement of regulations on the shipping of toxic waste to developing countries (debate)

President. – The next item is the debate on

– the question for oral answer to the Commission on the enforcement of regulations on the shipping of toxic waste to developing countries from Mrs Bearder, Mrs Ek, Mr Ouzký, Mr Seeber, Mrs Klaß and Mrs Harms on behalf of the Group of the Alliance of Liberals and Democrats for Europe, the European Conservatives and Reformists, the Group of the European People's Party (Christian Democrats) and the Group of the Greens/European Free Alliance (O-000065/2011 - B7-0217/2011) and

– the question for oral answer to the Commission on the enforcement of regulations on the shipping of toxic waste to developing countries from Mrs Wils, Mrs Liotard, Mrs de Brún, Mr Ferreira, Mrs Matias and Mr Chountis on behalf of the Confederal Group of the European United Left – Nordic Green Left (O-000066/2011 - B7-0218/2011).

Catherine Bearder, *author*. – Mr President, does the Commissioner not consider that, if any of us woke up one morning to find our rich neighbours had dumped their toxic rubbish in our front yard, we would be furious? Yet that is what the EU is doing every day.

Every year tonnes of toxic waste is shipped from the EU to developing countries against European environmental law, smuggled through ports with very weak controls. Almost three quarters of electric waste in the EU is unaccounted for and only one third of electronic waste is treated according to EU legislation. In the UK the average Briton throws away four pieces of electronic waste every year. That is 500 000 tonnes of broken TVs, computers and phones, but over half of this is not recorded as being recycled – it just disappears – and that is only in my own country.

The export of controlled waste from the EU for disposal is prohibited under current legislations, yet annually illegal shipments from the EU are thought to average about 22 000 tonnes. The WEEE Directive states that exported electronic items must be in working order. However, this relies on effective EU-wide inspection policies which are clearly missing. This waste contains lead, cadmium, barium, mercury, brominated flame retardants and other chemicals and plastics that become hazardous when burned. Burning is often the cheapest method to recover these valuable metals as adults and children scramble over the dumps of rubbish in their quest to earn a few cents.

We cannot ignore the environmental and health impacts of this scandal which affects the most vulnerable. Frankly, as a European, I am ashamed. I thank the Commissioner for the answers and the responses, but we need to know the specifics of how he is going to close this loophole in the Waste Shipment Regulation. Does the Commission have any plans to address the tonnes of EU waste already dumped in African countries? Does the Waste Shipment Regulation need to be revised or is it just a matter of enforcement? This is an urgent problem and action needs to be taken now. I await your response.

Anna Rosbach, *deputising for the author.* – (DA) Mr President, I am pleased that so many of my fellow Members are aware that our waste does not simply disappear of its own accord, but unfortunately often ends up out in the wider world where no one deals with it properly. There is actually nothing new about this, of course. A great many European countries started to send their discarded ferries filled with asbestos to India many years ago, where bare-foot workers separated old iron from the hazardous components on an open shore – as they still do today. An even worse situation is that of the African children who sit on the ground and separate out our electrical waste right down to the individual components. Is this acceptable? No, of course it is not. However, the EU lacks reasonable and realistic means to enforce the sound regulations that were laid down as long ago as 12 July 2006.

The directive is enforced via the individual Member States, as stated in Article 50 of the same regulation, but some States turn a blind eye when it comes to this enforcement. Something has to be done, however, because 70 million tonnes of hazardous waste per year – and rising – is no trifling matter. I therefore have another question in addition to the written questions that the Commission has already received, and that is: Has the Commission considered utilising special port areas for unloading hazardous waste in selected ports? That would provide better means of control in general. Could the Commission envisage carrying out some publicity work to encourage EU citizens to take their hazardous waste to specific places in the Member States? It is extremely important to make our citizens aware of the problem, because without their help in the struggle to manage hazardous waste we will get nowhere.

Richard Seeber, *author.* – (DE) Mr President, Mr Barnier, it is not just in the banking sector that we have regulations that do not work, but also in the environmental area.

Although we have a regulation covering the shipping of waste dating back to 2006, this does not work because there is an increasing trend towards shipping hazardous waste beyond the EU's borders, in particular to developing countries where the proper disposal of these hazardous substances cannot be guaranteed. This cavalier approach to disposal leads to environmental and health problems in these countries that can cause many fatalities in extreme cases.

In addition, here in the European Union, we are discarding valuable resources. Part of the 2020 strategy includes a strategy on resources and waste is one of our resources. We should make every effort to improve our research activities in this area so that valuable materials can be segregated at the end of the product lifecycle.

In a speech on 7 April of this year, your colleague, Commissioner Potočnik, announced that, despite the Commission having avoided this issue and done nothing for many years, he intended presenting a communication in the autumn of this year in which he would tackle the problem, in particular with regard to implementation of existing regulations and an improved inspection system, as well as a broadening of the scientific base. Commissioner, I would like to know whether this communication is already being prepared by the Commission services.

In other speeches, Commissioner Potočnik also referred to a new agency. Although we already have a large number of official bodies, he is obviously thinking of a way to strengthen the control of the Member States' authorities in this area. I would like to know how things stand in this area, because at present it would seem that we are unable to resolve this problem. What steps does the Commission intend to pursue in this area?

Satu Hassi, *deputising for the author.* – (FI) Mr President, ladies and gentlemen, the poor implementation of the Waste Shipments Regulation has been a serious problem for a long time now. This has been emphasised by the European Union Network for the Implementation and Enforcement of Environmental Law since 2003, and it has made clear proposals for improvements. The Commission, however, has done virtually nothing, unless you count the many studies it has conducted and its proposal for a new Renewables Directive.

For more than 10 years now, Parliament has been calling for tighter controls, including legislation on European inspections: for minimum criteria for inspections in Mr Jackson's report in 1999, for legislative reform for shipments of waste in Mr Blokland's report in 2003, and for minimum criteria for inspections in the 2008 resolution. All these the Commission has mainly just ignored.

In 2006, we were shocked by the massive Trafigura scandal, when huge quantities of toxic waste were dumped in Côte d'Ivoire. The then Commissioner for the Environment, Stavros Dimas, promised to look for ways to strengthen the Waste Shipments Regulation and its implementation in the Member States, but nothing concrete happened. Two years ago, a Commission study recommended that a special agency should be set up for the implementation of legislation on waste. It would execute numerous tasks, such as checking the investigation systems in place in Member States and coordinating controls and inspections, but no proposal was put forward.

Last year, a Commission study came to the conclusion that the best option would be a legal instrument governing the criteria for inspections, but no proposal was put forward,

although Commissioner Potočnik has said that the implementation of EU environmental legislation is his priority.

Now I would ask the Commission when it actually intends to introduce proper measures, instead of just conducting more studies. When will we have a proper legislative proposal, and not just communications and studies? As my colleague Mr Seeber said, this would also improve Europe's resource efficiency.

Sabine Wils, *author.* – (DE) Mr President, ladies and gentlemen, illegal waste exports and the illegal disposal of waste pose an increasing threat to the health and environment of millions of people in developing countries.

The volume of toxic waste is continuously increasing in the EU. Because of the high cost of recycling and disposing of waste, there is an enormous temptation to ship this waste to countries with less stringent environmental controls and lower disposal costs. I am pleased to find that this problem is accepted by all sides of the House and hope that Parliament will take a concerted approach to this issue.

The legal loopholes that permit these hazardous exports must be closed. The existing regulations on the shipment of toxic waste to developing countries must be tightened up and enforced. We need a legislative proposal for environmental inspections, something that Parliament already called for in 2008, so that ships can be inspected effectively by the authorities in the local ports.

This must also be linked with the possibility of impounding ships in ports throughout the EU if there are grounds to suspect breaches of the law. We propose that this should be reinforced in a joint resolution by all sides of the House.

The entry of waste into the EU must also be better controlled. Off the coast of Calabria, just a few miles away from the port of Cetraro, there is a sunken vessel known for carrying highly toxic waste. It is assumed that many other toxic waste transporters have been sunk just off the coast in the Tyrrhenian Sea. This example illustrates the need for transparency in the shipment of waste and for reliable official inspections.

Michel Barnier, *Member of the Commission.* – (FR) Mr President, honourable Members, firstly, my colleague and friend Mr Potočnik sends his apologies, as he is in New York this evening for the signing of an important agreement – the Nagoya Agreement – on biodiversity.

Nevertheless, I am pleased to have been given the opportunity to stand in for him, or to try to do so anyway, since the issue you are discussing is one that has always interested me, ladies and gentlemen. I was Environment Minister in my own country and I have not forgotten the efforts that we made, during my first mandate as Commissioner around 10 years ago, to begin to address this extremely serious issue with Parliament. The Waste Shipments Regulation prohibits exports of hazardous waste to developing countries, as well as exports outside the Union and the European Free Trade Association (EFTA) countries of waste intended for disposal.

However, we know – and you have pointed it out – that the efforts made to enforce this ban vary greatly between Member States. Operators often seek to benefit from inadequate inspections in order to get round the ban and smuggle the waste through other Member States where the inspections are less rigorous, as you said.

Furthermore, false declarations are often used to export waste as second-hand goods, which complicates the work of the authorities responsible for monitoring and enforcing the rules. Then there is the obviously low treatment cost in third countries, which is the main economic factor encouraging or driving these illegal shipments. There is also the very serious situation of countries that receive, so to speak, this waste, these illegal shipments, which cause significant pollution of the air, water, soil and homes, and which threaten – as you said a moment ago, Mrs Wils, and as Mrs Bearder and Mrs Rosbach said with the same emotion before you – people’s health, and particularly children’s health, which is the most shocking of all, as well as the health of workers and of a large proportion of the population. The already toxic nature of the hazardous substances contained in waste often poses a further increased risk when inappropriate waste management techniques are used, which is often the case in these countries of destination.

Furthermore, illegal shipments of waste to third countries obviously have an adverse effect on trade and competition since, economically speaking, businesses that comply with the legislation evidently face competition and are put at a disadvantage. The European recycling and waste management sector, which is bound to comply with the EU’s rigorous environmental legislation, is a dynamic one. It has a healthy EUR 95 billion turnover. It provides, or supports, 1.2 to 1.5 million jobs and accounts for 1% of GDP, and this waste management and recycling sector, which operates by the rules, is also competing with, and put at a disadvantage by, these illegal shipments.

Effective enforcement of the Waste Shipments Regulation at EU level would encourage this sector, I believe, to invest and to create even more jobs in the future. Illegal waste shipments and poor quality recycling also lead to a loss of resources, since secondary raw materials can go a long way towards meeting Europe’s raw material requirements, and can also improve the effectiveness and use of resources. On the basis of this diagnosis, then, we need to improve the situation. That is why the Commission has sought to find out whether additional legislative measures need to be taken at EU level and, if so, which new, specific requirements and criteria they would include for waste shipment inspections.

We are currently completing an impact assessment of the various possible approaches to resolving the problem that I just mentioned, including national inspection and mandatory national risk assessment plans and programmes, as well as more targeted training for national officials responsible for enforcing the provisions and, on the other side of the coin, for proving that those who declare waste to be second-hand goods are doing so fraudulently.

I should like to conclude, Mr President, by raising the following points in response to some specific questions. Firstly, it is possible to circumvent the Waste Shipments Regulation by claiming that the articles being exported are second-hand goods rather than waste. The main problem is that the Member States are not implementing the inspection requirements properly. To remedy this, the Regulation needs to be supplemented by more detailed rules on national inspections. The legislative measures should be accompanied by adequate training for officials in charge of enforcing the rules, as I said.

Secondly, non-legally binding guidelines at EU level could support and facilitate the implementation and enforcement of the Waste Shipments Regulation, particularly by customs officers, and thus help to combat illegal activities. However, guidelines alone will not be enough. We also need binding rules to combat this problem.

Thirdly, waste production has increased or stabilised in recent years. Waste management is improving throughout the Union, and recycling has increased over the last five years. Yet what is remarkable today is the great disparities between the Member States with regard to the implementation of our waste requirements. The Commission, ladies and gentlemen, is conscious of the environmental, economic, social, human and public health consequences of illegal waste shipments, and the *Probo Koala* affair, in which several people died after being exposed to hazardous waste illegally dumped in Côte d'Ivoire, is one of the worst examples in living memory, and here too there are lessons to be learnt. The Commission has launched numerous studies on this issue, and the results of these investigations can be consulted on our website.

Once illegal shipments of waste have been detected, there are measures laid down in the regulation to remedy the situation. The waste must be sent back to its country of origin, pursuant to EU legislation and international law. If the companies responsible cannot be located, the country of origin in the Union must pay a fee to have the waste repatriated and treated. In some cases, Member States have to bear costs in excess of EUR 1 million. In the *Probo Koala* affair, which I mentioned a moment ago, the company Trafigura had to pay the equivalent of EUR 152 million in clean-up costs and EUR 33 million in compensation to the residents of the affected towns.

Lastly, I should like to say to Mr Seeber that, as far as I am aware, Mr Potočnik promised to present that communication on the implementation and enforcement of EU law and he is in the process of drafting it.

Åsa Westlund, *on behalf of the S&D Group*. – (SV) Mr President, many of us are outraged at the fact that, despite a comprehensive public debate on this, Europe is still dumping hazardous waste in poorer countries. As many here have already said, we are right to be outraged. Not only do we use products that exhaust and damage the environment and then also fail to deal with them properly once we no longer want them, we also dump the hazardous waste, which damages the health of innocent people, often children, and makes the land and water in other countries toxic for generations to come. That is absolutely unacceptable.

How can this be allowed to continue? We have legislation and we have a ban in place, but it is not working. Therefore, the Commission must now propose amendments. Of course, the best solution, as always, would be for there not to be any hazardous waste. The extensive work that we have carried out to identify and phase out hazardous chemicals, within REACH for example, is therefore important in this case, too. Since the ban on the export of hazardous waste is not working, I think that we should be especially pleased that we have strengthened the legislation concerning waste electrical and electronic equipment (WEEE) by setting high collection targets. However, knowing how poor the Member States' compliance with the export ban is, there are good reasons for the Commission also to closely monitor the Member States' actions with regard to WEEE and other legislation stipulating how this type of product should be dealt with.

As many people have said, including the Commission, we need some form of clarification and simplification of what rules actually apply when it comes to the shipping of toxic waste to developing countries, so that it will be easier for the police and other border control officers to take measures to deal with the crimes against the environment that the export of hazardous waste actually entails. However, we just as surely need the Member States to give higher priority to this matter. I think the fact that the Member States are failing in their

responsibility to check their compliance with EU legislation is a constantly recurring issue. It is very clear here that the Member States are not fulfilling their obligations.

The Member States must take greater responsibility, and we expect the Commission to ensure that they do. What you have presented here today, Mr Barnier, seems to me to be a definite step in the right direction. Once we are able to see the whole communication we will be able to decide whether or not we think the number of steps taken are sufficient. Thank you.

Zuzana Roithová (PPE). – (CS) Mr President, the exponential growth in the volume of waste from European manufacturing and consumption looks like a time bomb, both in the EU and in the developing countries to which hazardous waste is exported, much of it illegally. Commissioner, I welcomed your communication of the Commission's specific desire to remove the gaps in the legislation relatively soon. Along with the speakers who came before me, however, I believe there is little desire on the part of Member States, in particular, to invest in controls and to introduce sufficiently harsh penalties for breaches of the existing rules. As the Vice-Chair of the Delegation to the ACP-EU Joint Parliamentary Assembly, I believe we also need to establish a common strategy with the ACP countries for the fight against illegal imports of toxic waste to these countries, and in particular action plans for introducing a system for the safe management of waste in African countries, including support for recycling technology.

Csanád Szegedi (NI). – (HU) Mr President, ladies and gentlemen, the seemingly strict EU regulation concerning hazardous waste has many loopholes in practice, which can be eminently used by organised groups of criminals and the hazardous waste mafia.

Illegal disposal of toxic waste classed as hazardous has become one of the most lucrative businesses. One reason for this is the extremely high cost of legal disposal and recycling; another reason is the over-bureaucratisation of obtaining legal licences.

The solution has to be bi-directional: the administrative burdens of enterprises that recycle and dispose of hazardous waste legally has to be relieved, and of course in parallel, producers of hazardous waste should be encouraged to choose the legal course and made interested in restraining the hazardous waste mafia.

On the other hand, criminal law sanctions for environmental crimes must be radically tightened, and inspection must be uniformly increased at EU level.

Miroslav Mikolášik (PPE). – (SK) Mr President, it is a quarter to midnight and we are debating a serious matter: the exporting of toxic waste to developing countries.

It is scandalous that European countries in the modern age are engaging in the kind of activity we saw in the Oscar-winning film *Erin Brockovich*, which featured Julia Roberts, and where we saw that only in California could something like this happen, with factories exporting toxic waste and people then falling seriously ill and even dying. It is a very sad fact that EU Member States export their toxic waste to African countries that are almost powerless to prevent this, and it includes toxic elements such as lead, cadmium, mercury, asbestos and others. In my opinion it is good that the Commission wants to continue working on this. I would like to call on Commissioner Barnier, who promised us that the Commission would take a more energetic approach, to adopt measures to improve this situation.

Mairead McGuinness (PPE). - Mr President, there is a problem in the European Union because our citizens are dumping on their own doorsteps. To do that in Europe is one thing but to do it to the developing world and to the poor is, as the authors of this question said, reprehensible.

I will listen carefully to the Commission's response about new legislation. I am always concerned that we layer legislation on top of existing laws without looking at the enforcement aspects, and I would ask the Commission to address the issue of enforcement. I think in many areas we do not have sufficient numbers in Member States to correctly keep control and account of the transportation issue, in this case of toxic waste. The consequences for the health and welfare of those who handle this waste in a very inappropriate way are extremely serious. This is a moral and ethical question. Perhaps if our citizens were aware of this – I think they are not – they might think twice about their purchasing and disposal methods.

Michel Barnier, *Member of the Commission.* – (FR) Mr President, Mrs McGuinness made an important point just now, namely that there is a moral and ethical dimension to this issue, given all the public health, biodiversity and economic concerns we have raised.

That is why – and I say this to Mrs Westlund and Mrs Roithová, as well as to other speakers – the Commission is determined to act. In order to support the impact assessment, which will demonstrate the justification for this initiative, the Commission will propose tightening up EU legislation, in particular so as to improve inspections and enforcement of the Waste Shipments Regulation. This should greatly reduce the considerable number of illegal shipments.

All possible solutions are being examined. Give Mr Potočnik the few weeks he needs to draft this legislation. I can say on his behalf that it will be before the end of this year, 2011, that the Commission, taking into consideration the very important debate that you have held, despite the late hour, presents its legislative proposals to step up the fight against these illegal shipments and all their consequences.

President. – The debate is closed.

Written statements (Rule 149)

Daciana Octavia Sârbu (S&D) , *in writing.* – Earlier this year I made some enquiries to the European Commission in response to press reports about shipments of toxic waste from Italy to Romania. Although no evidence was found for the shipments, what was clear from the outcome of my enquiries was that we could benefit from more regular inspections of cargo, as this would act as a deterrent to those involved in the illegal shipment of waste. Such measures may have an additional impact in the case of third countries because they may lack the capacity to properly monitor incoming shipments and therefore prevent the entry of toxic material into their territory. We should give serious consideration to the benefits of thorough, regular inspections, coordinated at EU level, especially in the case of shipments to developing countries.

22. Agenda of the next sitting : see Minutes

23. Closure of the sitting

(The sitting was closed at 23:50)