EUROPEAN PARLIAMENT

2004 *2009*

Committee on Civil Liberties, Justice and Home Affairs

LIBE_PV(2008)1007_1

MINUTES
Meeting of 7 October 2008, from 9.00 to10. 45 and from 11.00 to 12.45
BRUSSELS

The meeting opened at 9.08 on Tuesday 7 October 2008 with Gérard Deprez (Chair) in the chair.

1. Adoption of agenda LIBE_OJ (2008)1007v02-00

The agenda as set out in document PE413.959v02-00 was adopted, subject to the following modifications.

- Item 7 was postponed, the vote on the draft report by Gérard Deprez being now planned for the meeting of Monday 13 October, as not all the language versions were available yet.

- An Item 9a was added, giving Roberta Angelilli the opportunity to report on the trialogue held the previous day on her report on protecting children using the Internet and other communication technologies.

- An Item 9b was added, to allow the rapporteur, Sarah Ludford, to present a working document on the problem of profiling, notably on the basis of ethnicity and race, in counter-terrorism, law enforcement, immigration, customs and border control.

2. Chair's announcements

None.

3. Evaluation and future development of the FRONTEX Agency and the European Border Surveillance System(EUROSUR)

LIBE/6/61555
2008/2157(INI) COM(2008)0067

Rapporteur: Javier Moreno Sánchez (PSE) PR – PE406.003v01-00
DT – PE407.697v01-00

Responsible: LIBE

Opinion:	AFET	Philip Claeys (NI)	PA – PE409.742v01-00
	DEVE	Gabriele Zimmer (GUE/NGL)	AM – PE412.310v01-00
			PA – PE412.026v01-00
	BUDG	Jutta Haug (PSE)	
	REGI – decision: no opinion		

- Consideration of draft report
- Decision on the deadline for tabling amendments
- Deadline for tabling amendments: **Friday 17 October 2008, 12 noon**

The rapporteur presented his draft report and responded to comments from Wolfgang Kreissl-Dörfler, Simon Busuttil, Giusto Catania (4th Vice-Chair), Antonio Massip Hidalgo, Adina-Ioana Vălean and Kathalijne Maria Buitenweg .
He hoped that his report could be adopted in the plenary before the end of the year.

Mr Gérard Deprez (Chair) spoke, and closed the discussion.

4. Framework decision on obtaining proof in criminal proceedings (European Evidence Warrant)
LIBE/6/65997
* 2003/0270(CNS) 13076/2007 – C6-0293/2008

Rapporteur:	Gérard Deprez (ALDE)	AM – PE413.953v01-00
		PR – PE412.355v01-00

Responsible: LIBE
Opinion: JURI – decision: no opinion

- Consideration of draft report
- Deadline for tabling amendments: **Wednesday 24 September 2008, 12 noon**

The rapporteur commented on his proposed amendments to the proposed Council framework decision, as modified by the Council, underlining the fact that this was a further consultation, made necessary because of radical changes to the initial proposal, on which Parliament expressed its views on 31 March 2004 (on the basis of the report by Elena Ornella Paciotti).

The Commission representative, Peter Jozsef Czonka, and the Council Presidency representative, Claudine Jacob, outlined the current position.

The following took part in the discussion: Roselyne Lefrançois, Sylvia-Yvonne Kaufmann, Sarah Ludford, Maria da Assunção Esteves, Kathalijne Maria Buitenweg (who also called for written answers that same week from the Council), Ignasi Guardans Cambó, Wolfgang Kreissl-Dörfler (who criticised the Council Presidency), and Martine Roure.

The rapporteur proposed holding a meeting that same week between the shadow rapporteurs and the authors of amendments, to bring their points of view closer together and reach a consensus.

The Chair confirmed that the vote would be taken at the Committee's next meeting on Monday 13 October 2008.

5. Establishment of a European Judicial Network in civil and commercial matters
LIBE/6/65216
***I 2008/0122(COD) COM(2008)0380 – C6-0248/2008

Rapporteur: Ona Juknevičienė (ALDE)
Responsible: LIBE
Opinion: JURI Diana Wallis (ALDE)

- First exchange of views
- Setting of deadline for tabling amendments

The Chair gave the floor to the Commission representative, Olivier Tell, and the Council Presidency representative, Claudine Jacob, who outlined the main points of this proposal for a Parliament and Council decision, and reported on the initial discussions of this matter.

The following spoke: the rapporteur, Ona Juknevičienė, and Armando França.

The Chair wound up the discussion, stressing that this was one of the priorities of the Council Presidency and that it would therefore be desirable to reach agreement at first reading on this decision, which was subject to the codecision procedure. He suggested setting noon on Friday 17 October 2008 as the deadline for amendments, and the Committee agreed. He announced that an exchange of views on these amendments would be held at the Committee's meeting on Tuesday 4 and Wednesday 5 November, with the vote being taken at the following meeting on Thursday 13 November 2008.

*** ***Voting time*** ***

6. Evaluation of the Australia EU-PNR agreement (on the transfer of passenger information)
LIBE/6/66216
2008/2187(INI) B6-0383/2008

Rapporteur: Sophia In 'T Veld (ALDE) PR – PE412.032v01-00
AM– PE413.964v01-00
Responsible: LIBE
Opinion: AFET

- Adoption of draft recommendation
- Deadline for tabling amendments: **26 September 2008, 10.00**

The draft recommendation was put to the vote.

Amendment 1 was rejected.

At the request of the PPE-DE Group, a separate vote was held on the following points:
- Paragraph 1 (k): adopted;
- Paragraph 1 (n): adopted;
- Paragraph 1 (o): adopted.

The recommendation was adopted unopposed by 24 votes, with 16 abstentions.

7. Framework decision on obtaining proof in criminal proceedings (European Evidence Warrant)

LIBE/6/65997
* 2003/0270(CNS) 13076/2007 – C6-0293/2008

Rapporteur:	Gérard Deprez (ALDE)	AM – PE413.953v01-00 PR – PE412.355v01-00
Responsible:	LIBE	
Opinion:	JURI – decision: no opinion	

- Adoption of draft report

The vote on this report was held over to the next meeting (see Item 1 above)

8. Oral questions on the necessity, proportionality and compliance with data protection principles of an EU-PNR
LIBE/6/67776

- Possibly, adoption of two draft oral questions

Before taking the vote, the Chair summed up the substance and objective of these questions, then gave the floor to the Committee's rapporteur on this matter, Sophia in 't Veld.

Stavros Lambrinidis (second Vice-Chair) spoke.

The two oral questions (to the Commission and Council) were adopted en bloc, unanimously.

9. Sanctions against employers of illegally staying third-country nationals
LIBE/6/49835
***I 2007/0094(COD) COM(2007)0249 – C6-0143/2007

Rapporteur:	Claudio Fava (PSE)		PR – PE409.510v01-00
Responsible:	LIBE*		
Opinion:	EMPL*	Edit Bauer (PPE–DE)	AD – PE404.765v02-00 AM – PE406.158v01-00
	ITRE – decision: no opinion		
	AGRI	Giuseppe Castiglione	AD – PE402.795v02-00 AM – PE404.534v01-00
	FEMM	Esther De Lange (PPE–DE)	AD – PE392.187v02-00 AM – PE396.484v01-00

- Consideration of amendments
- Deadline for tabling amendments: **23 September 2008, 12 noon**

The Chair introduced the discussion, pointing out that this draft directive was subject to the codecision procedure and enhanced cooperation, within Parliament, with the Employment and Social Affairs Committee. He then gave the floor to the rapporteur, Claudio Fava.

The Commission representative, Charles Williams, and the Council Presidency representative, Anne-Sylvie Delouvrier, outlined the point of view of their respective institutions.

The following then spoke in the discussion: Martine Roure, Stavros Lambrinidis (second Vice-Chair), Giusto Catania (fourth Vice-Chair), Simon Busuttil, Roberta Angelilli, Patrick Gaubert and Hubert Pirker.

The Chair said that an *indicative* vote, to assist the rapporteur in the negotiations with the Council, would be taken at the Committee's meeting on 4 and 5 November 2008.

9 a. Protecting children using the Internet and other communication technologies
LIBE/6/60316
***I 2008/0047(COD) COM(2008)0106 – C6-0092/2008

Rapporteur:	Roberta Angelilli (UEN)		AM – PE409.794v02-00 RR – PE407.867v02-00
Responsible:	LIBE		
Opinion:	BUDG	Cătălin-Ioan Nechifor (PSE)	AD – PE409.411v03-00
	ITRE – decision: no opinion		
	CULT	Christopher Heaton-Harris (PPE-DE)	AM – PE409.695v01-00 AD – PE407.911v02-00
	JURI	Titus Corlățean (PSE)	AD – PE409.619v02-00
	FEMM	Marie Panayotopoulos-Cassiotou (PPE-DE)	AM – PE409.764v01-00 AD – PE409.378v03-00

- Information on the most recent trialogue
- Deadline for tabling amendments: **27 August 2008, 12 noon**

The rapporteur, Roberta Angelilli, reported on the informal trialogue held the previous day between the representatives of Parliament, the Council and the Commission.

9 b. Problem of profiling, notably on the basis of ethnicity and race, in counter-terrorism, law enforcement, immigration, customs and border control
LIBE/6/58595
2008/2020(INI) B6-0483/2007

Rapporteur:	Baroness Sarah Ludford (ALDE)		DT – PE413.954v02-00
Responsible:	LIBE		
Opinion:	AFET	Jan Marinus Wiersma (PSE)	

- Presentation of a working document.

The rapporteur, Sarah Ludford, presented this initial working document.

10. Public access to European Parliament, Council and Commission documents
LIBE/6/62455
***I 2008/0090(COD) COM(2008)0229 – C6-0184/2008

Rapporteur:	Michael Cashman (PSE)	
Responsible:	LIBE	
Opinion:	INTA	Rovana Plumb (PSE)
	JURI	Monica Frassoni (Verts/ALE)
	AFCO	Anneli Jäätteenmäki (ALDE)
	PETI	David Hammerstein (Verts/ALE)

- Exchange of views

The Chair introduced the discussion. He doubted whether it would be possible to reach a conclusion during the current Council Presidency, and thought that continuing discussions during the three successive Presidencies, thus until the second half of 2009, should be envisaged. Four other committees had been asked for opinions, including the Committee on Constitutional Affairs, which was then likely to propose amendments to Parliament's Rules of Procedure. He then gave the floor to the rapporteur, Michael Cashman.

Marco Cappato then spoke, followed by the Council Presidency representative, Philippe Ray.

The Chair suggested that the rapporteur draw up a working document by the beginning of November 2008, and the rapporteur agreed.

11. Single application procedure for residence and work

LIBE/6/55661

* 2007/0229(CNS) COM(2007)0638 – C6-0470/2007

Rapporteur:	Patrick Gaubert (PPE–DE)		PR – PE409.737v02-00
Responsible:	LIBE*		
Opinion:	EMPL*	Rumiana Jeleva (PPE–DE)	PA – PE409.726v01-00
			AM – PE412.311v01-00

- Consideration of draft report
- Setting of new deadline for tabling amendments

The Chair introduced the discussion, pointing out that this matter was subject to enhanced cooperation with the Employment and Social Affairs Committee and that it was planned that both committees would give their views on Wednesday 5 November 2008. Amendments concerning the parts of this draft Council directive which concerned the Employment and Social Affairs Committee should be submitted directly to it.

The rapporteur, Patrick Gaubert, presented his draft report.

The Council Presidency representative, Anne-Sylvie Delouvrier, gave her institution's point of view.

The Chair proposed setting noon on Monday 13 October 2008 as the deadline for tabling amendments. The committee agreed.

15. Other business

None.

16. Date and place of next meeting

- Monday 13 October 2008, from 15.00 to 18.30, in Brussels.

The meeting closed at 12.16.

ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/ ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/ΚΑΤΑΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/ LISTE DE PRÉSENCE/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRS/DALYVIŲ SĄRAŠAS/JELENLÉTI ÍV/ REĠISTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŚCI/LISTA DE PRESENÇAS/LISTĂ DE PREZENȚĂ/ PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/DELTAGARLISTA

Бюро/Mesa/Předsednictvo/Formandskabet/Vorstand/Juhatus/Προεδρείο/Bureau/Ufficio di presidenza/Prezidijs/Biuras/Elnökség/ Prezydium/Birou/Predsedníctvo/Predsedstvo/Puheenjohtajisto/Presidiet (*)
Gérard Deprez (PR), Philip Bradbourn (VP), Stavros Lambrinidis (VP), Kinga Gál (VP), Giusto Catania (VP)
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Μέλη/Members/Députés/Deputati/Deputāti/Nariai/Képviselõk/ Membri/Leden/Posłowie/Deputados/Deputați/Jäsenet/Ledamöter
Alexander Alvaro, Roberta Angelilli, Catherine Boursier, Emine Bozkurt, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Claudio Fava, Armando França, Urszula Gacek, Patrick Gaubert, Roland Gewalt, Jeanine Hennis-Plasschaert, Lívia Járóka, Ewa Klamt, Wolfgang Kreissl-Dörfler, Esther De Lange, Henrik Lax, Roselyne Lefrançois, Sarah Ludford, Javier Moreno Sánchez, Rareş-Lucian Niculescu, Martine Roure, Csaba Sógor, Vladimir Urutchev, Ioannis Varvitsiotis, Renate Weber, Tatjana Ždanoka.
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Supplenti/ Aizstājēji/Pavaduojantys nariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleanți/Náhradníci/Namestniki/ Varajäsenet/Suppleanter
Edit Bauer, Simon Busuttil, Marco Cappato, Charlotte Cederschiöld, Maria da Assunção Esteves, Genowefa Grabowska, Ignasi Guardans Cambó, Antonio Masip Hidalgo, Sophia in 't Veld, Ona Juknevičienė, Sylvia-Yvonne Kaufmann, Metin Kazak, Marianne Mikko, Bill Newton Dunn, Maria Grazia Pagano, Hubert Pirker, Adina-Ioana Vălean.

178 (2)
183 (3)
46 (6) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/Päevakorra punkt/Ημερήσια Διάταξη Σημείο/Agenda item/Point OJ/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkės punktas/ Napirendi pont/Punt Aġenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/ Točka UL/Esityslistan kohta/Föredragningslista punkt)

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Osservatori/ Novērotāji/Stebėtojai/Megfigyelők/Osservaturi/Waarnemers/Obserwatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/ Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Esimehe kutsel/Με πρόσκληση του Προέδρου/At the invitation of the Chair(wo)man/Sur l'invitation du président/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/Fuq stedina taċ-'Chairman'/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitaţia preşedintelui/Na pozvanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan

Съвет/Consejo/Rada/Rådet/Rat/Nõukogu/Συμβούλιο/Council/Conseil/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)	
Giglio, Küchler Présidence du Conseil: Delouvrir, Jacob, Lafont, Ray, Simunek	
Комисия/Comisión/Komise/Kommissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Commissione/Komisija/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (*)	
Czonka, Deka,, Glio, Grau, Nielsen, Semmler, Tell, Williams	
Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/Άλλα θεσμικά όργανα/Other institutions/Autres institutions/Altre istituzioni/Citas iestādes/Kitos institucijos/Más intézmények/Istituzzjonijiet ohra/Andere instellingen/Inne instytucje/Outras Instituições/Alte instituţii/Iné inštitúcie/Druge institucije/Muut toimielimet/Andra institutioner/organ	
Frontex	Höger

Други участници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other participants/Autres participants/Altri partecipanti/Citi klātesošie/Kiti dalyviai/Más résztvevők/Parteċipanti ohra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alţi participanţi/Iní účastníci/Drugi udeleženci/Muut osallistujat/Övriga deltagare	
Brezina (Perm.Rep. CZ), Sperlich (Perm.Rep. DE)	
Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppernes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Secretariats of political groups/Secrétariat des groupes politiques/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakcijų sekretoriai/Képviselőcsoportok titkársága/Segretarjat gruppi politiċi/Fractiesecretariaten/Sekretariat Grup Politycznych/Secr. dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupín/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristöt/Gruppernas sekretariat	
PPE-DE	Alvargonzalez, Speiser
PSE	Lemarchal, Panzetti, Sisättö
ALDE	Fiss, Marzocchi, Rasmussen
Verts/ALE	Robert, Sidenius, van der Vegt
GUE/NGL	Stavinoha, Tamburini
IND/DEM	Boiten,
UEN	
NI	

Кабинет на председателя/Gabinete del Presidente/Kancelář předsedy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantselei/Γραφείο Προέδρου/President's Office/Cabinet du Président/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinett tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/ Cabinet Preşedinte/Kancelária predsedu/Urad predsednika/Puhemiehen kabinetti/Talmannens kansli	
Кабинет на генералния секретар/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/ Kabinett des Generalsekretärs/Peasekretäri büroo/Γραφείο Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Gabinetto del Segretario generale/Ģenerālsekretāra kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinett tas-Segretarju Ġenerali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálneho tajomníka/Urad generalnega sekretarja/Pääsihteerin kabinetti/Generalsekreterarens kansli	
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DG PRES	Delasnerie, Del Valle Mier
DG IPOL	Antoine-Gregoir, Apap, Barbos
DG EXPO	
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DG PERS	
DG INLO	
DG TRAD	
DG INTE	
DG FINS	
DG ITEC	
Правна служба/Servicio Jurídico/Právní služba/Juridisk Tjeneste/Juristischer Dienst/Õigusteenistus/Νομική Υπηρεσία/Legal Service/ Service juridique/Servizio giuridico/Juridiskais dienests/Teisės tarnyba/Jogi szolgálat/Servizz legali/Juridische Dienst/Wydział prawny/ Serviço Jurídico/Serviciu Juridic/Právny servis/Pravna služba/Oikeudellinen yksikkö/Rättstjänsten	
Dean, Caiola, Auersperger Matic	
Секретариат на комисията/Secretaría de la comisión/Sekretariát výboru/Udvalgssekretariatet/Ausschusssekretariat/Komisjoni sekretariaat/Γραμματεία επιτροπής/Committee secretariat/Secrétariat de la commission/Segreteria della commissione/Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Segretarjat tal-kumitat/Commissiesecretariaat/Sekretariat komisji/ Secretariado da comissão/Secretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utskottssekretariatet	
De Capitani, Némoz-Hervens (PV), Bultena, Dumitrache, Gimenez-Espinos, Gualtieri, Ilario, Sudova	
Сътрудник/Asistente/Asistent/Assistent/Assistenz/Βοηθός/Assistant/Assistente/Palīgs/Padėjėjas/Asszisztens/Asystent/Pomočnik/ Avustaja/Assistenter	
Götz, Lazarova	

* (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair(wo)man/Président/Priekšsēdētājs/Pirmininkas/ Elnök/'Chairman'/Voorzitter/Przewodniczący/Preşedinte/Predseda/Predsednik/Puheenjohtaja/Ordförande
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(M) = Член/Miembro/Člen/Medlem./Mitglied/Parlamendiliige/Μέλος/Member/Membre/Membro/Deputāts/Narys/Képviselő/ Membru/Lid/Członek/Membro/Membru/Člen/Poslanec/Jäsen/Ledamot
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