

THURSDAY, 21 JANUARY 2010

IN THE CHAIR: MR SCHMITT

Vice-President

1. Opening of the sitting

(The sitting was opened at 10.00)

2. EU-Tunisia relations (debate)

President. – The next item is the Commission statement on EU-Tunisia relations.

Neelie Kroes, *Member of the Commission.* – Mr President, I would like to thank Parliament for inviting me to take part in the discussion on Tunisia.

EU-Tunisia relations are governed by an association agreement signed in 1995. By the way, Tunisia was the first Mediterranean country to sign such an agreement and it has since then made significant advances.

In international relations, Tunisia is close and a reliable partner for the EU. The views it expresses and the positions it takes within international organisations and in other fora are moderate and balanced. It is cooperative on issues such as security and migration and has good relations with its neighbours in the southern Mediterranean region. Furthermore, it has always played a constructive role towards regional integration in the Maghreb.

Tunisia takes an active part in the European Neighbourhood Policy and the Commission's periodic reports on implementation by Tunisia of the European Neighbourhood Policy Action Plan are clear in their assessment: Tunisia has achieved progress in a number of cooperation areas, including the action plan.

Economic reforms have progressed, allowing for a steady growth of the Tunisian economy as well as of trade volume with the EU. Important results have been achieved in the social field, in areas such as health care, education, the fight against poverty and the protection of women's rights.

On the other side, the reports also highlight shortcomings, in particular, in the areas of justice, freedom of expression and association.

Political dialogue with Tunisia has been continuous on all the subjects covered by the action plan, which are addressed in 10 subcommittees and in working groups. The EU-Tunisia Association Council has already met several times and the next meeting is scheduled in the next few months.

On 1 January 2008, Tunisia became the first southern Mediterranean country to have a free trade area with the EU for industrial products, two years in advance of the date foreseen. The EU is Tunisia's first trading partner: 72.5% of its imports come from the EU and the EU is the destination for 75% of its exports. EU financial cooperation amounts to some EUR 75 million to EUR 80 million per year, for which Tunisia has proved to have a good absorption capacity.

Negotiations have also been launched on the gradual liberalisation of trade in services and the right of establishment, as well as on agriculture and fishery products. The conclusion of these negotiations, together with approximation of the relevant legislation, will mark a new stage in relations between the EU and Tunisia and progress towards the integration of the Tunisian economy in the EU single market.

Tunisia has requested that its relations with the EU be given a new impetus through an advanced status. We believe that such an endeavour is in the interests of the EU. We also expect that Tunisia will show a real drive towards more democratic reforms and freedom of expression. Without progress in the important area of human rights, the country's important achievements that I have mentioned would anyhow be perceived, despite their significance, especially by regional standards, as incomplete.

In conclusion, I would like to say that we judge relations between the EU and Tunisia as solid and friendly and that we believe that there is indeed a potential for further strengthening of those relations.

President. The next item is the speeches of the political groups.

Ioannis Kasoulides, *on behalf of the PPE Group*. – (FR) Mr President, Tunisia contributes towards the stability of this region in its role as a partner in the Union for the Mediterranean, as the first country to sign the association agreement, and as the first country equipped with an action plan for the implementation of the Neighbourhood Policy. Tunisia is comparatively ahead in terms of gender equality and the protection of children and the family, and is now awaiting negotiations on the granting of an advanced partnership status.

In the aforementioned agreements, there are clauses on democracy, the rule of law and human rights. Plans are afoot for talks, to help us to achieve progress in what are very sensitive and important issues for us in the European Parliament. If we want tangible results, and if we are not necessarily to achieve them via controversy and criticism, we must be careful to avoid any condescension, to prove that we are talking as equals, not as superiors or inspectors, and to show that we are also prepared to take an interest in the concerns and sensitivities of our partners.

In a context such as this, I am certain that the Tunisian Government will respond with concrete steps forward in the areas under debate.

Pier Antonio Panzeri, *on behalf of the S&D Group*. – (IT) Mr President, Commissioner, ladies and gentlemen, if we had to give an opinion on the existing relations between the European Union and Tunisia, it could only be a positive one, including as regards the stabilisation of the region.

It is true that important progress has been made in economic terms, and there are also encouraging signs from a social point of view. However, in political terms, following the presidential elections on 25 October, we are faced with the problem of supporting the journey towards democratic reforms with greater concrete action. As we know, the European Union's objective, in pursuing its foreign policy, is to develop and consolidate democracy, the rule of law, and respect for human rights and fundamental freedoms.

Tunisia has made some important commitments in the context of the Neighbourhood Policy Action Plan on democracy, governance and human rights. The action plan lays down a series of priorities and, amongst these, particular attention must be paid to implementing and consolidating reforms, and to strengthening political dialogue and cooperation, particularly in relation to democracy and human rights, foreign policy and security.

It is within this framework that the institutions must be strengthened. The latter allow the increased participation in political life of the various members of Tunisian society, greater development of the role of civil society, continued support for political parties to broaden their participation in the democratic process, and greater respect for freedom of association, freedom of expression and media pluralism.

We are convinced that these objectives can be achieved, and it is reasonable to expect tangible progress to be made. Our commitment is to safeguard the friendship which binds the European Union and Tunisia while consolidating the existing relationship, including in view of the conflict which could arise concerning the idea of an advanced status for that country. However, concrete steps really must be taken by Tunisia itself.

Louis Michel, *on behalf of the ALDE Group*. – (FR) Mr President, Commissioner, ladies and gentlemen, I should like to begin by both thanking and congratulating the Commissioner for the position taken by the Commission on this matter. I am in complete agreement with this position, since it seems far more reasonable than the stance taken by those who called for today's debate, and I am unsure exactly whose suggestion it was.

As has been said, Tunisia was the first Euro-Mediterranean country to sign an association agreement, and is an active partner in the European Neighbourhood Policy. It is worth pointing out, as Mr Kasoulides has done, that, on 1 January 2008, Tunisia became the only Mediterranean country to have a free trade relationship with the European Union. This cooperation is working very well, and Tunisia is proving to have an excellent absorption capacity. Tunisia has achieved substantial progress, which has resulted in a very high standard of development with socio-economic results acknowledged by international institutions. In economic terms, Tunisia achieved an average growth rate of 4.6% between the years 2002 and 2008. Moreover, it has succeeded in reducing its debt burden.

In social terms, it would be unfair to ignore the progress made, particularly on behalf of women. The indicators speak for themselves: 59% of students in higher education are female. Education is compulsory across the board for females aged from 6 to 16, and women account for almost a quarter of the working population in Tunisia.

I admit that these results obviously cannot obscure the urgent need to encourage the Tunisian authorities to make further advances in human rights and governance; we are well aware that there is still work to be

done. Like other speakers, I am concerned about this issue, for the sake of the democratic values that we uphold. However, it is also important to remember that we are not the only ones to uphold these values. They are also at the heart of Tunisian society, which is a dynamic and pro-European society.

For these reasons, we must support Tunisia's request to be granted an advanced status in this partnership with the European Union. I also believe that it is through this dialogue that we will find the appropriate framework for encouraging our partners to make further progress in the field of governance.

We must conduct the dialogue with our partners without complacency, obviously, but also without resorting to the kind of sanctimonious dogmatism in which Europe all too often specialises and which is, moreover, often counterproductive.

Obviously, I am not insensitive to specific cases that some people have raised. We clearly have the right to question our partners about circumstances that we believe to be unacceptable, but I would like to finish by highlighting Tunisia's success in establishing a political system based on the principle of separation between church and state.

The public authorities in Tunisia have the capacity to provide the people with a package of basic services, services that other countries in the region have not yet been able to implement, and I believe that it is important to point this out, too. I am therefore extremely optimistic about the future of relations between Tunisia and the EU, since they are being forged against a backdrop of mutual respect between partners who respect one another and have an understanding on the fundamental issues.

Hélène Flautre, *on behalf of the Verts/ALE Group*. – (FR) Mr President, I am disturbed by the speeches that I have just heard, from the Commissioner right through to my fellow Members. I feel that we really have our work cut out to gain an accurate and objective understanding of the present situation in Tunisia.

Frankly, when I listen to you, I feel as though I am listening to western intellectuals talking cheerfully, many decades ago, about the economic and social success in the countries of the USSR, with a complete inability to go and see what our shared values stand for in practice in those countries. What are our shared values, Mr Michel? They are human rights, democracy and the rule of law.

You have all rightly pointed out that Tunisia was our first partner to sign an association agreement. This is true, and that is why all this is very worrying, because we are not talking here about gaps, Commissioner, or about small steps. No. There is a huge, ongoing decline in human rights and democracy in Tunisia. Can you name one single newspaper, party or union that has been authorised in the last 20 years? No.

The truth is that fundamental freedoms are being systematically and utterly disregarded, and, with them, our own commitments. This is not about moralising; this is about respecting the values of the European Union, and respecting the commitments that we made by signing this association agreement.

Therefore, I demand that there be at least a shared analysis of this matter. I believe that we have worked hard to have this debate, but it would certainly be time better spent if we were to organise an actual delegation, one that really goes and meets this civil society in Tunisia and the various members of that society, in order to make an assessment of the continued harassment experienced by human rights defenders, students, trade unionists, workers and lawyers. There have been putsches in almost all of the associations that showed a certain degree of autonomy with regard to the authorities. I therefore believe that you are completely deluded on this matter.

Having listened to your speeches, I well understand why you do not want to see the real picture in Tunisia. You do not want to see it because you believe that there are economic interests at stake, and because you believe that there are interests at stake relating to the fight against terrorism and illegal immigration. You have expressed all this in the clearest of terms, and you go on about advances relating to equality between men and women and to the family, advances that date back to Bourguiba's time. I repeat, these date back to Bourguiba. There has been no further progress since that time.

I therefore believe that, if we have any respect for ourselves, for the agreements we sign, for the Neighbourhood Policy or for EU values, we certainly cannot propose an advanced status for Tunisia. Therefore, I tell you straight: if you propose that and renounce all requirements and all commitments in relation to human rights and democracy with all the countries of the Mediterranean, that will be the guaranteed outcome.

Charles Tannock, *on behalf of the ECR Group*. – Mr President, Tunisia is a friend and ally of the European Union, a prosperous, progressive, modern and meritocratic secular society unique in the Arab world. Tunisia also rightly takes an uncompromising approach to Islamist jihadi extremism.

A multiparty political system is fast taking shape in Tunisia and it is a country where women are fully equal members of their society. Why then do we seek to alienate Tunisia and its 10 million people? Perhaps because of jealousy at its success, perhaps because it is small and possesses no oil, so, no, there is no economic leverage on the EU, unlike Libya or Saudi Arabia.

In my view, those who have engineered this debate are making a deliberate effort to sabotage much of the progress in EU-Tunisia relations in recent years. It is especially galling that this debate is occurring at the same time as a visit of Tunisian parliamentarians to Strasbourg who are, I think, sitting up there watching this debate.

Tunisia needs our support, encouragement and dialogue, not a constant stream of senseless invective. It is bitterly ironic that the Left, who claim to be so much in favour of women's rights, attack Tunisia despite the fact that this country offers women opportunities and freedoms unprecedented anywhere else in the Arab world.

The fact that the Tunisian authorities prohibit the wearing of the hijab in public places indicates their determination to protect Tunisia's values of secularism, tolerance and liberty. We should respect Tunisia as our Euro-Mediterranean advanced partner.

President. Although I was not told that a Tunisian delegation is present, they waved when you mentioned it. I would like to welcome you to the gallery.

Marie-Christine Vergiat, *on behalf of the GUE/NGL Group*. – (FR) Mr President, ladies and gentlemen, I personally am very pleased that we are having this debate on the human rights situation in Tunisia. The Confederal Group of the European United Left – Nordic Green Left was instrumental in the organisation of the debate. All along, I have defended human rights, but human rights are the same all over the world.

I regret that this debate should not have been accompanied by a vote on a resolution. Words come and go; only the written word remains. As the EU's oldest partner, Tunisia receives the highest amount of per capita aid of all the countries of the South, and is an enthusiastic participant in the setting up of the free trade area around the Mediterranean rim. So enthusiastic, in fact, that its leaders are beginning to claim their dividends and to demand the benefits of an advanced status.

I fully support the remarks made by Mrs Flautre, and share her alarm at some of the comments made. The EU partnership agreements henceforth include clauses on democracy and human rights. These clauses must be examined just as closely as economic ones. The fact is, Commissioner, the Commission's report on the implementation of the Neighbourhood Policy is unsatisfactory in this regard; it is a clear case of double standards.

On 25 October, Mr Ben Ali was re-elected for a fifth term, gaining more than 89% of the vote. This figure alone reveals the state of democracy within that country. It is a locked democracy, where human rights defenders, magistrates, lawyers, journalists – in short, anyone who dares to challenge the regime – are harassed, imprisoned and, in some cases, even tortured.

Since last September, there has been a real drift towards an authoritarian police state, as the case of Taoufik Ben Briki, who will be tried next Saturday, shows. However, we could also mention Zouhair Makhoul and Fahem Boukadous, one of whom was convicted for talking about the environmental conditions in his country, and the other for taking part in workers' demonstrations in his country.

Yes, this is the social situation in Tunisia. Human rights defenders such as Kamel Jendoubi, Sihem Bensedrine, Sana Ben Achour, and Kemais Chamari are victims of a disgraceful press campaign. Sadok Chourou has been rotting in jail for the last 16 years, and Radhia Nasraoui, who acts as his lawyer, has been dragged through the mud, her career permanently damaged.

Students are being arrested and arbitrarily convicted, as are others. Their passports are held, or not renewed, and some human rights activists are being prevented from leaving the territory to act as witnesses. Meetings of associations independent from the ruling power are forbidden, their visitors are followed, and I do not have enough time to provide a true picture of the reality of Tunisia's social policy.

Why is the Tunisian Government taking so long to respond to the UN report? Why did it refuse to host EU observers if the elections are as democratic as it says they are? The facts are there; they are being revealed more and more in our countries' newspapers.

The Commission and the Council must take this into account. Tunisia must honour its commitments in relation to democracy and human rights. It is unacceptable, in fact, to go ahead with advanced status. Yes, I am in favour of equal partnerships! Yes, all the countries in the world must be treated in the same way, but on condition that they honour their commitments. I will end there, Mr President.

Gerard Batten, *on behalf of the EFD Group*. – Mr President, Tunisia's situation is overall a positive one it seems. They have the most stable society in North Africa. They have what is technically a democracy, though possibly only a semi-democracy by Western standards, but we should not criticise them for that, since they have made much progress. There is an official policy of working towards full democracy, and Tunisia is a stable society with a high level of personal security. This has been achieved by the suppression of their Islamist extremists and Communists, which is a price well worth paying. Its official policy is the pursuit of cultural unity – the creation of one nation. This is a lesson that many European countries – including mine, the United Kingdom – could well learn.

Economically, they are progressing. Only 7% of the population lives below the poverty line. It has one of the best health standards among countries in North Africa, with a relatively high life expectancy. Politically, their Constitution limits the number of seats a party can hold in the Chamber of Deputies, with 20% of seats being reserved for minority parties. This looks positively enlightened when compared to the 'first past the post' electoral system used in the United Kingdom which, in my opinion, is a conspiracy against the voter to keep the Conservative and Labour parties in and everybody else out. So maybe we should learn something from the Tunisians.

Speaking of the UK, my party, the UK Independence Party, came in for some criticism from some Islamic extremist and supposedly liberal quarters last week when we proposed a plan that people's faces should be uncovered in public buildings, and in private buildings if those concerned wish to impose such a condition. But look at what Tunisia did. Law No 108 bans the hijab, which goes much further than anybody else has proposed. The Religious Affairs Minister, Boubaker El Akhzouri, has slammed the hijab as running counter to the country's 'cultural legacy', regarding Islamic dress as 'a foreign phenomenon' in society. Well, that is very interesting, coming out of an Islamic country. The more I find out about Tunisia, the more positive an impression it makes. But I have seen some figures which indicate that EUR 70 million is to be spent on key projects in the EU neighbourhood scheme. My constituents, who are some of the poorest in London, cannot afford that kind of expenditure. We want trade, friendship and cooperation with Tunisia but not at the price of robbing the taxpayer in the UK. Let us help them increase their democracy and develop prosperity and, if they would like to take some free advice, let them keep well away from the European Union and preserve their freedom and independence.

Andreas Mölzer (NI). – (DE) Mr President, trade relations between the EU and Tunisia are close and multifaceted. Tunisia, which receives EUR 80 million per year in financial aid, is a shining example of successful development policy. As an emerging economy, the country has assumed a leading position in the Maghreb, it was the first Mediterranean country to create a free trade area with the EU and it is reaping the benefits of this with sound economic growth. The Tunisian Republic is consequently expected to play a constructive part in the deliberations with regard to the EuroMed Roadmap for trade beyond 2010 and the cooperation with the Maghreb countries.

Now we could be forgiven for thinking that it was sunshine all the way were it not for the presence of that paragraph linking European aid in connection with the partnership agreement to respect for human rights. This is precisely where we have a contradiction – the money that is to be used to stimulate the Tunisian economy is also used to finance and support a dictatorial, anti-democratic apparatus. That is a common problem in connection with our development and association aid. We need to do something about this, because the EU cannot promote human rights violations, even indirectly, in Tunisia, the Congo or, of course, Turkey, which is a candidate country.

Salvatore Iacolino (PPE). – (IT) Mr President, ladies and gentlemen, Tunisia, like the entire Maghreb region, is an important strategic area. It has an enormous growth potential and is an attractive area with powerful interests, not only economic but, above all, European.

Programmes with the European Union which promote cross-border cooperation have also recently been initiated. It is therefore time to revive, if we are ever going to do so, the relations established by the European

Union with the African countries at our borders, starting with Tunisia, by fully enhancing the potential of this area and maintaining its associated social and economic development, but within a framework of freedom and security.

The relationship between the countries of the Mediterranean is the key factor which gives cohesion and strength to an ambitious economic and social development programme. In political terms, it could be said that Tunisia is a country in which democracy is still relatively young; however, the action plan set out appears to be in line with the European Union's expectations.

The emergence of new parties and a reasonable female presence in parliament following the elections at the end of October 2009 confirm that significant progress has been made in terms of democratic participation. In any case, freedom of the press must be advanced and protected, as must equal opportunities for men and women and, more generally, fundamental human rights.

It is in this framework that we can help Tunisia to conclude the efforts it has undertaken by removing all potential barriers to the full development of human beings in that country, and all this within the context of a more advanced status.

Tunisia's central role in the Mediterranean and the modernisation process under way in that country require a serious and balanced approach which results in the unconditional affirmation of the values upheld by the European Union. Now more than ever, the European Parliament cannot allow any mistakes to be made on the road to democracy.

Constructive dialogue and careful diplomacy can instead further consolidate a relationship destined to be strengthened in a country which, in some sectors – such as justice and freedom of association – must be helped to grow, but a country which, I repeat, is absolutely central and pivotal to stability policy in the Mediterranean.

Carmen Romero López (S&D). – (ES) Respecting Tunisia means also respecting its democratic opposition, which is seeking to organise itself but is being repressed, and respecting its civil society, which is also the opposition of the future. I therefore wish to greet the members of parliament that are here now attending this sitting, but I also wish to send my greetings to those who may become members of parliament in the future, but who are currently threatened and may be imprisoned. We therefore think that it is very important for civil society to organise itself and for the democratic opposition to be respected, despite the fact that it is not currently organised.

In Spain – I can say this as a Spanish MEP – we experienced a society in which the democratic opposition was tortured and repressed during the dictatorship. If the opposition is not terrorist, when it is democratic, it has values, which are the values of the future. Therefore, we need to help this opposition, which is currently not organised, but is democratic, and which is fighting for the values of the Tunisian transition and for the consolidation of those values. We also need to help it to organise itself.

We also need to help the opposition so that they can be the leaders and protagonists of the future, possibly in opposition, or in government, but rotation is essential in a democratic society.

Therefore, this escalation of violence that we are currently witnessing, which may intensify in the future, is not the best calling card for advanced status.

We know that Tunisia has been a member of the Euro-Mediterranean Partnership, and has a Mediterranean inclination and a democratic inclination. Therefore, during this period, we also want it to contribute to this democratic consolidation and to be able to organise itself so that it can really be a loyal member and a member that contributes to the Mediterranean being an emerging area with democratic values.

That is our desire for the future and that is what we want for Tunisia.

Tomasz Piotr Poręba (ECR). – (PL) Mr President, there is no doubt that Tunisia is a partner with which the European Union should maintain relations on behalf of the Mediterranean Sea Region and at bilateral level. However, while remembering economic matters, we, as the European Union, should insist on transparency of democratic procedures and the rule of law in that country.

Despite the fact that Tunisia is a stable country, it is not, unfortunately, a country where all democratic standards are maintained. International non-governmental organisations say that the security forces there torture prisoners and act with impunity, because they are protected by high-ranking officials. Freedom of

the press and freedom of speech are drastically restricted, and the situation of journalists is said to be one of the worst among all Arab countries. Repression often has a religious background. Persecution of the Christian minority is becoming increasingly disturbing. The government in Tunisia does not tolerate expressions of protest or the existence of independent opposition.

Remembering that Tunisia was the first Mediterranean country to sign an association agreement with the European Union, we must resolutely insist on observance of the terms of the agreement. Respect for human rights and democratic standards in Tunisia must be a condition for further cooperation with that country.

Dominique Baudis (PPE). – (FR) Mr President, ladies and gentlemen, to avoid any caricatures – we have heard one or two this morning – I would like to mention some objective facts regarding Tunisia, a partner country of the European Union.

The social situation has evolved very favourably, with a spectacular increase in the average per capita income, and now the vast majority of Tunisians meet the criteria defining membership of the middle class. More than 90% of Tunisians enjoy welfare cover, and more than a quarter of Tunisia's budget is devoted to education, with the result that the country is one of the very first to have achieved the Millennium Development Goals in the area of primary education.

Finally, as Mr Michel highlighted a little while ago, women's rights are both recognised and guaranteed. At university level, female students outnumber male students, and 40% of teachers are women. A quarter of politicians, local officials and journalists are women. Many countries would be envious of these statistics.

Sylvie Guillaume (S&D). – (FR) Mr President, for my part, I would like to add my voice to those who have already spoken to denounce the particularly worrying situation in which the journalist and writer Taoufik Ben Brik finds himself in Tunisia.

In the wake of several arrests of journalists and trade unionists, who have suffered violence and mistreatment, and of the refusal to grant entry to foreign journalists during the presidential elections, the repression against political opponents and human rights activists continues. After a botched trial, and his incarceration far from his family, which makes visits difficult, Taoufik Ben Brik has been left in a state of health that makes one fear for his life.

How can one fail to regard this situation as a fierce attack against someone who upsets the apple cart? For this reason, we must not simply use trade as an answer to everything. On the contrary, I believe it is crucial for the EU to react quickly and firmly by demanding the release of Taoufik Ben Brik and other prisoners of conscience.

There has been an alarming decline in the human rights situation in Tunisia. It is affecting Europe's cooperation with the country, and a tangible improvement in this situation represents one of the conditions for the opening of negotiations on an advanced status for the EU-Tunisia partnership.

Michael Gahler (PPE). – (DE) Mr President, we have a good foundation for our cooperation with Tunisia. The association agreement and the free trade agreement have been mentioned. Mrs Kroes said that we are talking about integrating the Tunisian economy into the single market. That is really as far as we can go with a country outside the EU, and therefore this forms a stable foundation. Tunisia is a solid and friendly partner with the potential for further strengthening our relations, to quote Mrs Kroes once again.

Precisely because we have these close relations, we are also able to talk to our colleagues about all of the issues that may cause us some concern. I, personally, am in talks with our colleagues, who are here in the gallery, and my feeling is that we should talk about everything.

However, in this connection, we should not throw the baby out with the bathwater. In Tunisia, we also have a situation where the country, as an Arab country that wants to develop in a secular manner, is threatened by extremists. I am sympathetic towards anyone who takes action against Islamic extremists.

However, as regards other matters, I think that we will make progress in the ongoing talks. We can talk about anything with Tunisia because it is a reliable partner. I therefore look forward to continuing our dialogue.

Cristian Dan Preda (PPE). – (FR) Mr President, as has already been highlighted, Tunisia is an important partner of the EU; mention was also made of the extremely important role played by the social field in Tunisia. I would like to add to that some political aspects that are significant, because, as has already been said, Tunisia

is a society that practises multiparty politics, albeit in a limited fashion, with a quota for the opposition, no doubt, but nevertheless multiparty politics. The issue of gender equality has also been mentioned.

In all our countries, in the countries of Europe, all these political opinions coexist with freedom of the press, and this is what makes the difference, in fact, because, in Tunisia, such freedom exists, but it is limited, and there are in fact journalists who are in difficulty.

The following question then arises: could a *rapprochement* with the European Union increase this freedom or not? In my opinion, a *rapprochement* with the EU could help Tunisia to supplement the social progress made with some extremely important political advances.

Harlem Désir (S&D). – (FR) Mr President, Commissioner, you have stated your hope that Tunisia will make progress in the areas of democratic reform and freedom of expression. You are right to do so, since this is quite simply in line with the association agreement and with the commitments that Tunisia has made to the European Union.

That is why I am very surprised by the comments made by both Mr Baudis and Mr Michel, which seem to be encouraging you to ignore this aspect of our relationship and our cooperation with Tunisia, and to ultimately abandon Article 2 of the association agreement.

Moreover, there is a long way to go before these commitments are honoured, judging from the fate – as already mentioned by my colleague, Mrs Guillaume – of the independent journalist Taoufik Ben Brik, who has been in prison since last October, following a trial in which his lawyers and the procedure were in complete violation of the law. In addition to the unacceptable denial of his freedom, his health is deteriorating and his visiting rights have been restricted.

I therefore ask you, Commissioner: does the Commission intend to intervene within the framework of the Association Council to demand Mr Ben Brik's immediate release and to ensure that his situation and his state of health may be taken into account, at the very least on humanitarian grounds?

Malika Benarab-Attou (Verts/ALE). – (FR) Mr President, on 14 January, I met with members of the Tunisian delegation. We had a frank exchange and debated our respective views.

As a Franco-Algerian, I am committed to the Maghreb and I campaign for a united, pluralist and democratic Maghreb. The issue of human rights is crucially important to me, and it is one of the fundamental values of the European Union. The debate on this issue, as it appears in Tunisia, is crucial and relevant.

Yesterday morning, I met Mr Ben Brik's wife, who is leading a hunger strike, as well as activists from the Euro-Mediterranean Human Rights Network, and I am concerned. It seems that Mr Ben Brik's life is in danger due to his illness and his detention conditions. I am sure you realise that if this concern should become a reality, the responsibility will fall very heavily on the shoulders of the Tunisian authorities.

Aside from trade relations, we must also take account of social issues. The phenomenon of young Tunisians throwing themselves into the Mediterranean is the product of a closed society that offers no prospects to its young people. The defence against fundamentalism and economic imperatives must not serve as pretexts for ignoring human rights. Real progress in the field of human rights is now crucial. We are not talking here about sanctimonious dogmatism but about an urgent situation that the European Union must help to resolve.

Alf Svensson (PPE). – (SV) The countries of north Africa are often lumped together, and as far as I can see, this does Tunisia a great disservice.

There has been mention of equality. In comparison with many other Arab countries, Tunisia is exceptional in having legislation to protect children and also women. As has already been pointed out, Tunisia has more female students than male at its universities, and the standard of living has increased. The country's infrastructure is in good condition. Since the election, its parliament has elected – or appointed – a committee on human rights.

Tunisia's willingness to cooperate with the EU is an opportunity that we should grasp with both hands. Now that Tunisia has a delegation that is visiting Brussels and Strasbourg, and is asking for support in its work on promoting human rights and with developing and deepening its links with the EU, in my opinion, it would be contrary to the EU's principles not to give these requests a positive reception and develop relations further.

Rosario Crocetta (S&D). – (IT) Mr President, ladies and gentlemen, as someone who has visited Tunisia two to three times per year since 1982 and who, as a Catholic, on 6 January attended mass, as I regularly do, I find it truly difficult to think of Tunisia as a country which suppresses religious freedom.

There are problems, but for Heaven's sake let us not to look at these countries, countries which are trying to make progress, through the prism of Western countries, because if we were to use that parameter, a parameter which someone is using this morning with regard to Tunisia, then certain European countries would probably be denied entry into the European Union, because the violence and denial of freedom which exists there is on a greater scale than in Tunisia.

Thus, the issue arises as a result of one concrete fact: namely, that we have before us a country which has abolished Islamic fundamentalism, which is making efforts to develop a cooperation and peace policy with Europe, which is trying to evolve. There are problems. I believe that the way to solve these problems is to strengthen dialogue and friendship and to help these countries to achieve more.

Neelie Kroes, Member of the Commission. – Mr President, I am grateful to the honourable Members for being so open and straightforward and for making their remarks in such a way that, although certain groups have differing approaches, the emphasis is on how we can find a solution.

Having said that, I want to start by making one remark in answer to the statement made by Mr Désir. He referred to a remark by Louis Michel. I am sure that Louis Michel can speak for himself, but we were on the same team in a former life, so to say, so I know what line he takes on this issue. If Mr Désir is saying that the suggestion is that we do nothing, that is not the impression I got, and I sincerely hope that you did not get that impression from my opening remarks either.

There is indeed a difference in approach. Some are just calling for dialogue on an equal footing, and Mr Kasoulides advocates that. There have been calls for links of friendship. All these approaches imply sitting around a table discussing issues and trying to reach a mutual understanding on how to solve a couple of issues that we all agree on. There is no doubt about that, for human rights and freedom of speech are indeed a very important and essential part of any agreement.

Having said that, I would like to touch upon a couple of the issues that were raised. Firstly, reinforced institutions. What we are trying to promote and encourage in all the meetings that are held or planned over the coming months is the establishment of a regular dialogue as a means of achieving essential progress in terms of human rights and democracy.

In the course of the next couple of months, there will be a meeting of the Subcommittee on Human Rights, and you can be sure that there will be a dialogue of substance, which will deal with the issues that we are all concerned about and how to approach them.

On the question of human rights violations in Tunisia, speakers have regularly referred to the fact that Tunisia has been criticised for its record on human rights. Since the presidential and legislative elections of October last year, there has been an intensification of repression against opposition parties, journalists and human rights activists. The international community has made it quite clear that that type of behaviour by the authorities is unacceptable and contrary to Tunisia's international commitments. So, to reiterate what I have said already, within the EU, there should be no misunderstanding: commitments are commitments, and we have to maintain that line.

Tunisia must indeed show stronger commitment to fundamental common values such as respect for human rights, democracy and the rule of law. It should, by the way, also respect its own international commitments in that field. The Commission will pursue our policy of engagement and dialogue on those issues, particularly in the framework of the bodies created by the association agreement.

At the same time, the EU is providing support in order to improve governance and promote reforms in the field of justice through cooperation and technical assistance. It is our priority to make progress with Tunisia in that area, for example, by actively promoting human rights activists and civil society organisations under the European Instrument for Democracy and Human Rights.

Efforts are also being made in the field of judicial cooperation. The EU is providing EUR 17.5 million to fund a technical assistance project for the modernisation of the judiciary. That has been criticised by some Members of this Chamber because it provides funds for the President of Tunisia's justice system.

The project has many components. These include training for judges and lawyers, technical support for the courts, infrastructure and improved information for citizens. When the project is complete, we will assess the outcome. I certainly agree that working in that area exposes us to certain political risks. Nonetheless, if we want to encourage reform, we need to act; otherwise, EU cooperation will be confined only to the economic sector. We all agree that that is not the right approach, and would be inconsistent with our own general policy objectives as regards relations with Tunisia.

On the issue which Mrs Flautre and Mrs Vergiat were touching upon, the advanced status of Tunisia, I consider that priority should be given to the continuation and reinforcement of dialogue with Tunisia. We are aware that it is an important ally of the EU in the region and has achieved considerable progress in terms of economic and social modernisation. Perhaps it comes down to whether one regards the glass as half-full or half-empty. Having said that, we believe that we need to continue our policy of supporting those forces in Tunisia that are working for the political, economic and social modernisation of their country. We are in favour of Tunisia's proposals with a view to strengthening the relationship between the two partners. The Council and the Commission will look into these issues very carefully, and I am prepared to report any further developments to you.

On the other hand, while it is in the EU's interest to reinforce relations with Tunisia, I consider that the granting of advanced status should entail strong commitment on the part of Tunisia in terms of human rights and governance, so there will be no 'free lunch'.

President. – The debate is closed.

Written statements (Rule 149)

Edward Scicluna (S&D), in writing. – This debate seems to me to be untimely at a moment when the dialogue between Tunisia and the EU is resuming at both Commission and Parliament level. Dialogue with the Commission has included the programming of several subcommittees' meetings within the framework of the Tunisia-EU Association Agreement (including the Human Rights and Democracy Subcommittee), while dialogue at the level of the European Parliament took the form of the recent visit to Brussels of an important Tunisian parliamentary delegation representing four political parties represented in the Tunisian Chamber of Deputies, along with the Tunisia-EP Interparliamentary Meeting scheduled for March 2010 in Brussels. At a time when important and constructive dialogue between Tunisia and the EU is resuming, I think it is unfortunate to have held a debate that could undermine progress. Let us ensure that Tunisia and other non-EU states conform to EU standards in the economic, social or political sphere. But let us do that in a well-planned and structured dialogue.

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

3.1. Recent attacks on religious minorities in Egypt and in Malaysia

President. - The next item is the debate on the motion for a resolution on the recent attacks against religious minorities in Egypt and Malaysia⁽¹⁾.

Marietje Schaake, author. – Mr President, in the week of Egyptian Orthodox Christmas, an attack took place killing and wounding 20 Coptic Egyptians. Although the attack can be seen as a criminal act of individuals, various other troubling incidents require our ongoing focus on respect for all minorities in Egypt.

Violence and hatred cannot be accepted in the name of religion. People have a universal right to freedom of religion as well as freedom from religion. Ethnic and religious diversity asks for a vigilant society that is able to reconcile differences in open debate, a society where people of any background or conviction know that their freedoms are guaranteed.

An open society can only be realised when the separation of religion and state is implemented in the constitution and throughout the system of government. Security measures cannot be the only means to manage a pluralist society. Yet state emergency laws have been in place in Egypt for the past 28 years. A free debate is perhaps the most powerful medicine against extremism and violence. Therefore, freedom of

⁽¹⁾ See Minutes

expression, both online and offline, can be seen as the Egyptian Government's best tool to resolve tensions in society.

It is therefore very difficult to understand or accept that around 30 activists, politicians and bloggers were arrested by government forces while travelling to the southern Egyptian town of Nag Hammadi to express their condolences to the families of those killed during the sectarian violence. The arrests are a particularly striking example of what has become a pattern of the Egyptian Government's interference in citizens' rights to freedom of expression.

Something is desperately wrong when people are treated like criminals merely for attempting to show sympathy and solidarity with fellow countrymen. In too many cases, the argument of maintaining public order is abused. Since 2008, Egyptians have been unable to get an unregistered phone line, but the control is not total. New rules are now in force, under which users of Wi-Fi have to pay for a connection, for which they need to provide an e-mail address to have a password and a username sent. This allows for active control of users by the government. Moreover, a draft law is under debate in the parliament about net regulation, providing for prison sentences for 'publication of multimedia content without government permission'.

Yet the Egyptian Constitution says, 'freedom of expression or freedom of opinion is guaranteed. Every individual has the right to express his opinion and to publicise it verbally or in writing or by photography or by other means within the limits of the law'. Self-criticism and constructive criticism are the guarantee for the safety of the national structure.

I urge the Egyptian Government to refrain from introducing emergency laws limiting fundamental freedoms in light of the sectarian tensions present. An adequate response to crimes committed in the name of religion is only appropriate. However, this should not be used as a reason to repress the population as a whole, with laws limiting free speech and expression. Only when fundamental freedoms are safeguarded by the Constitution and all layers of legislation are free will an open society in Egypt be possible. The Egyptian Government should lead its citizens on this road to freedom, and Europe should be its strongest partner in this.

Fiorello Provera, *author*. – (IT) Mr President, ladies and gentlemen, the resolution that I have tabled is in response to some tragic events which have recently taken place in Egypt and in other countries of the world – just yesterday in Nigeria – and is intended to bring to this House's attention an increasingly serious and intolerable situation whereby members of the Christian community are being persecuted and killed.

This is not a resolution against the Egyptian Government, which has acted to ensure that those responsible are brought to justice; rather, it is a time to reflect on a vast and concerning issue. Every year, thousands of Christians are killed around the world, in Vietnam, North Korea, China, Nigeria, Malaysia, and millions of others are persecuted in the most diverse ways for their faith on a daily basis. These attacks are increasing in number and in virulence, amid silence or indifference, and they warrant urgent action.

First of all, everyone must make a commitment to change the climate of religious hatred which is spreading and to encourage tolerance and acceptance of diversity. Europe is well acquainted with the tragedy of wars in which, for centuries, Catholics and Protestants have fought against one another, not to mention the Jewish Holocaust. Precisely because of its history, Europe must commit itself on this front.

Another initiative could be to examine national laws within the context of which we find rules which persecute Christians or other religious minorities. The cooperation of non-governmental organisations could be very useful in this project, but vigilance is also required to ensure that, where a right to religious freedom exists, it is actually implemented.

This debate could be an opportunity to launch the proposal to draft a European Parliament report on religious freedom in the world.

Mario Mauro, *author*. – (IT) Mr President, ladies and gentlemen, religious freedom is, in fact, the subject of this resolution. It is therefore not an identity crusade or an attempt to cause problems for this or that government, but a denunciation of the fact that, in today's world, people are dying because they believe in Christ or are being discriminated against because their faith is different from someone else's.

All the political groups therefore agree that there is a problem concerning religious freedom and that it needs to be addressed seriously and firmly within the international community.

We therefore ask the Council and the Commission and, above all, the High Representative for Foreign Affairs, to pay particular attention to the situation of minorities, including the Christian minority, so that initiatives aimed at promoting dialogue and respect between communities are supported and undertaken, urging all the religious authorities to encourage tolerance and to prevent episodes of hatred and violence from occurring.

Véronique De Keyser, *author*. – (FR) Mr President, the incident that took place in Egypt could undoubtedly have happened elsewhere. A car passes by the doorway of a Coptic church, shots are fired into the crowd. The outcome: seven deaths (six Copts and one police officer). The Egyptian authorities react quickly. The public prosecutor decides – and I quote – that the three accused of the events in Nag Hammadi will be tried before the State Emergency Security Court on a charge of premeditated murder.

In Malaysia, it is the name Allah that the Christian and Muslim communities argue about, a dispute that results in the ransacking and pillaging of churches.

These news stories, which could be described as commonplace, have impacts elsewhere, throughout the world, including in Europe. The rise in religious intolerance and fanaticism jeopardises a fundamental freedom, freedom of belief for all, whether they are religious or agnostic. All over the world, crimes are being perpetrated against minorities, be they Christian, Jewish or Muslim. All over the world, too, non-religious men and women are being killed or imprisoned because they do not respect the rites, dogmas or religious practices from which they have freed themselves.

As a non-religious person, I firmly support this resolution, which is an appeal for tolerance and not a stigmatisation of Egypt or Malaysia. However, leaving aside the cases that have been mentioned, I would like to point out the responsibility of a state that is mindful of its citizens' right to freedom of expression. I believe that a secular state, by virtue of its structure, is the greatest guarantee of the space required for a diversity of beliefs. This is the form in which a state can best protect its citizens and promote a dialogue between its communities.

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

Ryszard Antoni Legutko, *author*. – Mr President, the information about violence against Christians in Egypt and Malaysia is just the tip of the iceberg. There are three points I want to raise.

First, Christians have become the victims of brutal violence in many countries of the world, not just two. Second, Christians have become the single most persecuted religious group in the world. The numbers are astounding – in the millions, not thousands or hundreds of thousands. Third, the reaction of European societies, European governments and the EU has, so far, been unsatisfactory: timid, faint-hearted, pusillanimous, politically correct, or no reaction at all.

We must act resolutely, or else those who persecute Christians will think they have our tacit blessing. Do we really want this?

Heidi Hautala, *author*. – (FI) Mr President, it is regrettable that there are so many different conflicts in the world dressed up in the guise of religion. In this connection, it has to be said that there are very many different fundamentalist trends in the world in connection with the Christian, Islamic and other religions. Personally, I have encountered fewer of these fundamentalist aspirations with Buddhism. In any case, it is important that the European Parliament adopts a position when these kinds of violent episodes between religious groups occur.

I would like to say, however, that yesterday it was brought to Parliament's attention that 33 human rights defenders were arbitrarily arrested when they tried to support the Coptic Christians referred to in this resolution and who were suffering violence against them. I would now like to say to the Egyptian authorities that we need to ensure that people are not prevented in this way from coming to the defence of others. We must insist that human rights defenders in other situations are not imprisoned or treated unjustly. In this case, it is an undeniable fact that these 33 defenders of the Copts were treated inhumanely in prison. They were kept in inhumane conditions.

I hope that in future, Parliament will always give its attention to cases whenever there is violence against any religious group, and not just concentrate on the persecution of Christians.

(Applause)

Bernd Posselt, *on behalf of the PPE Group*. – (DE) Mr President, Tunisia, Egypt and Malaysia have a great tradition of tolerance. Evidence of this is provided by names like Tunku Abdul Rahman, the founder of the independent state of Malaysia, or President Sadat, whose speech here in the European Parliament was like a Magna Carta for Christian-Islamic coexistence.

This is precisely why we must support the governments of these countries in their fight against Islamic extremism and anti-Christian attacks. Of course, we in Europe, as a mainly Christian continent, have a special obligation to stand up for Christians throughout the world, because if we do not do so, who will?

However, this is clearly about the freedom of religion itself and I would like, for example, to thank the Malaysian Government for the fact that His Majesty, the Yang di-Pertuan Agong, and the Prime Minister, made their position on this matter clear on 9 January. We wish them success in their fight for religious tolerance, for which this country was and still is a shining example, and it is something that, as partners who can speak openly on matters to do with human rights, we must preserve in Egypt, Tunisia and Malaysia.

Peter van Dalen, *on behalf of the ECR Group*. – (NL) Mr President, freedom of religion is an essential element of human rights. Unfortunately, what we are seeing is that Christians have a particularly hard time in many countries where the faith of Islam dominates. That is the case, amongst other places, in Egypt. Coptic Orthodox Christians, but also Roman Catholic and Protestant Christians and Jews are placed at a disadvantage in an institutionalised way in Egypt. Muslims who convert to Christianity, for example, are oppressed. This can be seen from their identity papers, which continue to state that they are Muslims, as religious disaffiliation is legally prohibited.

Over the last 10 to 20 years, specifically, violence against Copts has grown enormously. More than 100 attacks, with thousands of victims, have already been reported. The Egyptian Government's attitude, in my view, is spineless. Three men have been taken into custody, but, generally speaking, the violence against Christians is tolerated. I call on the Council and the Commission to engage Egypt directly in dialogue in order to ensure that the government there takes a different approach. If Cairo refuses to do so, I think that needs to have consequences for our bilateral relations with Egypt.

Joe Higgins, *on behalf of the GUE/NGL Group*. – Mr President, all who are committed to democratic rights and freedom of religious expression will condemn outright the murder of Christians in Egypt and also the firebomb attacks on Christian churches in Malaysia. We should also note the growing numbers of attacks on religious minorities in Europe itself and equally condemn that.

In Malaysia, the tactic of divide and rule on racial and religious lines has long been used by various elements of the economic and ruling elites. The present National Front government is guilty of hypocrisy in this regard: while publicly proclaiming a 'One Malaysia' policy claiming to embrace all religions and minorities, it manoeuvres behind the scenes, using religious and racial divisions to try and bolster its own position among the majority Muslim Malay population, as it did in relation to the 'Allah' ruling.

There are also huge divisions economically in Malaysia. It is the most unequal society in South-East Asia. The current government rules on the basis of crony capitalism. This is the result, with exploitation rife in the workplace and trade union rights severely limited. The best background for religious freedom and democracy in Egypt and Malaysia and elsewhere is, indeed, economic justice and democracy, where wealth and power are in the hands of the big majority of working people and the poor and removed from major corporations and crony capitalists.

Daniël van der Stoep (NI). – (NL) Mr President, yesterday, a terrible political trial began in the Netherlands against the leader of our party, Geert Wilders. Mr Wilders, as a Dutch parliamentarian and leader of the Party for Freedom in the Dutch Parliament, is being prosecuted for expressing his opinion. Mr Wilders is being persecuted by the leftist elite because he warns the Netherlands, Europe and the world about a fascist ideology that goes by the name of Islam. This is an outrageous disgrace!

Mr President, the Islamification of the Netherlands and of Europe threatens Europe's Judeo-Christian and humanistic culture, and where many, including in this House, bend over backwards and allow the tsunami of Islamification to wash over them, the Party for Freedom fights for European culture. Mr President, the barbaric acts that have taken place in Malaysia, Egypt and in many other places around the world, as just this week in Nigeria, are the result of the intolerant and fascist ideology known as Islam. In Islamic countries, non-Muslims are systematically humiliated and murdered. The events in Malaysia and Egypt cannot be regarded as isolated incidents, but have their origin in the ideology that demands respect but does not give

it. This Parliament can ensure that these terrible events never take place in Europe by taking up the fight, alongside the Party for Freedom, against the Islamification of Europe. We ask all of you to do so.

Filip Kaczmarek (PPE). – (PL) Mr President, quite often in Parliament, we talk about different phobias and their detrimental social effects. I am thinking of xenophobia and homophobia. Unfortunately, these two cases do not exhaust the list of phobias. There is also a phenomenon called ‘Christianophobia’ – a phobia of Christianity. Just as in the case of other phobias, the social effects here are also detrimental and sometimes tragic, and it is precisely for this reason that we should take up cases of violations of the rights of Christians in different places around the world.

We take up cases involving followers of different religions, and even of people who do not profess any religion. Christians, too, must not be deprived of our care. We do this because religious freedom is one of the European Union’s fundamental values. It is precisely for this reason that we condemn and will condemn every form of violence, discrimination and intolerance towards the leaders or adherents of any religion. Violence perpetrated because of the beliefs of the victim is abominable and there is no doubt that it deserves our criticism.

Konrad Szymański (ECR). – (PL) Mr President, religious freedom is a right which has been acknowledged in international and European conventions on human rights for over 50 years. At the same time, we have, for many years, been facing a rising wave of religious hatred, which has most often affected Christians all over the world. The place of anti-Christian Communism has today been taken principally by militant Islam. Egypt and Malaysia have constitutional guarantees of religious freedom, but under pressure from radical Islamic circles, the religious freedom of Christians is not being sufficiently protected by the governments there.

The European Union, which has new instruments of foreign policy at its disposal, must become involved, to a greater degree, in opposing Christophobia, which is the source of beatings, looting and murders. It is only ideological prejudice which causes the European Union to do this, today, with hesitation. At stake is our credibility.

Bogusław Sonik (PPE). – (PL) Mr President, I would like to support the idea of my fellow Member, Mr Provera, who said that a report should be drawn up on religious freedom. I would like to remind everyone that in the previous parliamentary term, Mr Mauro and I submitted a proposal to draft a report on the situation of Christians in countries where they are a minority, in countries where Islam is the dominant religion. Unfortunately, the Bureau did not adopt the proposal, but perhaps such a report would be worth writing. Here, I make the same proposal again.

The resolution we are adopting today should give a clear message. The Coptic minority makes up 10% of Egypt’s population, but even if it were only 0.5%, the role of the European Parliament is to react, especially in a situation in which human rights are being violated so drastically.

I read carefully the letter sent to Mr Buzek by the Marshal of the People’s Assembly. In the letter, he gives his assurance that the events of which I have spoken were isolated incidents. I find this difficult to believe. The Copts have been persecuted in Egypt for many years. Let us try, this time, to ensure that our help for this oppressed minority does not end with empty declarations.

Ryszard Czarnecki (ECR). – (PL) Mr President, it is not only Egypt, and it is not only Malaysia, but also Sudan, Nigeria and many other countries in Africa, many countries in Asia and many societies which treat Christians as a necessary evil, and sometimes as an enemy. Let us not hide these facts, let us not act like an ostrich, which buries its head in the sand. This is a real problem, and the Parliament of a Christian Europe, Christian traditions and a Christian heritage must speak about it.

However, we should also beat our own breast. A moment ago, the Member who spoke before me rightly spoke of Parliament’s sins of omission in the previous term. I recall the debate we had a few weeks ago, when we rightly condemned the attacks and the oppression experienced by the Uighur Muslim minority in China. However, at that time, certain political groups rejected amendments which were intended to emphasise that Christians are suffering in China, too, and are the victims of discrimination. We cannot allow a situation in which we defend some religious minorities but defend others less or not at all.

Eija-Riitta Korhola (PPE). – (FI) Mr President, we have heard worrying news from a number of sources about crimes against Christians in Egypt and Malaysia. With regard to Malaysia, I would first of all like to

say that we are deeply concerned about the attacks on churches in what has traditionally been a tolerant and moderate country.

Secondly, I wish to mention the exemplary work of Islamic NGOs on behalf of religious tolerance. The Malaysian Prime Minister's statements about using the name of Allah triggered a show of public discontent targeted at Christian communities. The exemplary attitude on the part of Islamic NGOs and an uncompromising public stance on the statements by the Prime Minister have nevertheless calmed the situation. It is unfortunate that we did not have it recorded in our final resolution, because in my view, we pay attention too rarely here to positive situations. Should not Muslims also be lauded when there is cause to do so?

Religious tolerance needs to be promoted both by those that hold political power and at grassroots level. It is equally important to realise that there have been failures as it is to acknowledge progress and offer support for it.

Dominique Baudis (PPE). – (FR) Mr President, the acts of fanatic criminals, who have killed some Christians in Egypt, cannot be ascribed to an entire population and its government. It would be unfair to hold Egypt and the Egyptians responsible for this appalling massacre, for which the perpetrators will be brought to justice.

We must not confuse the acts of one criminal with the policy of an entire country! Let us not tar fanatics and an entire population with the same brush. Finally, by seeking to intervene between the Coptic Christians and their fellow Muslim citizens, we are adding fuel to the fire of the extremists, who want to portray Eastern Christians as agents of the West.

László Tőkés (PPE). – (HU) There is very recent news that a few days ago, the Egyptian regime arrested several Coptic rights activists who were travelling to the site of the crimes that took place at the Nag Hammadi settlement in order to defend and support the Coptic Christian communities there who had seen several of their members murdered on Christmas Day. The Egyptian authorities, partial towards the Muslim majority, are trying to downplay the violent acts committed against the Coptic minority, and are now blocking the Christians' lawful self-defence with discriminatory bias towards one side of the issue. The United States administration has unequivocally spoken up against this. Knowing that the Coptic Christian community, who are considered native Egyptians, have, for over 1 500 years, often been subjected to cruel oppression, the European Union must step up in its defence even more forcefully and unambiguously than it is doing at present.

Anna Záborská (PPE). – (SK) Thank you for bringing attention again to the breaches of religious freedom in certain countries, just like back in 2007 and 2008. I wonder whether it is the EU's weakness or indifference that prevents it from promoting the observance of human rights in this area more consistently. We keep hearing the same complaints and proposing the same measures.

Egypt and Malaysia are among those countries where Christians live in extremely dangerous conditions, face persecution, expulsion from their homes, abductions and murders, and their churches are being closed. This is happening from the Maghreb to Iran, in India, China, Pakistan, and many other countries. Christians are usually persecuted by extremist groups. However, this presents a danger to all Christians, Jews and Muslims. I request that representatives of the EU and delegations of the European Parliament make use of every opportunity to improve dialogue, religious tolerance and respect, and the coexistence of different cultures.

Mitro Repo (S&D). – (FI) Mr President, I am especially worried about the situation in Egypt because of the historical, ethnic and political background connected with it. Actually, the Coptic Christians are still a considerable minority. In Egypt, around 10% of the population, eight million, are Coptic Christians, and it is for that precise reason that they are a former majority. They are proud of this and also of their oriental Christian tradition. This is why the provocation that occurred at the Christmas celebrations last January was particularly blatant and premeditated. Furthermore, many Copts have been pressurised through violence to change their beliefs and there have been cases of rape and other crimes.

The situation in Egypt is a very bad example for other countries where there is a chance of the same sort of spiral of revenge taking place, and that is precisely why the EU has to be vigilant, intervene immediately when there is trouble, and stress the importance of peaceful dialogue between religious groups.

Ivo Vajgl (ALDE). – (SL) When a murder takes place, in particular, a religiously motivated one, we naturally can do little but recoil in horror and condemn it.

However, this new incident and this new crime in the Middle East is, in fact, evidence of general developments and ongoing intolerance of religious freedom and lack of respect for those who are different. That is to say, there are many quarters where religious values are not respected.

The reason why the Group of the Alliance of Liberals and Democrats for Europe has proposed that this debate be postponed, or rather, that debates on the respect of human rights and religious freedoms in Egypt and Malaysia be held separately, is that we need to deal with this issue with a great deal of sensitivity and address every country individually. Egypt is certainly not one of the worst examples of religious intolerance. Quite the contrary.

Charles Tannock (ECR). - Mr President, sadly, there has been a general climate in the Islamic world of increasing jihadi militancy aimed at non-Muslim communities in their midst – in particular, and more often than not, this means the Christians.

The Copts, who represent one of the oldest Christian churches in the world, have a large diaspora in London, which I represent. Their leaders have come to me and complained of a worsening situation, regrettably, in Egypt, orchestrated by the Muslim Brotherhood. In spite of the best efforts by President Mubarak's government to protect them, matters have deteriorated.

We witness a similar story with the Assyrian Christians in Iraq, the Christians of Palestine and Pakistan, and now, as we see for the first time, even in Malaysia.

This House has – for too long, in my view – ignored Christian minority rights in the rest of the world, but they look to the European Union and to the United States for protection. So I welcome this resolution.

Gerard Batten (EFD). - Mr President, the persecution of Christians and other religious minorities is growing in Islamic countries. Christians who have lived in countries such as Egypt and in the Mediterranean area for almost 2 000 years are increasingly being persecuted and driven out of their ancestral homelands. This is because of the growing power of intolerant fundamentalist and extremist Islamist ideology – Islamo-fascism.

The persecution of Christian minorities and others across the Islamic world is vastly under-reported by the West's media. The media should not only report the persecution as it happens but they should explain to the general public the reasons why it is happening. They should explain who is doing this, namely Muslim fanatics, and why they are doing it – because of the intolerant and violent fault lines in Islamic ideology.

Democratic governments worldwide should put maximum diplomatic pressure on countries such as Egypt to suppress this intolerable persecution.

Neelie Kroes, Member of the Commission. – Mr President, the Commission is deeply shocked and saddened by what happened on Coptic Christmas Eve in Nag Hammadi in southern Egypt, the tragic deaths of six Copts and a Muslim policeman in a drive-by shooting.

We are positive that the authorities took rapid action to find and arrest those suspected of committing this awful crime, and a thorough investigation and bringing those responsible to justice will send a clear signal that violence based on religious influence is not acceptable in Egyptian society.

Egypt's Constitution provides for freedom of belief and free practice of religion. However, we do hear complaints of discrimination against the Copts and against other religious minorities such as the Bahá'í in the workplace and by the judicial system. We are aware of difficulties encountered by several Christian converts, such as Maher El-Gohary and Mohammed Hegazy, in Egyptian courts. We raised those issues in our regular political dialogue with Egypt.

We understand that the government is seeking to address some of the grievances of the Copts, for instance, by removing the obstacles that delay and limit the building and refurbishment of churches. We welcome and encourage such moves and urge the government to identify and tackle the root causes of religious tensions in Egyptian society and to end all forms of discrimination against those belonging to other religions.

The acts of vandalism against churches in Malaysia following a High Court ruling on the use of the word 'Allah' give rise to serious concerns. The government, as well as the opposition, including the Pan-Malaysian Islamic Party and 130 Muslim NGOs, have all strongly condemned those attacks. The government has increased security measures to safeguard all places of worship and has also reconfirmed its commitment to protect Malaysia's social and religious harmony and a culture of religious and ethnic diversity.

The Malaysian Federal Constitution states that Islam is the religion of the Federation but other religions may be practised in peace and in harmony in any part of the Federation.

We encourage the authorities to initiate as soon as possible an all-encompassing inter-faith dialogue with all religious beliefs to promote mutual understanding so that Malaysia can continue to develop peacefully in ethnic and social harmony. In that regard, the Malaysian Home Ministry has a particular responsibility to explain thoroughly and objectively to its citizens the issue at stake.

We strongly condemn all acts of intolerance against any person because of his religion of belief wherever they occur. Unfortunately, no country is immune from this. We call on public authorities to fully protect all religious communities, including Christians, from discrimination and from repression.

The Commission gives high priority to freedom of religion or belief as central tenets of the EU's human rights policy by raising the issue in political dialogue with countries where the problem persists, by supporting local human rights projects and by actively promoting freedom of religion or belief at the UN forums.

President. – The debate is closed.

The vote will take place at 12.00.

Written statements (Rule 149)

Carlo Casini (PPE), in writing. – (IT) Mr President, ladies and gentlemen, in voting in favour of the joint resolution, I am highlighting the particular seriousness of the violence carried out in Malaysia in response to an exclusively nominalistic issue.

Indeed, it is certain that both Christians and Muslims believe in only one God, who is the God of all men, believers and non-believers alike. The fact that He is referred to by different names is absolutely secondary. To claim that the Muslim God is only Muslim and can therefore be invoked only by Muslims, using a traditionally Muslim name, means returning to the ancestral and tribal view that there is a God for each group of human beings. In other words, it means contradicting the monotheistic idea that makes universal religions which, like Christianity and Islam, oppose idolatry and polytheism, great religions that are close to people.

No less serious is the persecution of the Copts in Egypt. It was on the shores of the Mediterranean that monotheistic religions, which claim to be, and are, forces for promoting brotherhood and peace, were born. However, it is remarkable that it should be precisely on the shores of the Mediterranean, in Jerusalem – a holy city for those who believe in God, Allah and Jehovah – that the main breeding ground for conflict is found.

It is precisely Egypt that is the most powerful country in the area, where Christians and Muslims must coexist peacefully in order to play a peacemaking role throughout the southern Mediterranean area.

Edite Estrela (S&D), in writing. – (PT) I support the joint motion for a resolution on the recent attacks against Christian communities because it strongly condemns all kinds of violence, discrimination or intolerance that is based on religion or beliefs. I think that it is vital to support all initiatives that are aimed at encouraging dialogue and mutual respect between communities and which seek to safeguard fundamental rights such as freedom of thought, conscience and religion.

Diogo Feio (PPE), in writing. – (PT) Men and women all over the world continue to suffer the most brutal forms of persecution simply because they believe in God in the same way that He is venerated from the Atlantic to the Ural Mountains. Following statements by China, India, Iraq, Pakistan, Turkey and Vietnam, among others, Parliament today condemned the harassment of Christians in Egypt and Malaysia.

Europe views all this with relative indifference. There are even those who defend this failure to act by invoking respect for other people's culture and freedom to worship. Europe's silence on this issue, truly astonishing in a region whose origins, culture and traditions are imbued with the Christian faith, threatens to become deafening ...

This brings to mind the Cardinal Archbishop of Bologna's comment on earlier persecutions, which aptly illustrate the spirit of our times, whereby he noted that people are quicker to worry about the fate of polar bears than about the thousands of Christians who live their lives under threat.

Jacek Olgierd Kurski (ECR), in writing. – (PL) Another year, 2010, has started with the bloody persecution of Christians in many parts of the world. We cannot, as the European Parliament, be passive in the face of these crimes and acts of violence. The situation of Christians is equally dramatic in countries not mentioned in today's resolution, such as North Korea, Iraq, India and Sudan. Attacks on Catholics are increasing in Vietnam. As a Member from Poland, a country with a deep-rooted Christian tradition and a country with a long tradition of respect where many religious communities coexist, I would like to express solidarity with the families of the victims. The Egyptian and Malaysian authorities must guarantee Christians and members of other communities and religious minorities the possibility to enjoy all human rights and fundamental freedoms, or face sanctions from the European Union. For this reason, we should endorse the resolution on recent attacks on Christian communities.

Csaba Sógor (PPE), in writing. – (HU) The recent attacks against Christian communities in Egypt and Malaysia can be viewed from two different perspectives. First, we must emphasise that the European Union, as a community of European States that have reached a high level of democracy and the rule of law, must not, in the spirit of religious tolerance, human and minority rights, pass over such events in silence, regardless of where in the world they may occur. We must make it clear to governments that strive to continue to maintain good relations with us that Europe demands that the widely accepted norms of universal human rights be respected by its partners, and that the future development of relations can be affected by problems involving human rights. At the same time, we must not forget the infringements of human rights that occur on the territory of the European Union.

In some cases, religious tolerance, human and minority rights – including those of members of minority churches – need to be developed further in EU Member States as well. If Europe wants to set an example to the world, it cannot allow anyone on its territory to suffer discrimination for his or her religious convictions, ethnic origin or membership of a national minority. We can see that the legislation in force in Egypt similarly guarantees religious freedom, but in practice, the experience of Christians is that the opposite is the case. Unfortunately, we can find similar examples of a discrepancy between the law and daily practice in EU Member States as well.

3.2. Human Rights violations in China, notably the case of Liu Xiaobo

President. - The next item is the debate on seven motions for resolution concerning violations of human rights in China, notably the case of Liu Xiaobo⁽²⁾.

Renate Weber, author. – Mr President, last month, Mr Liu Xiaobo, the very well-known writer and political activist, was sentenced to 11 years' imprisonment for 'incitement to subvert state power'. He was arrested over a year ago after drafting Charter 08, a charter which was signed by more than 10 000 ordinary Chinese citizens, demanding the most normal things in a democratic society: the right to free speech, open elections and rule of law.

The prosecution of Mr Liu Xiaobo, based solely on his peaceful initiatives, and the judicial harassment he faced are undoubtedly incompatible with internationally acknowledged norms of human rights and fundamental freedoms. Therefore, we should call strongly for Mr Liu Xiaobo's unconditional release, which should take place immediately.

In the last few years, relations between the European Union and China have focused mainly on the economic dimension, which has overshadowed the country's democratic record and the gross human rights violations which have systematically occurred in China.

A few days ago, for the first time, a police official admitted that the famous human rights lawyer and 2008 Nobel Peace Prize nominee, Mr Gao Zhisheng, had gone missing after a year in the Chinese authorities' custody. Many people fear that he might be dead. A few weeks ago, the Chinese Government disregarded an EU appeal not to execute a British citizen.

It is particularly disturbing to see how the Chinese Government ignores its international commitments in the field of human rights. One is entitled to wonder why, under these circumstances, China submitted its candidacy to the UN Human Rights Council – was it simply to legitimise the way it suppresses human rights?

⁽²⁾ See Minutes

In April 2009, the Chinese Government issued a national human rights plan, a lengthy document which appears to be nothing but a piece of paper. There must be no doubt. This House, the European Parliament, has the obligation to thoroughly evaluate the results of the EU-China human rights dialogue.

Tunne Kelam, *author*. – Mr President, China has demonstrated impressive economic progress. However, part of this progress has been achieved by the use of methods that are in flagrant conflict with universally accepted human norms. Hopes that events like the Olympic Games would motivate the Chinese authorities to show more respect for democratic norms have proven to be in vain. On the contrary, acts of repression have increased and we need to draw conclusions from this fact.

Today, the European Parliament voices concern over the fate of the prominent human rights activist and scholar, Liu Xiaobo, signatory of Charter 08, which urges constitutional reform and the safeguarding of human rights. This Charter has been bravely co-signed by more than 10 000 Chinese citizens. Last month, Liu Xiaobo was sentenced to 11 years' imprisonment. We ask today for his immediate and unconditional release. We express our solidarity with the peaceful actions of Chinese citizens in favour of democratic reforms and the safeguarding of human rights, to which the Chinese Government has committed itself.

Véronique De Keyser, *author*. – (FR) Mr President, urgent resolutions are always a difficult exercise because more often than not, they reflect political impotence rather than a humanitarian emergency. The naming and shaming strategy that we apply every month is a last resort. It clearly means that all the other means of dialogue or of exerting pressure have proved ineffective and that, finding ourselves powerless to act, we condemn.

In the case of China, I am not sure that increasing the number of urgent resolutions as we have been doing – in March 2009, in November 2009, in January 2010, and in March 2010, with the other planned resolution – is productive. This is not because I underestimate the difficulty that China is having in managing its transition towards democracy; it is because I believe that, in constantly being on the offensive, it is not the target that is wrong but the strategy. There are other more convincing political tools.

I was the first person to request resolutions on the Uighurs and to harbour the sadly vain hope that capital punishments would in this way be avoided. On behalf of our group, I would like to give my support to Liu Xiaobo, the recently convicted Tiananmen dissident, whose only crime is his passion for democracy. However, I refuse to pillory China every two months, quite simply because that will not make it give in. Quite the contrary, in fact, because this key trade partner, this country which has a permanent seat on the United Nations Security Council, which is seeing intensive growth and is in the midst of democratic change, which we need in order to combat climate change, this country must be a partner to which one tells a few home truths but which one respects for the efforts that it undertakes. It is this respect that is missing in the resolution.

It is for these political reasons that my group has withdrawn its signature. However, to ensure that there is no ambiguity on the issue of human rights, which I value at least as much as you do, my group will vote in favour of all the amendments that relate to it. As regards the final outcome of the vote, that will depend on the amendments that we have tabled.

Marie-Christine Vergiat, *author*. – (FR) Mr President, China is a large country with a rich history and with huge development potential. The hosting of the Olympic Games in Beijing last year did not have the results that some had expected.

The relationship that the European Union is able to maintain with China is of particular importance. It is our duty as MEPs to say loudly and clearly what we consider important and what is unacceptable.

The fact is, the human rights situation in China is unacceptable. The case of Mr Liu Xiaobo, found guilty of demanding democratic reforms in his country, along with more than 10 000 of his fellow citizens, exemplifies this. Dare I say that, in my opinion, making such mobilisation possible in that country is an achievement rather than a crime?

We must demand the release of Mr Xiaobo, and of all the men and women who, like him, are being harassed and imprisoned for having committed just one crime, that of defending human rights, and more specifically, one of the most fundamental of those rights, namely freedom of expression.

As one of my fellow Members said, just recently a British citizen was actually executed, despite the fact that he was mentally ill. This is the first time in more than 50 years that a European has been executed in China. Indeed, freedom of expression is being flouted a little more each day, as recently revealed to us by Google,

which nonetheless has a reputation for being the operator that provides if not the best protection, then at least the least worst protection for Internet users.

It is common knowledge that, to establish themselves in China, operators must comply with the Chinese authorities' request to install software filters, which even Google has ended up agreeing to do. We cannot accept a government engaging in Internet piracy and denying Internet users their freedom of expression.

The European institutions must join forces and take action on this matter. Chinese Internet users must be able to access uncensored information. The European Union has a duty to support Internet businesses that refuse to help the Chinese authorities to censor the Internet or, worse still, to arrest human rights defenders, democrats, or even journalists, as was the case with Mr Xiaobo in April 2005.

Finally, ladies and gentlemen, I cannot end my speech without asking you to remember the deaths in Tiananmen Square; many hundreds of young Chinese people met their deaths on the night of 3 June 1989. It was 20 years ago now, a sad anniversary which we would be honoured to commemorate by paying tribute to those young victims. Not all the events of 1989 have deserved the same attention, however.

Charles Tannock, author. – Mr President, the fact that yet again in this House, we are debating human rights abuses in China indicates that the Communist authoritarian leadership of Beijing remains determined to suppress any political dissent.

However, that fact should not stop us from raising these issues in Parliament. I believe not only that we have a duty to do so, but that we owe it to the victims of human rights abuses in China such as Liu Xiaobo, most of whom have been denied a voice. This is why we are debating this matter again today.

Indeed, the award of the Sakharov Prize in 2008 to Hu Jia showed the world how seriously we MEPs take the issue of human rights in China. We take it seriously because China really matters. Its vast size and global outreach, its military muscle and economic power compel the EU to seek a strategic partnership based on mutual respect and security.

Perhaps eventually our relationship with China will also be based on our common values of democracy, human rights and the rule of law: we can but hope. I think all of us hope, nevertheless, to see the day when we will really see this in practice in the People's Republic of China. It has been suggested that such ideals are somehow alien to Asia. I always look to democratic Taiwan and vast India with its democratic secular traditions, where these flourish in a free society, to basically put a lie to the idea that the PRC cannot be democratic.

Heidi Hautala, author. – (FI) Mr President, what is significant about the Liu Xiaobo case is that now as many as 10 000 people have openly expressed their support for him, and I think that the European Parliament should acknowledge the bravery of these people and praise them for it.

At the same time, we have to remind ourselves that China itself has given promises to improve the human rights situation. China tried to join the Human Rights Council saying that it would be committed to the promotion and protection of human rights and would uphold the highest standards in this area. Thus, these are China's own promises before the United Nations and it is to these that we ought to refer.

This resolution also speaks of human rights dialogues between the EU and China, and however optimistic we would like to be, the end result is that they have hardly been of any benefit. The institutions of the European Union also need between them to think about how they can improve their own strategies and make China understand that its commitments in matters relating to human rights are our business too and that the future of cooperation between us depends crucially on them.

Finally, we might ask why the European Union's policy on China is so incoherent and inconsistent, and what we can do about it. The European Parliament, for its part, will certainly support the Commission in a combined effort to establish a new strategy with China.

Cristian Dan Preda, on behalf of the PPE Group. – (RO) 'We should end the practice of viewing words as crimes'. This is what Liu Xiaobo asserted in Charter 08, the political manifesto which he launched and which was supported, as has already been said, by thousands of Chinese people. Liu Xiaobo has been sentenced to 11 years in prison and will be deprived of his political rights for a further two years for making such a statement and for continually supporting human rights. I believe that this punishment is symptomatic of the Chinese authorities stepping up their campaign against human rights activists. Further proof of this is

highlighted by the announcement this Sunday that Tzu Yong Jun, a leader of the Tiananmen Square movement, was also sentenced to nine years in prison.

As a result, I believe that it is vital to raise the subject of human rights as part of the next European Union-China Summit, as specified in Article 9 of the resolution.

I believe, as also suggested by Mrs Hautala earlier, that dialogue is not sufficient for human rights. This human rights issue needs to be dealt with as part of summit meetings because dialogue has not yielded any results so far.

Zigmantas Balčytis, *on behalf of the S&D Group*. – Mr President, the European Union is now negotiating a new framework agreement with China, which will set a further path for the development of economic relations with the country.

Those relations are very tight, but we must not close our eyes before repeated human rights violations and with respect for the rule of law.

The European Union must strengthen the EU-China human rights dialogue. This dialogue, established in 2000, proved to be inefficient. The EU, and especially the High Representative, should ensure coordinated and effective EU common foreign policy towards China. Respect for human rights must serve as a basis for this policy.

Helga Trüpel, *on behalf of the Verts/ALE Group*. – (DE) Mr President, when China was selected to host the Olympic Games, I initially hoped, after all China's promises to improve the human rights situation, that this would perhaps actually happen.

However, during and after the Olympic Games, we, unfortunately, had to admit that there was no improvement, but rather a worsening of the human rights situation. Now, following the judgment against Liu Xiaobo, we have even seen a homosexual party banned by the police, which clearly threatens to result in a political ice age in China for dissidents, human rights defenders and homosexuals.

For this reason, we demand the immediate release of Liu Xiaobo and other human rights defenders and we call on China in particular – if it wishes to be a recognised partner in the international community – to put an end to its hysterical censorship measures and monitoring methods.

This, of course, applies in particular to the Internet. We cannot accept political filtering of the Internet. It is an essential element of fundamental rights that the freedom of expression must be defended in all nations of the world. Human rights are universal and indivisible, whether here in Europe, in the US, in Sudan or in China. The People's Republic of China will have to get used to that if it really wants a different role.

I am firmly convinced that we, as Europeans, need to make it clear to China within the framework of our official relations at summits – precisely because we have an interest in cooperation in the areas of climate protection policy, environmental policy and regulation of the financial markets – that it urgently needs to change its human rights policy.

Lorenzo Fontana, *on behalf of the EFD Group*. – (IT) Mr President, ladies and gentlemen, one of the most significant problems regarding human rights in China is the exploitation of forced labour in the Laogai, the Chinese concentration camps.

This issue, apart from being a true form of modern slavery, specifically concerns the European economy. It is, in fact, certain that very many goods coming out of the Chinese market are produced by detainees in the Laogai, with an obvious slashing of labour costs that leads to unfair competition with respect to European goods.

Going by the experience, also, of the United States, which has already passed certain laws prohibiting the import of Chinese goods produced in the Laogai, Europe can and should do everything possible to prevent the entry of goods produced wholly or partially by forced labour.

Firstly, a campaign should be conducted to raise public awareness about this issue; and secondly, the same hygiene and safety parameters that are required of European products should be demanded of all products imported into Europe, and legislation on labelling should be introduced to ensure the traceability of goods.

Moreover, entrepreneurs who invest in China must be asked to follow precise rules regarding workers' rights. Finally, we need to establish rules and, above all, ensure that they are respected so that there is an absolute ban on the import of goods produced by forced labour.

I am convinced that this is the only way we can genuinely help the Chinese people in their fight for human rights. If this does not happen, we will remain accomplices who wish to deny these people their freedom.

Edward McMillan-Scott (NI). - Mr President, I have the honour to be the European Parliament's Vice-President responsible for democracy and human rights. Rightly, the resolution focuses on Liu Xiaobo, the principal author of Charter 08. An English version is available on my website charter08.eu.

After my last visit to Beijing in May 2006, all the dissidents with whom I had contact were arrested, imprisoned and, in some cases, tortured; Hu Jia, for example, who is still in prison and needing medical treatment. In particular Gao Zhisheng, who reportedly has disappeared after three and a half years in prison, under house arrest and under torture, which caused him twice to try and commit suicide. Gao's open letters to the regime in 2005 set the tone for Charter 08. His investigation into the persecution of the spiritual Buddhist group, Falun Gong, led to widespread support across China. I believe the authorities should now produce Gao Zhisheng and release him.

Nobody should be in any doubt that the European Parliament will not give up on reform in China and, of course, in Tibet.

Eija-Riitta Korhola (PPE). - (FI) Mr President, it is intolerable that commercial interests should have drawn the longer straw in relations between the EU and China and that the insistence on respect for human rights and democratic development has been more or less put in the role of cordial greetings.

I have been following with interest the boldness showed by the search engine company, Google, and its plans to end cooperation with the Chinese authorities with regard to the filtering of Internet web pages and censorship, and even to leave the country. At the same time, Google is visibly calling for freedom of speech for Chinese Internet users.

I share the concern of my fellow Members regarding the treatment of Liu Xiaobo and other Chinese prisoners of conscience, and I hope that the Council and Commission will take up Xiaobo's case at the next summit meeting between the EU and China. The agreements being negotiated right now should make it quite clear that the future development of commercial relations with China will be tied more effectively to political dialogue and a respect for human rights.

Gesine Meissner (ALDE). - (DE) Mr President, we have talked about various different things as regards what would be the right way to go about talking to China and putting it under pressure, because clearly, very little makes much of an impression on this country. Mrs De Keyser said that, for this reason, her group had withdrawn its signature. I do not think that that is the right way forwards. As the EU, which has enshrined human rights in the Charter of Fundamental Rights and in the Treaty of Lisbon, we of all people should keep on pointing out violations of fundamental human rights. There are no other options available to us at the moment. When we think of something better, I will be there straight away to give it my support.

However, it is not only about Liu Xiaobo; it is also about Gao Zhisheng, who has disappeared and, from what we now hear, has allegedly committed suicide. Everyone assumes that he has probably been killed in one terrible way or another. That is not acceptable. In connection with the Olympic Games, we discovered that if we go to China and make contact there, absolutely nothing changes with regard to the human rights situation. We all hoped that it would, but it did not work. Therefore, we should not let up with our urgent appeals.

Neelie Kroes, Member of the Commission. - Mr President, the EU has clearly expressed its deep concern at the disproportionate sentence against the prominent human rights defender Liu Xiaobo of 11 years' imprisonment for his role as the author of Charter 08, a blueprint for democratic and rights-based reform in China, and for publishing a number of essays relating to human rights issues on the Internet.

We attach great importance to freedom of thought and expression: cornerstones, as we are all aware, of our democratic system. The verdict against Mr Liu is entirely incompatible with the right to freedom of expression enshrined in the International Covenant on Civil and Political Rights, to which China is a signatory. We are also attached, by the way, to the protection of the right to sexual expression and orientation, as mentioned by Mrs Trüpel.

The EU attempted to observe the trial, and we deeply regret that our observers were barred from the courtroom. The details of the trial, which we have nevertheless been able to learn, indicate clearly that Mr Liu was not afforded the opportunity to present a proper defence and that he did not receive a fair trial. The EU will continue to call on the Chinese Government to unconditionally release Mr Liu and to end the harassment and detention of other signatories of Charter 2008.

Our overall policy towards China is one of constructive engagement in the framework of our strategic partnership. On several occasions in the past, we have welcomed China's progress with regard to social and economic rights, as well as the recent launch of China's human rights action plan, but, on the other hand, there are extremely serious concerns with regard to civil and political rights and a number of recent developments, such as those that the honourable Members of this House have raised in the draft resolution.

The EU's commitment to human rights is conveyed during our regular political contacts and, in particular, during our human rights dialogue with the Chinese authorities. The last session, as you are aware, was on 20 November last year in Beijing. The strength of our relationship allows us to discuss those matters frankly. Last year, at the 12th EU-China Summit in Nanjing, human rights were raised, both during the discussions and in the press conference.

Mrs Vergiat and Mrs Korhola touched upon the cyber attacks against Google. The Commission thinks that this is another worrisome development in the framework of freedom of expression in China. We are obviously monitoring the situation closely. We understand that there are ongoing consultations between the company and the Chinese authorities. We will remain vigilant in case similar attacks target EU companies.

Let me reassure this House that we will continue to raise those issues, including at the highest level, recalling the international human rights obligations of the People's Republic of China. We also recall the Chinese constitutional guarantees on freedom of expression. We all share the goal of a more open, transparent China, adhering to international standards on human rights and working together to address global challenges. To achieve this, we must continue to work on the development of our strategic partnership.

I would like to react to a question from Mrs De Keyser. Regarding the execution of the British citizen, Akmal Shaikh, the European Union has condemned his execution in the strongest possible terms. It deeply regrets the fact that China did not heed repeated calls by the European Union and one of its Member States for the death sentenced passed against Mr Shaikh to be commuted.

President. – The debate is closed.

The vote will take place at 12.00.

Written statements (Rule 149)

Cătălin Sorin Ivan (S&D), in writing. – (RO) The right to life, the right of free expression and thought form the bedrock of European integration and our world vision. When one of our partners, in this instance, China, repeatedly violates these rights, we are obliged to respond. However, we must not do it based on the 'shame and blame' model, and accuse China and ignore the differences in culture and civilisation which separate us. This resolution relating to the violation of human rights in China, particularly in the case of Liu Xiaobo, is proof of a simplistic approach to the issues which Chinese society is facing. We certainly did not adopt our position in the face of the principle of the inviolability of human rights underlying the resolution, which we wholeheartedly subscribe to. It was, in fact, about the way in which it was conveyed. In order to achieve the results we want, we need to maintain an atmosphere devoid of conflict between ourselves and China. This is the only way in which we can contribute to China's development towards a society with a deep attachment to the importance of respect for human rights.

Anneli Jäätteenmäki (ALDE), in writing. – 'Don't be evil' is the well-known motto of Google. There has been criticism regarding their policy in China over the years, questioning the motto. Human rights groups have accused Google of helping the Chinese Government in repressing its citizens and particularly human rights activists. Apparently, Google will be less evil in the future. Their decision to start to operate an unfiltered search engine in China deserves the warmest congratulations. By announcing the change in their China policy, Google risks profits from the biggest Internet market in the world and potentially abandons almost 400 million users. In this particular case, Google has proved that a big multinational company can really stick to its ethics policy. Having its founders still aboard directing the company, Google has every chance of reflecting its core values and beliefs in its every action in the future. And, if Google continues to prosper, it

will prove that there is no inherent conflict between making money and acting in a sustainable and humane way.

Nuno Melo (PPE), in writing. – (PT) There have been recurring violations of human rights in China, and we cannot omit to condemn them. The fact that the EU is one of China's main economic partners increases our responsibility to condemn all actions that violate the rights of any citizen, especially those who defend freedom of expression and human rights in this country. It is crucial that the People's Republic of China respects and honours the commitments it made before the Human Rights Council.

Alajos Mészáros (PPE), in writing. – (SK) The larger a country is geographically, and the more independent it is economically, the more difficult it is to demand the observance of human rights by this country. I find it unacceptable that in its relations with China, the European Union keeps putting economic interests first. At almost every meeting at higher diplomatic levels, all we are able to do is to give a shy reminder of the issue of violations of human rights in this country. In Europe, unfortunately, we have had plenty of negative experiences with the practices of Communist regimes with respect to suppression of human rights. I am therefore convinced that the real number of violations of human rights is much higher than our information leads us to believe. For this reason, there is an urgent need for us to be able to make China respect human rights even at the cost of economic and political sacrifice. Otherwise, the developments in China may have an unfavourable impact on the overall developments in the political situation in Asia with subsequent impacts on the overall global economy and politics.

Wojciech Michał Olejniczak (S&D), in writing. – (PL) I voted in favour of the resolution condemning violations of human rights, because we must not tolerate or consent to their being broken, either as people or as citizens. Conduct which is harmful to people, their freedom and rights, which were defined many years ago, is contrary to the foundations on which Western democracies are built. The dialogue which was begun between the European Union and China in 2000 has not brought the expected effects. We should, therefore, ask ourselves if we have done everything we could have done, and if the answer is 'no', we should apply the provisions of resolutions on the effectiveness of economic cooperation. Human rights should become the basis for dialogue between the Union and China, and the interests of people should stand above economic interests.

The arrest and sentencing of peace campaigner and human rights activist Liu Xiaobo, who has called for greater democracy in China, is a clear signal that our current measures are not effective. Therefore, it is worth taking other steps, apart from resolutions, which will make possible greater respect for what Liu Xiaobo is fighting for, as well as thousands of Chinese people and many other people around the world.

Thirty years ago reforms were begun in China which showed the world that something was changing, that it may do something for the benefit of society. We expect the same today. We want, today, to have a partner which respects principles which, for us, are fundamental.

3.3. Philippines

President. - The next item is the debate on six motions for resolution concerning the Philippines⁽³⁾.

Fiorello Provera, author. – (IT) Mr President, ladies and gentlemen, the series of killings being carried out throughout the world for political, religious and other reasons is now sadly an everyday reality, but I am astounded by the cruelty with which 57 people were murdered whilst queuing at a political meeting to support a presidential candidate in the Philippines.

This was a cold-blooded massacre carried out by an armed group in the name of a revolution of which it is difficult to make any sense. Moreover, this mass killing is not an isolated incident in this country where, in some regions, such as in the Mindanao region, armed uprisings – including those motivated by religion – have been taking place for years.

Apart from duly expressing our condolences regarding these bloody events, I believe that we must offer our strong support to the Philippine Government so as to establish how Europe may be of use in resolving the serious armed conflicts and opposition which are bathing this unfortunate country in blood.

(3) See Minutes

Martin Kastler, *author.* – (DE) Mr President, ladies and gentlemen, the massacre on 23 November of last year in the Province of Maguindanao in the Philippines was a black day for human rights and a barbaric act of terrorism. Fifty seven people were killed, women were raped, people were injured – they convey a bloody message. As a journalist, it struck me, in particular, that there were 30 journalists among those killed. According to the renowned International Crisis Group, in no other case on record have more journalists ever been murdered at one time. For this reason, it is appropriate for the European Parliament to make a clear statement, as we are doing today in this draft resolution.

However, as the Group of the European People's Party (Christian Democrats), we request that the present text be toned down in three places through a split vote, because we ought to support the Philippine Government in its fight against terrorism and violence and therefore dispense with overly accusatory remarks directed at the government. Therefore, on behalf of the PPE Group, I request a separate vote on recital F. This accuses the Philippines of showing all the signs of a non-functional legal system.

In paragraph 2, we would like to delete the insinuation about what are referred to as initial delays in the investigation.

Finally, in paragraph 6, it is claimed that some missing persons are locked away in Philippine prisons. This, too, is currently an unproven insinuation and should, in our opinion, be deleted.

Charles Tannock, *author.* – Mr President, this horrendous crime in Maguindanao is undoubtedly deserving of our strongest condemnation. It reveals the extent to which lawlessness has taken root in some parts of the Philippines.

There are many reasons for this depressing development: the dispersed nature of the islands of the Philippines archipelago, the weak central government, corruption, poverty and an ongoing Islamist terrorist insurgency supported by al-Qaeda in the south.

This crime, apparently politically motivated, therefore must be seen in its wider social and historical context. We should not disregard the efforts that the Philippine Government has made to develop a more democratic political culture in the past 25 years following the fall of the kleptocratic dictator Ferdinand Marcos. Nor should we underestimate the existentialist threat posed by the terrorists of Abu Sayyaf and how they are destabilising the whole of the society that makes up the Philippine state.

Constructive engagement and targeted assistance offer the best chance of helping the Philippines, a country which shares our common values in many ways, in order to enable them to embed the rule of law in central and in local government.

Marc Tarabella, *author.* – (FR) Mr President, Commissioner, ladies and gentlemen, last November, I had the opportunity to welcome Mrs Edita Burgos, the mother of Jonas Burgos, to the European Parliament. This young Filipino was abducted by armed men in a very busy shopping centre in Manila on 28 April 2007. Since that day, neither his family nor his loved ones have had any news of him. Jonas Burgos is one of hundreds of people who have disappeared or been killed in the Philippines. Murders are committed with total impunity, and the perpetrators are very rarely brought to justice.

Looking ahead to the May 2010 elections, we are fearful of an increase in crime and of abductions of all those who are opposed to the government in power. As such, we condemn the Maguindanao massacre of 23 December last, and we hope that light will be shed on the murder and torture suffered by the Ismael Mangudadatu convoy.

Rui Tavares, *author.* – (PT) Mr President, little more than two decades ago, the Philippines excited a great sense of hope around the world when they set off a democratic wave in Asia. This led us to harbour hopes for human rights in that area, and an increase in employees' rights, students' rights, the rights of the people and electoral and democratic normality in those countries.

Now that the world's attention is directed elsewhere, we cannot leave the democratic situation in the Philippines to deteriorate. Over the last few years, there have been some very disturbing instances of corruption and, in particular, violence and harassment directed at the opposition during the elections.

The most disturbing event, and the subject of our resolution, was the Maguindanao massacre, the assassination of 46 people who had been following the electoral convoy of the opposition candidate Mr Mangudadatu. They were allegedly slaughtered by a group linked to the dominant clan in the province of Maguindanao, the Ampatuan clan.

Among other aspects, I would like to draw attention to the fact that 30 journalists were assassinated in this massacre. This makes it the greatest massacre of journalists in world history.

Apparently, the House itself is distracted from what we are discussing here, which is a shame, but we cannot allow the world's distraction to let the Philippines slip into a situation where it goes from being the best example of democracy to being known as the worst, a mere two and a half decades down the line.

This massacre needs to be investigated and there needs to be a demand for President Gloria Arroyo, who belongs to the Ampatuan clan, to conduct the investigations through to their conclusion, as a matter of urgency. It is also important for the Philippines to know that Europe is alert and carefully watching developments in the country.

Barbara Lochbihler, author. – (DE) Mr President, the reason for this urgency is the brutal murder of 57 people, who were accompanying a politician on her way to register as a candidate in the elections for the position of provincial governor. The perpetrators belong to a local militia and some local police officers were involved.

This brutal attack is an extreme example of the menacing rise in politically-motivated extrajudicial executions and the forced disappearance of people that has been going on for years without these serious crimes ever being investigated.

The government has not shown any discernible will to take decisive steps to counter this development. Out of hundreds of cases, only two were investigated and not one senior official has been prosecuted in relation to these. In 2008, the UN Special Rapporteur on Extrajudicial Executions wrote that 'These killings have eliminated civil society leaders, including human rights defenders, trade unionists and land reform advocates, intimidated a vast number of civil society actors, and narrowed the country's political discourse.'

This is the climate in which the Philippines is preparing for the elections in May. There is a danger of there being further political murders. It is therefore of the utmost urgency that the Philippine Government should take effective measures to put a stop to this.

I would like to propose an oral amendment. Paragraph 6 states: '*to release all disappeared persons who are still in captivity*'. We would like to replace this with: '*to make every effort to ensure that all who have been abducted are safely returned to their families*'.

Justas Vincas Paleckis, on behalf of the S&D Group. – (LT) If a Central European citizen were asked what is happening in the Philippines, he probably would not be able to answer and would say that there is nothing about it on television, so things are probably calm there. However, political murders, clan warfare, people being buried alive, chainsaw massacres, a state of war – this is everyday life in the Philippines. Quite recently, 57 people were murdered, half of them journalists. That is the biggest ever death toll among journalists in the world. We call on the government, we demand that it immediately stop such occurrences, disband the private militias and finally put an end to impunity. This is particularly important during the upcoming elections.

Lidia Joanna Geringer de Oedenberg (S&D). – (PL) Mr President, presidential and local government elections are planned in the Philippines for 10 May. Now is the time to do everything to ensure they are fair elections. First of all, it is necessary to establish who was responsible for the murder, in November, of 57 journalists, family members and co-workers of Ismael Mangudadatu, a candidate for governor in the province of Mindanao. So far, local law enforcement agencies have not shown any determination in finding the perpetrators of this massacre. So many mistakes have been made in the investigation that it almost authorises the use of force in politics. The Philippine Government must, at last, face up to the people from the criminal world who have used the opportunity of recent election campaigns to make so many politically-motivated kidnappings and have now murdered over 100 candidates.

In addition, the Philippines should take steps to make efficient use of means available under the EU-Philippine Justice Support Programme, which has been established to strengthen the judicial system and build civil society. The elections in May will, therefore, not only be a check of the efficiency of the Philippine authorities, but also of the effectiveness of our aid instruments.

Raül Romeva i Rueda (Verts/ALE). – (ES) Very briefly, I would simply like to say that we are in a new year, with a new Treaty, but with the same bad habits as before. We still miss the presence of the Council in this type of debate on urgent matters, and we also continue to miss this interinstitutional dialogue that should enable us to respond to this type of case.

In the specific case of the Philippines, I must point out once again that, although this situation does not have the impact of others, such as Haiti, the fact that in the last decade, almost 1 000 people have disappeared or died means that there is a structural problem that requires structural measures.

We cannot always be acting based on headlines. We need to act based on problems, and the fact that currently, the main people affected are human rights defenders and journalists means not only that we cannot pass over these situations in silence, but also that we need to act forcefully in response to them.

Ryszard Czarnecki (ECR). – (PL) Mr President, defence of human rights is the trademark of the European Union. I greatly regret that this trademark is not important to the Spanish Presidency, and that there are no representatives of the Council here at the moment. This is a very disturbing and downright scandalous situation. We are talking about human rights, we want to defend them, but there is no one here from the Council, and no representatives of the country which is leading the European Union for the next six months. This is, truly, an absolutely unacceptable situation.

I will be very brief, because we want to vote. The Philippines is a country with a Christian tradition going back to a culture which is, in part, European. In that country, especially, human rights should be respected, because they are often not respected in that continent. We must talk openly about this and show solidarity with all those who suffer discrimination in the Philippines. It is the role of the European Parliament to speak on this matter.

Neelie Kroes, Member of the Commission. – Mr President, I am representing the High Commissioner and I am representing the Commission.

The massacre in Maguindanao on the island of Mindanao on 23 November last year in which 57 people were killed has highlighted long-standing human rights issues in the Philippines related to the disappearance or unexplained killing of citizens and the effective impunity for the perpetrators in the past.

On this occasion, the government has acted swiftly and has taken decisive action to prosecute the perpetrators. That is very welcome. It is important to break the culture of impunity about such killings and to put an end to them.

The government has taken some important steps in strengthening human rights. The current administration of President Arroyo has abolished the death penalty and with ASEAN, has advocated including human rights provisions in the recently adopted ASEAN Charter.

An objective still to be achieved is ending the 40-year-old conflict with Muslim rebels in Mindanao on the basis of a peace deal that is fair to all sides. There appears to be renewed progress, and hopes have risen for agreement later this year. It should be noted that the massacre in Maguindanao took place between political families – all Muslim by the way – and that, as such, it was not related to intercommunal conflicts.

The EU has a well-established dialogue with the government of the Philippines where both sides discuss a wide range of issues, including human rights. We are also negotiating a PCA with the Philippines which will include important human rights commitments. We actively support the government in its efforts to improve respect for human rights.

In agreement with the government, we have launched an 'EU-Philippines Justice Assistance Mission'. This is a very timely action aimed at capacity-building for the Philippines judicial authorities, including police and military personnel, to help them investigate cases of extrajudicial killings and to prosecute those guilty of murder. We shall also put in place a monitoring system to develop confidence. EPJUST has an initial duration of 18 months and is funded under the Instrument for Stability, but can be extended. Furthermore, we have ongoing projects at local level to promote respect for human rights. These include monitoring of the implementation of international commitments, actions to support the ratification of the Rome Statute of the ICC and voter education.

The EU is also helping in the Mindanao peace process for the moment, mainly through support for social services and confidence-building activities, but we stand ready to do more if the process advances.

President. – The debate is closed. The vote will take place next.

I would like to remind Mrs Lochbihler to table her oral amendment at the correct time, during the vote.

IN THE CHAIR: MR PITTELLA

Vice-President

4. Announcement by the President: see Minutes

5. Calendar of part-sessions: see Minutes

6. Approval of the minutes of the previous sitting: see Minutes

7. Voting time

7.1. Recent attacks on religious minorities in Egypt and in Malaysia (vote)

7.2. Human Rights violations in China, notably the case of Liu Xiaobo (vote)

7.3. Philippines (vote)

Barbara Lochbihler, author. – Mr President, we would like to replace the sentence in paragraph 6 which reads: ‘to release all disappeared who are still in captivity’.

Instead we would like to introduce: ‘to make every effort to ensure that all who have been abducted are safely returned to their families’.

(The oral amendment was accepted)

7.4. European Strategy for the Danube Region (vote)

(The second part was rejected)

8. Explanations of vote

Oral explanations of vote

Motion for a resolution B7-0031/2010

Filip Kaczmarek (PPE). – (PL) Mr President, I voted in favour of the resolution on the European Strategy for the Danube Region, because I think the European Union needs such regional strategies. I am convinced that implementation of such strategies can have a very positive influence on regional development and, as a consequence, can influence the lives of the region’s residents and improve their quality of life. For surely it is the residents of the European Union who are the objective of our action – of Parliament’s and the European Union’s action. This is why I voted in favour of adopting the resolution.

Bernd Posselt (PPE). – (DE) Mr President, I welcome the Danube Strategy as something that is profoundly European. It connects a founder Member of the EU, namely Germany, with the two most recent Members, Bulgaria and Romania. It also connects the next candidate country, Croatia, with a country that is striving for candidate status, namely Serbia. I am pleased that the intention is to also include the Czech Republic, Montenegro and a few others which, historically and geographically, belong to this group, although they are not directly situated on the Danube.

However, I would ask that Bavaria not be neglected in all this. If it was independent, Bavaria would be the second largest state on the Danube after Romania. Bavaria has a particular interest in the Danube Strategy. I am therefore grateful and pleased that we are now pressing forward with this strategy.

Daniel Hannan (ECR). – Mr President, we see once again how the European Union elevates appearance over substance, how it elevates motive over outcome. We have just voted through a series of resolutions condemning human rights abuses in China. What, though, is the European Union doing in the real world?

We are isolating Taiwan; we have agreed in principle to sell weapons to the Communist regime in Beijing; and we are collaborating with it to create a rival to the American system of GPS, which President Chirac refers to as 'technological imperialism'.

See how hypocrisy has been elevated into a governing principle! We bleat about human rights, and then we funnel money to Hamas. We refuse to deal with the anti-Castro dissidents in Cuba, we disregard democracy within our own borders when referendums go the wrong way, but we convince ourselves that we are still the good guys because – look at the text of our resolution on human rights!

We are now going to have the extraordinary spectacle of sending Baroness Ashton as our foreign representative to Iran and Cuba and these places to tell them that their democracy is inadequate, when she has never once in her entire career subjected herself to the ballot box, or invited her fellow countrymen to vote for or against her.

I shall finish, if I may, by congratulating the good people of Massachusetts for taking a stand against excessive taxation and excessive government. It was the people of Massachusetts who began the revolution in order to get away from the idea that taxes could be levied without popular consent. We need such a revolution again here in Europe.

Mirosław Piotrowski (ECR). – (PL) Mr President, I want to express my satisfaction at the adoption by the European Parliament of the resolution on attacks on Christian minorities. Members of the European Parliament must not remain silent in the face of attacks on Christian minorities around the world, because this matter concerns the foundations and roots of the nations of the European Union. For our voice to sound credible, today we should have adopted two amendments put forward by the European Conservatives and Reformists Group to distance ourselves from the ruling of the European Court of Human Rights on crosses. I regret this did not happen, because we must remember the fundamental role which Christianity has played in forming Europe's historical and cultural identity, and promote and protect these values in the world as well as inside the European Union.

President. – Mr Piotrowski, I allowed you to speak even though you did not have the right to do so, because explanations of vote are admissible only on the Strategy for the Danube Region and not on emergency resolutions. However, you have spoken now; therefore, for future reference, I will state that there shall be no explanations of vote on emergency resolutions. Therefore, I will also state, for the benefit of the speakers who have registered, that explanations of vote may refer only to the European Strategy for the Danube Region.

Oral explanations of vote

Motion for a resolution B7-0031/2010

Ryszard Czarnecki (ECR). – (PL) Mr President, I, too, would like to speak about the discrimination experienced by Christians in Africa and Asia, but I am going to speak, of course, about our strategy on an extremely important matter. Let us remember that the Danube is the second longest river in Europe, after the Volga. The Danube flows through 10 European states, and as many as 17 states lie within the Danube river basin. This is, of course, a question of a certain responsibility, a certain challenge, for the European Union, because, in addition, some of these countries are currently affected by the very severe crisis. I am also talking about Member States of the European Union. The European Union is showing a certain solidarity in this way. I hope it will also be like this in other cases.

Bogusław Liberadzki (S&D). – (PL) Mr President, I voted in favour of the resolution on the Danube Strategy. Why? – because it shows that the European Union is open to specific regions, to regions which have a feature in common like, for example, a long river flowing through them. I would also like to express my satisfaction that the amendments which were put forward by the European Conservatives and Reformists Group were not accepted. This has made our resolution clearer. I would like this resolution to be followed by a focus on other characteristic regions, too, including perhaps the Odra Corridor.

Written explanations of vote

Motion for a resolution B7-0031/2010

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) I welcome the European Council's conclusions of 18-19 June 2009 in which it asks the European Commission to draw up a European strategy for the Danube Region by 2011. I am voting in favour of the motion for a resolution presented here. The Danube Region is facing several challenges, and a strategy for this region will improve connections and communications systems, preserve the environment and encourage growth, job creation and security. It is important that the Commission makes the most of the operational experience that it acquired with the strategy for the Baltic Sea, and that its strategy is based on the determination of the governments and citizens of the Member States and the regions to overcome immediate common challenges. It is also important to bring this strategy into line with the EU 2020 Strategy and the Commission report entitled 'Regions 2020', to tackle the major challenges that Europe is currently facing, such as globalisation, demographic trends, climate change and energy use and supply. I would also urge Parliament to develop a process of reflection on the future of the European Cohesion Policy and to devise new possible strategies for other regions in order for them to adapt to the changes and pressures of a global world.

Vasilia Viorica Dăncilă (S&D), *in writing*. – (RO) I think that the importance of reinforcing a European Union strategy for the Danube Region will facilitate the EU's external action in its immediate neighbourhood, highlighting its potential role in helping bring stability to the regions of south-eastern and eastern Europe through implementing specific projects supporting the economic and social development of these regions. The fact that Member States bordering the Danube have assumed responsibility for promoting at EU level the proposal for creating this strategy for the Danube Region confirms their ability to make a specific contribution to promoting major initiatives capable of ensuring the continuation of the European integration process.

Ioan Enciu (S&D), *in writing*. – (RO) I voted in favour of the European Parliament joint resolution on the Danube, proposing that a European strategy be drawn up for this region as a matter of the utmost urgency. This strategy will give a considerable boost to inter-regional cooperation and will have the following objectives: the development and modernisation of river transport on the Rhine/Meuse-Main-Danube waterway, as well as road and rail transport in the Danube Region; the development and efficient use of renewable energy resources with a view to cutting carbon emissions and increasing energy security; the protection of the environment through implementing projects intended to restore and protect the ecosystems in the region; efficient absorption of EU funds and the attraction of investments, the promotion of tourism, all of which feature in the EU 2020 strategy.

This strategy will have a beneficial impact on Romania, particularly on the country's connections with European transport networks, the protection of the Delta's national heritage, as well as the socio-economic development of the localities in the Danube basin and in other areas.

Diogo Feio (PPE), *in writing*. – (PT) I firmly believe that the full development of the European Union can only come about if there are adequate development policies for all EU regions which respect their differences, needs and specific features.

I consider that territorial cohesion means creating different strategies for the different regions, fostering sustainable development within a context of respect for the environment and economic exploitation of its potential.

I am aware that macro-regional strategies are aimed at promoting balanced regional development within the EU, using existing resources.

Last but not least, I recognise the strategic, territorial, environmental and cultural importance of the Danube in Central Europe. For all of these reasons, I am voting in favour of this motion for a resolution for an EU strategy for the Danube Region.

José Manuel Fernandes (PPE), *in writing*. – (PT) This resolution backs a strategy for the Danube Region with a coherent, territory-based approach for this important river, and enables the sustained and integrated development of a region that stretches over 14 European countries.

The proposed strategy will allow a coordinated and integrated policy which can achieve synergetic effects, promote cohesion and foster economic growth and competitiveness, all while protecting the environment.

The objectives to be achieved and harmonised include modernising the ports, improving the navigability of the river (with freight corridors, interconnections and intermodality with the North Sea), improving the

quality of the water, protecting the whole Danube Basin and, last but by no means least, protecting the ecosystems that fall within the Natura 2000 Network.

Therefore, the Commission should soon launch a broad consultation process with all countries along the Danube so that the strategy in question is set out by the end of this year and is brought into line with the next multiannual financial framework.

João Ferreira (GUE/NGL), in writing. – (PT) We agree with the creation of a strategy for the Danube Region, based on an earlier consultation and cooperation between the countries and regions that are located along its course. Such a strategy will promote economic and social cohesion in those regions and promote territorial cohesion without jeopardising any of them. The strategy calls for improvements to the ecological status of the Danube, along with the development of a comprehensive plan for conserving and restoring the natural stocks.

Furthermore, it proves to be a positive strategy in the proposal for improving the Danube's multicultural environment, cultural dialogue and protecting its cultural and historical heritage. As stated in the report, we believe that implementation of this strategy must not impinge on the responsibilities of regional and local government, being based instead on cooperation between the countries and areas within this region.

Jacek Olgierd Kurski (ECR), in writing. – (PL) The strategy for the Danube Region which we have prepared, and which we have voted on today, makes it possible to promote regional and cross-border cooperation. The Danube river basin unites as many as 10 European countries at present – Germany, Austria, Slovakia, Hungary, Croatia, Serbia, Bulgaria, Romania, Moldova and Ukraine, of which most are Member States of the European Union or countries aspiring to become Member States. For this reason, the Danube Region is a significant factor, bringing together different programmes which are part of EU cohesion policy, as well as programmes for candidate countries and countries included in the European Neighbourhood Policy. What we have adopted today is a certain outline plan of support for the Danube river basin area, but whether the programme remains on paper or the model is filled out with specific content depends on whether additional means are found which will not affect, or will not reduce, the pool designated for the cohesion policy in individual countries. I hope that a cohesive strategy for the Danube Region will contribute to a rise in prosperity and sustainable and lasting development, and will generate new jobs and security in the region.

Petru Constantin Luhan (PPE), in writing. – (RO) I voted in favour of drawing up a development strategy for the Danube, which will allow us to ask the Commission to draft this document as soon as possible, taking into account specific consultations with experts in the field and in the relevant regions, while identifying the financial resources available and including non-EU countries. This strategy must focus on aspects relating to environmental protection and water quality, economic potential and Trans-European transport networks. The Resolution on the European Strategy for the Danube Region emphasises the role and importance of broad consultation with local actors, which the European Commission must organise so that citizens' interests can be represented as faithfully as possible.

Furthermore, the Resolution states that any strategy relating to macro-regions must be incorporated into the cohesion policy, which is the coordinating policy at European Union level. In addition, an analysis will need to be carried out on the added value created by this strategy in terms of European territorial cohesion. I think it is necessary to correlate the TEN-T (Trans-European Network of Transport) strategy, where the Danube comes under point 18, with the new territorial and economic development strategy, so that development takes place in a cohesive manner.

Nuno Melo (PPE), in writing. – (PT) Given the strategic importance of the Danube Region due to its location, closer relations between all countries in this region are crucial, particularly for those that do not yet belong to the EU. This will aid integration in case of future EU enlargement. Thus, the implementation of all the recommendations approved in this motion for a resolution is crucial if there is to be a proposed EU strategy for the Danube Region by the end of 2010.

Andreas Mölzer (NI), in writing. – (DE) The strategy for the Danube Region represents a reasonable model for coordinating EU measures for this contiguous region. In addition to issues that relate to the river itself, such as improving the water quality and the ecological situation, the programme that the Commission is to draw up could also result in economic and administration-related synergies. The report that has been tabled put forward some good proposals in this regard and I therefore voted in favour of it.

Wojciech Michał Olejniczak (S&D), in writing. – (PL) I endorsed the resolution on a European Strategy for the Danube Region. Territorial cohesion is listed in the Treaty of Lisbon as one of the European Union's

priorities. Operation of the Strategy for the Danube Region concerns many areas of support, such as social policy, culture and education, environmental protection, infrastructure and lasting economic development. The very fact of the great impact of the strategy and its solutions in these areas proves that regional strategies should be established and implemented. The Danube Region needs a strategy, and needs support and our action, because this matter concerns many European countries. Six of them are EU Member States, and the rest are potential candidates. The influence of the region is also important for other countries which are not directly associated with it.

The idea of establishing functional regions – macro-regions – began with the Baltic Sea Region Strategy. The Danube Strategy, as with other macro-regional strategies planned by the EU, has the main objective of strengthening integration by cooperation at regional and local level. It is extremely important that governments, local governments, non-governmental organisations and citizens work together with the European Union on the development and realisation of solutions which are adopted, because, together with us, they make up the European Union.

Artur Zasada (PPE), in writing. – (PL) Support should be given to every EU initiative which aims to coordinate and strengthen regional initiatives and which contributes to increased economic cooperation, improved transport infrastructure and better environmental protection. The Strategy for the Danube Region confirms the growth in significance of the macro-regional approach to European Union regional policy. Thanks to the document which has been adopted today, relations will be strengthened between old, new and possible future EU Member States, on the one hand, and Central Europe and the Black Sea Region, on the other. I believe that in the not-too-distant future, similar approval will be given to the concept of a corridor based on the Odra line. It would link the Baltic Sea with the Adriatic and would run from Sweden through Poland, the Czech Republic, Slovakia and Hungary to Croatia.

President. – That is not possible, Mr Zasada. I have already explained that explanations of vote on emergency resolutions are not possible. Explanations of vote may refer only to the European Strategy for the Danube Region. I am sorry, but this was not my decision.

9. Corrections to votes and voting intentions: see Minutes

10. Implementing measures (Rule 88): see Minutes

11. Decisions concerning certain documents: see Minutes

12. Written declarations included in the register (Rule 123): see Minutes

13. Forwarding of texts adopted during the sitting: see Minutes

14. Dates of forthcoming sittings: see Minutes

15. Adjournment of the session

(The sitting was closed at 12.45)

ANNEX (Written answers)

QUESTIONS TO THE COUNCIL (The Presidency-in-Office of the Council of the European Union bears sole responsibility for these answers)

Question no 10 by Mairead McGuinness (H-0498/09)

Subject: Misleading business directory companies

What advice can the Council offer to the thousands of European citizens who fall victim to misleading business directory companies such as the European City Guide, operating from Spain, and others?

Can the Council give this House an assurance of the EU's commitment to ending practices of misleading business-to-business advertising?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

The Honourable Member can be fully confident of the Council's commitment to fighting against forbidden practices of misleading advertising, whether in business-to-business or in business-to-consumer transactions, and notably to insist on the complete implementation and effective enforcement of the Unfair Commercial Practices Directive 2005/29/EC (which covers business-to-consumer relations) and the Misleading Advertising Directive 2006/114/EC, which covers business-to-business transaction and would apply to cases raised by the Honourable Member.

However, it is the responsibility of national courts and authorities to strictly and effectively apply these provisions.

It is not therefore for the Council to comment on allegations of unfair practices in individual cases.

Finally, the Honourable Member's attention is further drawn to Article 9 of Directive 2006/114/EC, which requests Member States to communicate to the Commission all measures taken in implementation of the Directive. No indication has so far been provided to the Council by the Commission that there are any problems or shortcomings with the implementation of the Directive in any Member State, and the Commission has not submitted any proposals for additional legal measures.

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Question no. 11 by Silvia-Adriana Țicău (H-0500/09)

Subject: Protection of electronic communications infrastructure and personal data

The conclusions of the Transport, Telecommunications and Energy Council of 17-18 December 2009 stated, among other things, the need to develop a new digital agenda for the European Union to follow on from the i2010 strategy. The EU Council emphasised the importance of developing solutions for the electronic identification of users of electronic media and services that ensure the protection both of personal data and of privacy.

Could the Council indicate what measures it intends to include in the EU digital agenda for the period up to 2020 and, more particularly, what measures it has in mind for the protection of electronic communications infrastructure and the development of electronic identification solutions which ensure the protection both of personal data and of privacy?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

Much is already being done in the field of electronic identity. Within the Seventh Research Framework Programme, several new projects related to identity management were started, and there are also EU co-funded projects under the Information and Communication (ICT) Policy Support Programme of the Competitiveness and Innovation Framework Programme (CIP). The recently adopted review of the Regulatory Framework for electronic communications and services also improves the situation as to citizens' rights to privacy.

The Honourable Member will also recall the work done by the European Network and Information Security Agency (ENISA), set up to enhance the capability of the EU, the Member States and the business community to prevent, address and respond to network and information security problems.

On 18 December 2009, the Council adopted conclusions on "Post-i2010 strategy - towards an open, green and competitive knowledge society", underlining the importance of developing solutions to electronic identification that guarantee data protection and respect citizens' privacy and better control of their online personal information. Moreover, the Council adopted a resolution on collaborative European approach on Network and Information Security stressing the importance of an enhanced and holistic European strategy for network and information security.

In its conclusions and in the resolution, the Council invites the Commission to come with proposals. A new digital agenda, to which the December conclusions were a contribution, is expected already this spring.

The Council is ready to work to reinforce network security. The future development of the Internet and of new and attractive services depend to an important extent on these issues. We shall examine any new Commission proposal with great attention.

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Question no 12 by Brian Crowley (H-0502/09)

Subject: Fortuna land scam

Many investors from Ireland have lost significant amounts of money in a dubious investment scheme established by a Spanish company located in Fuengirola. What actions can be taken, either at national level or EU level, to assist these investors, many of whom have lost their entire life savings, to recoup their investments?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

We understand the concerns of all investors who have lost their savings, and also of those who invested under the auspices of the entity mentioned by the Honourable Parliamentarian.

That being said, it is now up to the relevant competent authorities of the Member States concerned by this or other similar situations to take the necessary measures in order to proceed to their investigation and ultimately help investors which have been hurt.

The Spanish authorities have indeed started criminal investigations in this area, but it is not for the Presidency of the Council to comment on them.

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Question no 13 by Pat the Cope Gallagher (H-0504/09)

Subject: The review of the EU Solidarity Fund

A proposal to simplify and improve the EU Solidarity Fund (2005/0033) has been kept on hold by the Council since the European Parliament adopted it at first reading in 2006. Europe has suffered severe weather patterns more frequently in recent years. For example, recent flooding in Ireland caused considerable damage to many homes, businesses, farms, roads and water supplies. It is essential that the reform of the EU Solidarity Fund is prioritised.

What measures will the incoming Presidency take with a view to unblocking the situation in the Council?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

The European Union Solidarity Fund was created in response to the extraordinary flooding disaster that hit central Europe during the summer of 2002. On 6 April 2005, the Commission submitted to the Council a Proposal for a revision of the Regulation, which would in particular widen the scope to non-natural disasters, lower the threshold for the damage incurred in consequence of the disaster, and include an additional political criterion. In its opinion of May 2006, the Parliament approved this proposal with some amendments.

Nevertheless, after examination of this proposal, discussions in the Council led to the conclusion that there was not sufficient support for the revision of the Regulation as proposed by the Commission.

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Question no. 14 by Ryszard Czarnecki (H-0507/09)

Subject: Change in the Member States' demographic structure

Has the Council taken notice of the significant change in the EU Member States' demographic structure? This change is a result of both a rapid ageing in the 27 Member States and a large rise in immigration from non-European countries.

Does the Council intend to draw up a programme in support of a pro-family policy to boost the birth rate in the EU with a view to reversing this trend?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

The demographic challenge is one of the main long-term challenges of the Union. It is indeed closely linked to the family issues as stressed by the Honourable Member.

That being said, Member States remain responsible for the design and the implementation of their specific decisions in the area of family policies. In the field of social policy, according to the Treaties, the Union may support and complement "the activities of the Member States, through initiatives aimed at improving knowledge, developing exchanges of information and best practices, promoting innovative approaches and evaluating experiences"⁽⁴⁾.

However, demographic and social issues, including family issues where appropriate, remain on the agenda of the Council. On 30 November 2009, the Council endorsed Opinions prepared by the Social Protection Committee and by the Employment Committees on the future post-2010 Agenda of the Union considering that prolonging working lives and promoting better reconciliation of work and private life will remain essential"⁽⁵⁾ for the Union's post-2010 Strategy and that ageing and globalisation remain among the crucial challenges of the European Employment Strategy"⁽⁶⁾.

Moreover, in its Conclusions⁽⁷⁾, the Council recognised "that due to demographic changes, the proportion of working age population is expected to decrease over the next decades and that Europe will go from four people of working age supporting one elderly person to only two. In this context, policies to strengthen gender equality and to improve the reconciliation of work, family and private life are key for reaching commonly-set targets of higher employment rates as well as for fulfilling the objectives of economic growth and social cohesion in the European Union".

⁽⁴⁾ Article 153(2)(a) of TFEU

⁽⁵⁾ Doc. 15859/09

⁽⁶⁾ Doc. 15529/09

⁽⁷⁾ Adopted by the Council EPSCO of 30 November 2009, doc. 16214/09.

Lastly, in its programme in the employment and social fields⁽⁸⁾, the Spanish Presidency acknowledges that demographic ageing is starting to be approached in Europe not only as a challenge but also as an opportunity to social policies.

It considers that the moment is ripe for the EU to adopt an initiative for the promotion of active ageing: for example, it supports the possible Commission's decision to declare 2012 the European Year of Active Ageing and Intergenerational Relations. Furthermore, will organize a Conference on Active Ageing in La Rioja (April 29-30/ 2010).

The Spanish Presidency will also promote the joint work of the Member States to better respond to the important social and demographic changes being faced by the Member States, through, for example, a more intense exchange of information, mutual learning and best practices. Emphasis will be put both on various initiatives towards reconciliation of work and personal and family life, and on raising employment levels, especially for older workers.

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Question no 15 by Laima Liucija Andrikiienė (H-0002/10)

Subject: Implementation of the Spanish Presidency's priorities in the field of EU - Latin America relations

One of the key priorities of the Spanish Presidency is the EU – Latin America relations.

What would the Spanish Presidency like to achieve in the field of international trade with Latin America?

Will the Free Trade Agreement with countries like Colombia and Peru be concluded during the Spanish Presidency? What are the most important problems still to be solved?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

The strengthening of EU - Latin America relations is indeed one of the key priorities of the Spanish Presidency.

In the draft 18 month program⁽⁹⁾ of the Spanish and future Belgian and Hungarian Presidencies, the Presidency trio underlined that strong emphasis should be placed on the conclusion of the Association Agreements with the Central American region, the Multiparty Trade Agreement with the Andean countries, as well as on the resumption and advancement of negotiations for the Association Agreement with Mercosur.

With regard to negotiations on an Association Agreement with Central America, discussions are taking place with the Central American Countries on a tentative calendar for a resumption of negotiations with a view to their conclusion by April of this year. We have notably to see in this regard how the situation in Honduras evolves in the coming months following the recent events in this country.

Regarding specifically the "Multi-parties trade agreement" (Free Trade Agreement) with Colombia and Peru, negotiations are well advanced and the Spanish Presidency will make every effort to conclude them during the first semester 2010. The next round is taking place in Lima this week. A number of issues still need to be solved, such as trade issues (market access, rules of origin, intellectual property issues) and the introduction of the so-called "political clauses" (on human rights and on weapons of mass destruction). However, both Colombia and Peru have demonstrated their willingness to compromise, so prospects for a satisfactory outcome of the negotiations are good. If an Agreement is reached in the very next future, procedures to be signed in the margins of the EU-LAC Summit in Madrid on 17-18 May will be launched.

The role of the European Parliament in the process leading to the conclusion and entry into force of the above mentioned international agreements is determined by the new provisions of the Lisbon Treaty in accordance with the legal basis of the agreement.

⁽⁸⁾ Prepared jointly by three Spanish Ministries, i.e. those of Labour and Immigration, of Health and Social Affairs, and of Equality.

⁽⁹⁾ Doc. 16771/09

When negotiations with Mercosur were suspended in 2004, good progress was already achieved on political dialogue and cooperation. The EU as a whole and the Spanish Presidency in particular attaches great importance to a re-launching of negotiations, which could be resumed if the proper conditions are given. These latter have to be carefully checked before taking the relevant EU decision for resumption of negotiations.

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Question no. 16 by Georgios Toussas (H-0004/10)

Subject: European Union approval for the treatment of Nazis as heroes

On 18 December, a few hours before the government of Georgia blew up an anti-fascist monument in the city of Kutaisi, a resolution was tabled in the UN General Assembly condemning efforts to justify Nazism by a number of European countries and EU Member States, such as the Baltic States and others, which acclaim as heroes the members of the fascist gangs of the 'Waffen SS'; at the same time, governments are taking decisions to pull down and dismantle monuments commemorating the anti-fascist resistance and the victory of the peoples. The overwhelming majority of UN member countries voted in favour (127), while the US was the only country to vote against, supported by the 27 EU Member States which abstained.

In view of the above, will the Council say: Does the fact that the EU abstained in the vote on this resolution constitute approval and support for the glorification and rehabilitation of the fascist gangs and collaborators of Nazi war criminals in some Member States and in other European countries? Do the EU and the Council approve the destruction of monuments commemorating the anti-fascist victory in EU Member States and other countries? Does the EU's refusal to condemn the glorification of fascists guilty of crimes against humanity form part of the historically ignorant attempt to equate Nazism and Communism?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

The European Union has always made clear its strong commitment to the global fight against racism, racial discrimination, xenophobia and related intolerance. This was reiterated in the statement made by the Swedish Presidency, on behalf of the EU, to explain its decision to abstain in the vote at the 64th Session of the General Assembly Third Committee on the resolution concerning the "Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance".

As indicated in this statement, throughout negotiations on the text the EU expressed its strong readiness to find ways to ensure that the resolution would present a real and serious response to contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

Unfortunately, however, some of the most serious concerns expressed by the EU and other delegations were not taken into account. As in previous years, instead of comprehensively addressing the human rights concerns related to racism and racial discrimination, one of the most serious of which is the resurgence of racist and xenophobic violence, the draft text pursued a selective approach, disregarding these serious concerns and in effect deflecting attention from them.

A particularly regrettable example of the shortcomings in the text is the use of inaccurate citations from the Judgment of the Nuremberg Tribunal

Crucially, the text also failed to reflect the fundamental consideration that the combat against racism, racial discrimination, xenophobia and related intolerance must be in line with the provisions of Articles 4 and 5 of the International Convention on the Elimination of all Forms of Racial Discrimination, and not undermine other recognised human rights and fundamental freedoms.

Finally, the text of the resolution sought to undermine the freedom of the UN Special Rapporteur to report to the Human Rights Council and the General Assembly on all aspects of contemporary forms of racism, racial discrimination and xenophobia.

For all these reasons, the EU took the decision to abstain.

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Question no. 17 by Charalampos Angourakis (H-0005/10)

Subject: Arrest of the Mayor of Nazareth

On 29 December a hand grenade was thrown at the home of Ramez Jeraisy, the Mayor of Nazareth, who cooperates with the Israeli Communist Party in the Democratic Front for Equality and Peace.

This attack coincides with the anniversary of the murderous Israeli attack on Gaza, an increase in the aggressiveness of the Israeli State and increasingly frequent anti-Communist and anti-democratic attacks. During the same period of time public demonstrations have been banned and Muhammad Barakeh, member of the Knesset and the Central Committee of the Israeli Communist Party, has been prosecuted for his anti-war activities.

Will the Council condemn these anti-Communist and anti-democratic attacks by Israel?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the January 2010 part-session of the European Parliament in Strasbourg.

I would like to thank the Honourable Member of the European Parliament for his question.

Violent attacks against citizens, whether they are public servants or not, and irrespective of their political views, constitute criminal acts that must be investigated and prosecuted through due judicial procedures. Furthermore, any politically motivated violent attacks with political motivation are irreconcilable with the basic democratic values of the European Union, notably freedom of expression and political orientation, non-discrimination and the rule of law. This applies equally in cases where citizens are persecuted for political reasons by their governments or services of the state apparatus.

As to the incidents to which the Honourable Member refers to, there is no evidence of political motivation in either the hand grenade attack against the Mayor's house in Nazareth, which is now under criminal investigation by the Israeli police, or the prosecution of Knesset Member Muhammad Barakeh, who has himself chosen not to invoke his parliamentary immunity. The conflict in Gaza at the beginning of 2009 was the subject of a number of statements by the EU, including by the Council, that emphasised inter alia that all parties needed to respect human rights and comply with international humanitarian law.

I would like to assure the Honourable Member that the Council attaches particular importance to democratic values and principles and is ready to condemn their violation where appropriate and where there is sound evidence.

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QUESTIONS TO THE COMMISSION

Question no 18 by Liam Aylward (H-0488/09)

Subject: Product safety and recalls

In light of the recent safety concerns raised regarding certain push buggies and children's toys sold in the European Union, what action is the Commission taking to ensure that European consumers, in particular children, are protected and that product recalls do not become increasingly necessary?

Furthermore, what can the Commission do to ensure that product recalls on faulty or unsafe goods are conducted as effectively and speedily as possible in order to ensure minimum disruption to consumers?

Answer

Toys and children's products are no like other consumer products. Safety of toys and children's products is one of the highest priorities in the consumer product safety portfolio.

The Commission has undertaken recently a wide range of activities aimed at raising the level of safety of toys and children's products in Europe. The Commission has promoted legislation and standards, boosted with financial support cross-border market surveillance actions, cooperated with the toy industry and engaged with our international partners.

The new Toys Safety Directive 2009/48/EC⁽¹⁰⁾ was adopted on 18 June 2009. Thanks to our constructive debates, the Directive now contains reinforced safety requirements and is open to be adapted rapidly to newly identified risks, in particular as regards chemicals.

The safety of articles used for the general care of children, such as prams or baby cots, is governed by the General Product Safety Directive 2001/95/EU⁽¹¹⁾. The Directive sets a general obligation for all operators in the supply chain to make available on the market only safe products. The safety of children is also one primary concern in the enforcement of this legislation.

Several European standards set the benchmark. The relevant standard for the safety of toys will have to be revised to follow the new Toy Safety Directive. An assessment recently was made of several child-care articles, which commonly accompany feeding, sleeping, bathing or relaxing of babies and young children. As a result, the Commission will imminently request the adoption of new European safety standards for bath-assisting articles, such as baby bath tubs or bath rings, and products in the sleeping environment of children, as part of a wider action in this area.

The Commission has given €0.5 million to boost coordinated surveillance action focusing on toys for young children since the end of 2008. Authorities from 15 European countries have already tested 200 samples of toys to check the risk of small elements (including magnets) and heavy metals. Toys proven to be non-compliant and dangerous are being withdrawn from the market.

The Commission also called the toys industry to step up their actions in order to ensure that only safe toys are manufactured and sold on the European market. Two voluntary agreements with Toy Industries of Europe and representatives of toy retailers and importers, engaged the industry in a number of activities, such as providing education and training or developing guidelines which will help companies to set up appropriate safety check systems.

In the area of international activities, the cooperation with China has already resulted in hundreds of dangerous toys and childcare articles blocked at Chinese borders and numerous export licenses withdrawn by Chinese authorities. Toy Safety experts of the EU, China and also the US discuss toys safety, common concerns, possible actions and scope for convergence of the respective requirements on a regular basis.

As the business operators are in the first place responsible for the safety of their products, they should always take a proactive approach to identify potential problematic issues at the production stage. When incidents happen, appropriate procedures should be in place to quickly organise a well targeted recall. Many companies take seriously their responsibilities stemming from the product safety legislation and act swiftly. However, as certain players are not capable of carrying out proper risk management, the national enforcement authorities should be guaranteed the necessary resources to monitor their actions and order additional restrictive measures if those taken on voluntary basis could be considered as delayed or insufficient to address all risks. This is why the Commission warmly welcomes the strong interest and leadership role taken by the IMCO Committee in the debate on reinforcing market surveillance for consumer safety.

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Question no. 20 by Silvia-Adriana Țicău (H-0501/09)

Subject: European electronic invoicing framework

In 2007, the European Commission worked with a group of experts, representatives of banking institutions and companies, and standards institutes to pinpoint current barriers to electronic invoicing and to define a European framework for its use.

⁽¹⁰⁾ Directive 2009/48/EC of the Parliament and of the Council of 18 June 2009 on the safety of toys, OJ L 170 of 30.6.2009.

⁽¹¹⁾ Directive 2001/95/EC of the Parliament and of the Council of 3 December 2001 on general product safety, OJ L 11 of 15.1.2002.

In 2008, the European Commission set up a task force with a mandate to define, by the end of 2009, a European framework for electronic invoicing. In view of the benefits that this European framework would bring both for enterprises and for financial/tax administrations, could the Commission indicate what the outcome was of the work of the group of experts tasked in 2008 to develop the framework? More particularly, what measures does the Commission intend to adopt with a view to developing and introducing a European electronic invoicing framework, and what is the timetable for their implementation?

Answer

Compared to paper invoices, electronic invoices offer substantial economic advantages for companies of all sizes. However, most of the potential offered by e-Invoicing remains untapped, especially among SMEs, because of the continued existence of regulatory and technical barriers to its full deployment. The Commission set up an independent Expert Group at the end of 2007 whose task was to propose a European E-Invoicing Framework (EEIF) that would support the provision of e-Invoicing services in an open, competitive and interoperable manner across Europe.

The Expert Group has completed its work and adopted its final report, incorporating the proposed EEIF, in November 2009. Key barriers for the uptake of e-Invoicing identified by the Expert Group include: inconsistent regulatory requirements for electronic invoices across EU Member States, in particular regarding acceptance of e-Invoices by tax authorities for VAT purposes; insufficient technical interoperability between existing e-Invoicing solutions; the lack of a common content standard for e-Invoices. To tackle these issues, the proposed EEIF includes a code of practice for legal and fiscal compliance which is aligned with the revised VAT Directive proposed by the Commission. Furthermore, the EEIF contains a set of recommendations for interoperability and guidance on content standards. The Framework is based on a set of business requirements with a particular focus on SMEs.

The Expert Group report has been published on the Europa website by the European Commission and its recommendations are currently subject to a public consultation which is open to all interested stakeholders until the end of February 2010⁽¹²⁾. The results of the public consultation and the recommendations of the Expert Group will also be discussed at a high-level conference on e-Invoicing which is currently planned for April 2010 under the auspices of the Spanish Presidency.

On the basis of the Expert Group report and the public consultation, the European Commission will assess whether further initiatives are called for, especially to eliminate obstacles at EU level, in order to capture the benefits for competitiveness of moving to e-Invoicing across the whole of Europe. On the basis of the results of this assessment, the Commission will consider which further steps should be taken to promote the uptake of e-Invoicing by autumn 2010. Moreover, the Commission would like to remind its proposal on the revision of the VAT directive notably as regards the acceptance of electronic invoicing which is currently discussed by the co-legislators..

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Question no. 21 by Bernd Posselt (H-0480/09)

Subject: Status of vocational training and exchanges

What is the Commission doing to improve the status of vocational training in relation to academic education in the EU, and what are the prospects for cross-border exchanges of young people in the field of vocational training?

Answer

The Commission promotes participation in education and training, both general and vocational, especially taking into account the growing training needs of the society after the crisis and in terms of ageing of population.

In the framework of the so called Copenhagen process the Commission, together with the Member States, has been working hard to increase the quality and attractiveness of vocational education and training (VET).

⁽¹²⁾ http://ec.europa.eu/enterprise/newsroom/cf/itemshortdetail.cfm?item_id=3875&lang=en

A central part of the process is the development of http://ec.europa.eu/education/lifelong-learning-policy/doc40_en.htm to enhance mutual trust, transparency, recognition and quality of qualifications, making the mobility of learners between the countries and between the education systems easier.

The most important of these tools are the http://ec.europa.eu/education/lifelong-learning-policy/doc44_en.htm, http://ec.europa.eu/education/lifelong-learning-policy/doc46_en.htm, the http://ec.europa.eu/education/lifelong-learning-policy/doc50_en.htm and the http://ec.europa.eu/education/lifelong-learning-policy/doc1134_en.htm.

The http://ec.europa.eu/education/lifelong-learning-programme/doc82_en.htm (LdV) strand of the http://ec.europa.eu/education/lifelong-learning-programme/doc78_en.htm provides important financial support for the implementation of the VET policies as well as for cross-border mobility of learners and teachers in VET. In 2008, altogether 67.740 persons were able to benefit from a mobility period through the LdV programme. However, as this represents only about 1 % of the total target population, a strong support by the national, regional or local actors and stakeholders is also needed in order to make mobility the norm rather than the exception. Within the EU 2020 initiative the Commission is reflecting on a new ambitious Youth on the Move initiative, which should boost the learning mobility of young persons at all levels of education.

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Question no. 22 by Nikolaos Chountis (H-0482/09)

Subject: Match-fixing in football - a bad example for young people

A report by the 'Union of European Football Associations' (UEFA) has uncovered a match-fixing scandal last season. Such incidents clearly give a bad example to young people and distort the ethos of sport, which is being undermined by the huge amounts of money changing hands in betting and gambling operations.

Bearing in mind Article 165 (2) of the Treaty on the Functioning of the European Union which provides that: 'Union action shall be aimed at...developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen', will the Commission say:

Has it looked into this matter and, if so, what view does it take about it? What measures does it expect UEFA to take vis-à-vis the federations, the teams, the managers and the players involved in this scandal? Given the huge sums gambled every year in legal or illegal betting operations which are a permanent incentive to 'fix' sports events, what measures does it intend to take?

Answer

Match fixing undermines the social and educational functions of sport. It distorts the ethos of professional as well as grass-roots sport, as it represents a direct threat to the integrity of sport competitions. Match fixing episodes are often associated to illicit gambling and corruption and they typically involve international criminal networks.

Due to the worldwide popularity of sport and to the trans-frontier nature of images from sporting events and of gambling activities, the dimension of the problem often goes beyond the remit of national authorities. In line with article 165 of the Treaty on the Functioning of the European Union, which states that the action of the Union must promote fairness in sporting competitions and cooperation between bodies responsible for sports, and following calls from sport stakeholders the Commission will address the issue of match fixing as it risks undermining the value of sport in Europe.

In this context, the Commission has consulted UEFA with regard to the recent match fixing scandal under investigation by the German authorities. The Commission has offered UEFA its support in raising awareness about match-fixing related problems at EU level.

Regarding illicit gambling, the Commission is not aware of any match fixing allegations against reputable European operators. Its services are, in the context of their work on the internal market for licit cross-border sports betting services, monitoring a number of Member States' regulatory bodies who are working closely

with licit on-line sports betting service providers to detect illegal activities. Moreover, bookmakers themselves in order to attract customers have put in place self-regulatory early-warning systems with sports federations to detect fraudulent activities taking place within individual sporting events.

Regarding the wider problem of corruption, the Commission is in the process of establishing a mechanism for monitoring Member States' efforts to fight corruption both in the public and in the private sector.

The Commission will support the sport movement and other relevant stakeholders (such as betting companies and media) in their efforts to stem match fixing episodes at European level. In this respect, the Commission is supportive of types of partnership where sports stakeholders have been working with betting companies to develop early warning systems aimed at preventing fraud and match-fixing scandals in sport. They are an example of good governance in the field of sport betting.

The Commission will also support cooperation between the private and public sector in order to find the most effective ways to address match fixing and other forms of corruption and financial crime in European sport.

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Question no.23 by Ernst Strasser (H-0497/09)

Subject: Planned measures in the field of sport, a new EU competence

With the entry into force of the Lisbon Treaty, the field of sport falls within the competence of the European Union.

What measures does the Commission intend to adopt over the next 12 months to support, coordinate or complement measures taken by the Member States in this field?

Answer

Concerning the implementation of the new sport provisions, it is the Commission's role to propose suitable action allowing for the achievement of the objectives outlined in the Treaty. The Commission's guiding principle will be to ensure the EU added value of any proposed actions. More specific, individual actions will be decided by the incoming new Commission.

Before preparing its proposals, the Commission will probably organise a broad public consultation in the first half of 2010, including a focused debate with the Member States and the sport movement. Future proposals can be expected to reflect the results of such consultation and debate and will further draw on the experience gained with implementing the 2007 White Paper on Sport⁽¹³⁾ on societal, economic and governance issues. On this basis, the Commission proposals for EU action will certainly aim, inter alia, at the promotion of good governance and of sport's social, health and educational functions.

The implementation of Preparatory Actions in the field of sport in 2009 and 2010, as proposed by the European Parliament, already provides support from the EU budget to multi-actor activities in areas such as health, education, equal opportunities, anti-doping and volunteering and will certainly help the Commission to propose suitable topics for the Sport Programme.

The Commission will cooperate closely with Parliament and Council to ensure the coherent implementation of these new competences.

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Question no. 24 by Morten Messerschmidt (H-0474/09)

Subject: Threats to ban Geert Wilders from entering Turkey

The Turkish Government is threatening to refuse an entire delegation of Dutch MPs entry into the country if the Freedom Party's Geert Wilders takes part in the visit, which is scheduled for January 2010.

⁽¹³⁾ COM(2007) 391 final

In my view, these threats by Turkey seem grotesque given that the Dutch delegation plans to visit a country which is applying for EU accession and which should, therefore, be expected to have a fundamental appreciation of values such as democracy and freedom of expression.

Nevertheless, it is the Turkish Foreign Minister, a member of the Islamic-oriented governing party, who is the instigator of these threats.

Does the Commission consider that the Turkish Government's threats to refuse a democratically elected Dutch politician entry into Turkey are an expression of the enlightened and democratic mentality which may be assumed to be one of the fundamental prerequisites for a country's accession to the EU? Does the Commission also consider that this conduct is consistent with the Copenhagen criteria concerning democracy, the rule of law and human rights?

The Commission is referred to the article entitled 'Tyrkiet truer Wilders med indrejseforbud' ('Turkey threatens Wilders with entry ban') in Jyllands-Posten of 26 November 2009.

Answer

In December 2009 a delegation of Members of the Lower Chamber of the Dutch Parliament cancelled a planned visit to Turkey.

The reason put forward for the cancellation was the statement by a Turkish government spokesperson as regards the planned participation of Mr Geert Wilders, Member of the Lower Chamber of the Dutch Parliament. On the basis of this statement, the delegation had concluded that they would not be received by the Turkish government.

Subsequently, the Chairman of the EU Harmonisation Committee of the Turkish Grand National Assembly declared that the Turkish Parliamentarians regretted the cancellation of the visit.

The Commission is not aware that Turkey intended to refuse to Members of the Dutch Parliament access to its territory.

Furthermore, the Commission does not see any link between the said cancellation and the Copenhagen criteria.

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Question no 25 by Jim Higgins (H-0475/09)

Subject: Pan-European training and support for unemployed graduates

Given the shocking level of unemployment among recent graduates (throughout Europe), has the Commission considered a pan-European training and support network for such graduates? The advantages of such a scheme are numerous: graduates would be afforded the opportunity to gain vital work experience, adapt their knowledge to meet the practicalities of working life, avoid 'brain drain' and contribute to society while utilising their education.

Answer

The Commission has been giving priority to tackling unemployment of young people under the Lisbon Strategy and the European Employment Strategy, well before the crisis hit. The Commission has identified key challenges in collaboration with the Member States which undertook to step up action to foster the labour market integration of young people as part of the European Pact for Youth in 2005. In this context, particular attention should be paid to improving transition from education to the labour market, for example through strengthening links between education systems and the labour market, and developing practical training in companies ('traineeships').

Even before the crisis hit and although Member States have started to take action in this area, many young graduates have encountered difficulties in entering the labour market. In the aftermath of the crisis, unemployment of young people has increased dramatically and more so than any other groups on the labour market.

In the preparation of the EU's main policy agenda for the future ("EU2020"), due attention should be paid to promoting labour market access of young people and the creation of new jobs. Furthermore, mechanisms

should be improved to ensure effective policy delivery. The Commission identified a number of key areas for action in the EU 2020 consultation paper of 24 November 2009, including promoting the acquisition of new skills, fostering creativity and innovation, and developing entrepreneurship. The EU 2020 strategy will also build on EU policy cooperation in the fields of education and youth policy through the "Education and Training 2020" and "Youth 2010-2018" work programmes.

The EU has put in place a number of tools to help young jobseekers, including under the EURES initiative: a section of the EURES Web Portal is dedicated to job opportunities for graduates⁽¹⁴⁾. Furthermore, the Member States can use the European Social Fund (ESF) to implement reforms of their education and training systems. For the 2007-2013 period, EUR 9.4 million have been allocated to promoting the development of lifelong learning systems and a further EUR 12.4 billion to increasing participation in education and training throughout the life-cycle.

In the context of the initiative launched by the Commission to develop and strengthen the dialogue and cooperation between Higher Education and the world of work (COM(2009) 158 final: A new partnership for the modernisation of universities: the EU Forum for University Business Dialogue), the Commission in partnership with the Ministry of Education, Youth and Sports of the Czech Republic and the Masaryk University is organising a Thematic Forum in Brno on 2-3 February 2010 where existing and possible actions, launched in cooperation by higher education institutions, companies and public authorities as reply to the current crisis, will be presented and discussed.

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Question no. 26 by Sławomir Witold Nitras (H-0483/09)

Subject: Strategy for energy security, cooperation and solidarity in the context of the Lisbon Treaty

Following the entry into force of the Lisbon Treaty on 1 December 2009 – the first treaty to take into account and regulate a common energy security policy and a solidarity policy among Member States in this field – I would like to ask the Commission about this strategy and how it envisions this policy in the light of the new treaty.

What action is the Commission planning to take to protect Member States from the possibility of gas supplies being stopped by third countries? I would also like to ask about the programme of investment in energy infrastructure, which is an essential part of the security strategy. Does the Commission have plans to develop this infrastructure in a north-south direction?

Answer

The EU's energy policy has been developed so far on the basis of several different Treaty articles. The Lisbon Treaty provides for the first time a comprehensive basis for the further development of EU energy policy. Security of supply is clearly stated as one of the objectives and the policy is to be developed and implemented in a spirit of solidarity.

The approach to energy security, set out in the 2nd Strategic Energy Review, has been endorsed by the Member States. Thus, the reduction of vulnerability to gas supply disruptions by cooperation and the further development of interconnectors within Europe should underpin a strong EU voice in external energy dealings. Cooperation within Europe is primarily through a well-functioning internal energy market with common standards and adequate infrastructures, as in the proposed Regulation on security of gas supply. As regards solidarity, this must be established well before any crisis occurs among the Member States and among the companies likely to be concerned. Member States need to work together in advance on risk assessments and preventive action, including on infrastructure development and emergency plans. Regional cooperation is particularly important for crisis management. The Commission's role will be mainly to help and coordinate; it can assess the situation, declare a Union emergency, rapidly deploy the monitoring taskforce, convene the Gas Coordination Group, activate the civil protection mechanism, and crucially, mediate with third countries. The Commission hopes for early agreement on the proposal for a Regulation.

Investments in energy infrastructures are needed, notably for security of supply. The provisions of the 3rd internal energy market package are already improving infrastructure planning in Europe, including its energy

⁽¹⁴⁾ <http://ec.europa.eu/eures/main.jsp?lang=en&acro=job&catId=7576&parentId=52>

security dimension. The proposed Regulation on security of gas supply puts forward an infrastructure standard and the European Energy Programme for Recovery is directing financial support to energy infrastructure projects, including some €1.44 billion on gas interconnections, Liquefied Natural Gas (LNG) terminals, storage and reverse flows. The Trans-European Energy Networks Programme will be reviewed during 2010 to ensure that it is properly focused on the EU's energy infrastructure to respond to the internal market needs and to enhance security of supply.

North-South interconnections in Central and Eastern Europe were identified in the 2nd Strategic Energy Review as an energy security priority. This work is being developed, also in the context of the Energy Community Treaty. North-South interconnections are also prominent in the Baltic Energy Market Interconnection Plan, agreed by the relevant Member States and now being pursued.

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Question no. 27 by Erminia Mazzoni (H-0484/09)

Subject: Introduction of tax concessions to help the development of certain economic areas

Having regard to Article 87(1) and (3)(e) of the Treaty⁽¹⁵⁾, having regard to paragraph 37 of European Parliament resolution 2005/2165 (INI)⁽¹⁶⁾, having regard to the judgment of the Court of Justice in case C-88/03⁽¹⁷⁾, does the Commission intend once and for all to abandon the inflexible view that regional and local tax concessions are incompatible with the Community ban on State aids, especially as regards the arrangements for determining regional selectivity, and to authorise tax concessions when these are designed to help the development of certain economic activities or regions?

Does the Commission think that this change in interpretation could be accommodated by including within Regulation (EC) No 1083/2006⁽¹⁸⁾ provision for tax concessions to be deemed compatible with the rules on market equilibrium?

Answer

The Commission reminds the Honourable Member that according to Article 107, paragraph 3, of the Treaty on the Functioning of the European Union (TFEU), formerly 87 of the EC Treaty, the Commission can declare compatible "aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious underemployment" as well as "aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions to an extent contrary to the common interest".

In this respect, in accordance with the "Guidelines on National Regional Aid for 2007-2013", the Commission has already approved the Regional Aid Map, which indicates which Regions are indeed eligible for regional aid under Article 107, paragraph 3, of TFEU⁽¹⁹⁾.

As to the question whether the Commission intends "once and for all to abandon the inflexible view that regional and local tax concessions are incompatible with the Community ban on State aids, especially as regards the arrangements for determining regional selectivity", the Commission would like to recall that,

⁽¹⁵⁾ 'The following may be considered to be compatible with the common market: (...) (e) such other categories of aid as may be specified by decision of the Council acting by a qualified majority on a proposal from the Commission.'

⁽¹⁶⁾ 'The European Parliament (...) supports a more efficient approach to the grant of regional aid, with a focus on investments in infrastructure and horizontal aid in disadvantaged or the least developed regions of the EU, including the introduction of advantageous tax conditions for transitional periods not exceeding five years;'

⁽¹⁷⁾ 'if a regional or local authority adopts, in the exercise of sufficiently autonomous powers in relation to the central power, a tax rate lower than the national rate and which is applicable only to undertakings present in the territory within its competence (...) the legal framework appropriate to determine the selectivity of a tax measure may be limited to the geographical area concerned where the infra-State body, in particular on account of its status and powers, occupies a fundamental role in the definition of the political and economic environment in which the undertakings present on the territory within its competence operate.'

⁽¹⁸⁾ OJ L 210, 31.7.2006, p. 25.

⁽¹⁹⁾ For Italy, see Commission Decision of 28 November 2007, case N 324/2007

according to the recent case-law in the Azores⁽²⁰⁾ and Basque Countries⁽²¹⁾ cases, a region is considered as being "autonomous" within the meaning of State aid rules when all three criteria concerning the institutional, procedural and the economic and financial autonomy are fulfilled. Moreover, as laid down by the jurisprudence, regions which are autonomous within the meaning of the said case-law, can adopt fiscal measures which are general in nature without thus infringing the State aid rules. It remains to be seen if and which Regions are institutionally, procedurally, economically and financially autonomous.

That being said, the Commission would like to stress that any specific fiscal rules for some Regions only, are likely to constitute State aid in the meaning of Article 107, paragraph 1, of the TFEU.

On the other hand, in the Commission view, Article 107(3)(e) of the TFEU mentioned by the Honourable Member doesn't offer a specific legal basis to promote regional development. The Commission considers, on the contrary, that appropriate measures taking into account the needs of less developed areas are already in place, or can be put into effect on the basis of existing State aid block exemption regulations, or can be notified on the basis of Article 108(1) of the TFEU (formerly Article 88 of the EC Treaty) and assessed under Article 107 (3) (a) or (c) of the TFEU.

As regards Council Regulation (EC) No 1083/2006⁽²²⁾, under Article 54.4 it states that "for State aid to enterprises within the meaning of Article 107 of the TFEU, public aid granted under operational programmes shall observe the ceilings on State aid". Therefore, for any fiscal measure likely to constitute State aid, the managing authority shall ensure its compatibility under the rules governing State aid under Article 107 of the TFEU. The Commission reminds the Honourable Member that Regulation (EC) No 1083/2006⁽²³⁾ is intended to lay down general provisions on the Structural Funds rather than to determine the compatibility of State aid measures.

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Question no 28 by Struan Stevenson (H-0485/09)

Subject: Derogation for Shetland from the electronic identification requirement for ovine and caprine animals

As a remote island with a population of only 22 000 Shetland has only one point of entry and currently all sheep and cattle moved on to the island are examined by a vet, have their identities recorded and are blood-tested. In this way, Shetland is already well equipped to trace animal movements quickly and effectively and therefore the recording of individual sheep movements through electronic identification (EID) within Shetland would place a heavy burden on producers and would offer no additional benefits for disease control within the UK or Europe. Implementing EID will only serve to force the few remaining Shetland sheep farmers, many of whom keep their flocks in the most remote locations and would therefore incur the highest adjustment costs, out of business.

In the light of these adequate animal health arrangements as regards traceability and disease control and of Shetland's isolated geography, would the Commission therefore agree to a derogation from the EID regulation for Shetland?

Answer

Council Regulation (EC) No 21/2004⁽²⁴⁾ introduced the principle of individual traceability for sheep and goats using a step by step-approach. However, the Commission has already introduced a number of measures

⁽²⁰⁾ See judgement of the Court of justice of 6 September 2006, case C-88/03, Portugal v. Commission

⁽²¹⁾ See judgement of the Court of 11 September 2008, cases from C-428/06 to C-434/06, Unión General de Trabajadores de la Rioja

⁽²²⁾ OJ L 210, 31.7.2006

⁽²³⁾ Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999, OJ L 210, 31.7.2006

⁽²⁴⁾ Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC, OJ L 5, 9.1.2004.

via Comitology to further facilitate the smooth implementation of the requirements on electronic identification that will apply to animals born after 31 December 2009.

In particular, the measures adopted by the Commission in August 2009 will demonstrably reduce costs in particular for keepers with small herds. It is now possible to read the animals at the critical control points (e.g. market, slaughterhouse or assembly centre) instead of at the farm of departure. This recent amendment was particularly welcomed by the United Kingdom sheep industry.

However, the current rules do not empower the Commission to grant derogations from the basic provisions of the Regulation, such as those requested by the Honourable Member.

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Question no. 29 by Georgios Papanikolaou (H-0490/09)

Subject: Language learning programmes for immigrants

The amount of time it takes immigrants to adapt and integrate into a society depends to a large extent on learning the language of the country in which they live. Knowledge of the language is an essential tool in the integration of immigrants into work and social life, it helps reduce marginalisation and alienation and can prove beneficial for both immigrants and the host country.

Do the Member States have adequate programmes available to enable immigrants to learn the language of their host country? If so, which of those programmes are funded by the EU? What information does the Commission have concerning the implementation of such programmes by Greece?

Does the Commission have quantitative data concerning programmes of this type, such as the number of immigrants who have taken advantage of these programmes and their effectiveness?

Does it consider that such efforts should be intensified? If so, in what way?

Answer

According to Article 165 TFUE Member States are fully responsible for the content of teaching and the organisation of their education systems and their cultural and linguistic diversity. National programmes for immigrants are the remit of national authorities and data concerning these programmes should be requested to national authorities⁽²⁵⁾.

According to the data gathered by Eurydice, language support for non-native children is provided in the education systems of all Member States.⁽²⁶⁾ Moreover, two thirds of the 2009 national reports on the implementation of the Education and Training 2010 programme⁽²⁷⁾ refer to specific measures to support language development for children and young people from a migrant background, and twelve national reports refer to compulsory language courses for immigrant adults.

In the field of education and training the mission of the European Union is to contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action. The promotion of language learning and linguistic diversity is a general objective of the Lifelong Learning Programme 2007-2013 (LLP). While the LLP is practically open to all persons and bodies involved in education or training, it is each of the LLP participant countries which fixes the conditions for the participation of non nationals of LLP participant countries in its actions and projects. Currently the following language learning oriented activities may be supported by the LLP, either as a component among others of a project or as its main theme: partnerships between schools and regions (in sub programme Comenius) or between adult education organisations (sub programme Grundtvig);

⁽²⁵⁾ Some data on these subjects can be found in the following Eurydice studies:

http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/095EN.pdf

http://eacea.ec.europa.eu/ressources/eurydice/pdf/044DN/044_EL_EN.pdf

⁽²⁶⁾ http://eacea.ec.europa.eu/education/eurydice/documents/key_data_series/105EN.pdf

⁽²⁷⁾ Draft 2010 joint progress report of the Council and the Commission on the implementation of the "Education & Training 2010 work programme". COM(2009)640 final; SEC(2009) 1598

assistantships for future teachers and in-service teacher training (Comenius); linguistic preparation for mobility in Europe (Erasmus and Leonardo); student placements (Erasmus); language learning adult workshops (Grundtvig); multilateral projects, networks and conferences (Comenius, Erasmus, Leonardo, Grundtvig, Key Activity Languages).

The Commission also supported the acquisition of the language of the host country for adult migrants in the past through other channels, e.g. the European Social Fund (ESF). The Greek 2009 national report on the implementation of the Education and Training 2010 Programme refers to the educational programme "Teaching Greek as a Second Language to Working Immigrants", administered by The Institute for the Continuous Education of Adults (IDEKE), which provided Greek language training to 15 873 persons during the period 2004-2008. Similarly, the 2009 implementation report for the National Reform Programme for Growth and Jobs mentions an ongoing programme for learning of Greek at certified vocational training centres for 8,400 unemployed immigrants-repatriated persons.

The Commission believes that efforts to teach the host countries languages to migrants should be intensified at national level. In its recent Green Paper "Migration & mobility: challenges and opportunities for EU education systems"⁽²⁸⁾, the Commission highlights the importance of language learning for integration and social inclusion. In its Conclusions on the education of children with a migrant background,⁽²⁹⁾ the Council invites Member States to develop adequate policies for teaching the host country language, as well as considering possibilities for pupils with a migrant background to maintain and develop their mother tongue.

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Question no. 30 by Saïd El Khadraoui (H-0492/09)

Subject: EU aid for receiving internal EU migrants

Combating discrimination is a key task of the EU. Discrimination against certain population groups can lead to refugee flows within the EU. That is precisely the problem with which the city of Ghent is confronted. In the past three years Ghent has seen an influx of refugees, mainly Roma, amounting to almost 2.5% of its total population.

That poses problems for the social welfare infrastructure which the city can offer, as set out in the letter received by the Commission in November (2009-2174-01).

Could the EU provide aid for receiving internal EU refugees? What further action will the Commission be taking to tackle and prevent such situations?

Answer

The European Union plays an important role in combating discrimination against Roma people through a wide range of legislative, policy and financial instruments at its disposal.

Firstly, Directive 2000/43/EC⁽³⁰⁾ prohibits discrimination on the grounds of racial or ethnic origin in the field of employment, education, social protection (including health care) and access to goods and services. The Commission ensures that the Directive is implemented correctly and effectively in the Member States.

Secondly, the Commission promotes policy co-ordination between Member States in the area of social protection and social inclusion through the so-called 'Social Open Method of Co-ordination'. The Social OMC is based on common objectives at EU level and a set of indicators to measure progress. The Commission and the Council regularly assess and report on progress through the Joint Reports on Social Protection and Social Inclusion. The Commission draft 2010 Joint Report on Social Protection and Social Inclusion will be adopted shortly for submission to the Council of Ministers in March 2010 under the auspices of the Spanish Presidency of the Council.

⁽²⁸⁾ COM(2008) 423 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0423:FIN:EN:PDF> and http://ec.europa.eu/education/school21/sec2173_en.pdf

⁽²⁹⁾ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/educ/111482.pdf

⁽³⁰⁾ Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin OJ L 180, 19.7.2000, p. 22–26

Thirdly, EU Structural Funds, notably the European Social Fund (ESF) and the European Regional Development Fund (ERDF), provide financial support for projects tackling exclusion of Roma people. Further to a request of the European Council, the Commission presented a Staff Working document providing an overview of the Community Instruments and Policies for Roma Inclusion in July 2008⁽³¹⁾. A follow-up report will be presented ahead of the 2nd Roma Summit to be held in Cordoba on 8 April 2010.

As regards Flanders, the Commission stresses that both the ESF and the ERDF can support projects to promote integration of Roma people. Under the 2007-2013 programming period, priority 2 of the ESF operational programme for Flanders focuses on promotion of social inclusion of disadvantaged groups through tailor-made assistance. Measures include tailored guidance and training, validation of competences and skills, work experience and workplace training. Under Priority 4 of the ERDF programme in Flanders, small-scale urban projects at neighborhood or district level in Antwerpen and Gent can be financed.

It is worth noting that the selection of projects co-financed under the ESF or the ERDF lies, by virtue of the principle of subsidiarity, within the remit of the Member States or the competent managing authorities under the conditions laid down in the operational programmes. The Commission therefore invites the Honourable Member to contact the competent managing authorities in Flanders for more detailed information.

Insofar as the Roma people arriving in Belgium originate from non-EU countries and apply for asylum or are granted refugee or subsidiary protection status, EU assistance may also be available to Belgium under the European Refugee Fund (ERF)⁽³²⁾. One of the central objectives of the ERF is to support and encourage the efforts made by Member States in 'receiving, and in bearing the consequences of receiving, refugees and displaced persons'. Financial assistance may, for example, be given to national projects aimed at enhancing accommodation infrastructure or services for asylum seekers or beneficiaries of international protection.

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Question no. 31 by Iliana Malinova Iotova (H-0493/09)

Subject: Admission and accommodation by EU countries of prisoners from the USA's Guantanamo Prison

The Bulgarian public are seriously alarmed at the fact that Bulgaria has been asked to accommodate prisoners from the USA's Guantanamo Prison, with the Bulgarian Government having received an official request to that effect from the USA. That alarm is due to a lack of information on any agreement between the USA and the EU on the criteria and measures adopted for putting this process into practice.

There is a hidden danger, in this decision, of terrorist attacks against Bulgaria, as well as against any other EU country which takes in prisoners from Guantanamo.

Could the Commission therefore state whether it has made any tangible commitments as regards the admission and accommodation in EU countries of prisoners from the USA's Guantanamo Prison after its closure?

In the event that such commitments have been made, need not the Commission issue a statement on how exactly and under what conditions this will take place?

Answer

The European Union (EU), including the Commission, has consistently called for the closure of the Guantanamo Bay detention facility. Through the Justice and Home Affairs Council Conclusions of 4 June 2009 and the annexed information exchange mechanism as well as through the Joint Statement of the European Union and its Member States and the United States of America (USA) on the Closure of the Guantanamo Bay Detention Facility and Future Counter-Terrorism Co-operation of 15 June 2009, the EU established a framework to support the closure of Guantanamo.

Both agreements clearly state that the decisions on the reception of former detainees and the determination of their legal status fall within the sole responsibility and competence of a receiving Member State or Schengen

⁽³¹⁾ SEC (2008) 2172

⁽³²⁾ Decision No 573/2007/EC of the European Parliament and the Council of 23 May 2007, OJ L 144/1.

associated country. The Commission has not made any commitments as regards the admission and accommodation in EU countries of prisoners from the USA's Guantanamo Prison after its closure.

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Question no. 32 by Francesco De Angelis (H-0494/09)

Subject: Company restructuring and the future of European workers

An increasing number of crisis-stricken European firms and industrial sites have been able to benefit from EU support in the redeployment and training of staff. Nevertheless, after benefiting from ESF contributions, a number of industrial firms have subsequently failed to meet their commitments. This is also the case of the Videocon factory in Anagni, which currently employs some 1400 people who, unless the Indian owners accept their responsibilities, on 21 December will be laid off and paid by the wage guarantee fund and in 2010 could be made redundant.

What immediate measures does the Commission intend to take to prevent the closure of the Anagni factory and other factories subject to conversions which, despite being announced and financially supported by the EU, have not had a tangible effect with regard to the resumption of production on those sites?

Answer

The Commission is aware of the impact of the unprecedented economic crisis which is hitting the Member States, including Italy where the AGNANI factory is located.

The Commission has proposed a series of measures aimed to limit the impact of the crisis on the social and employment situation in the EU. In this connection, under the European Economic Recovery Plan⁽³³⁾, the Commission has proposed i.a. to modify the rules of the European Globalisation Adjustment Fund⁽³⁴⁾. Furthermore, the Commission has proposed to modify Regulation No. 1083/2006 on the European Regional Development Fund, the European Social Fund and the Cohesion Fund as regards certain provisions related to financial management.

The Commission recalls that it does not have the competence to prevent or interfere in companies' restructuring decisions, unless there is a breach of Community law. The Community legal framework provides for several Community directives which lay down procedures of information and consultation of workers' representatives and which may be applicable in the event of closures of companies, in particular Council Directive 98/59/EC⁽³⁵⁾, Directive 2009/38/EC⁽³⁶⁾ and Directive 2002/14/EC⁽³⁷⁾.

The information provided by the Honourable Member does not enable the Commission to assess whether there has been a breach of Community Law in this case. In any case, the Commission recalls that it is up to the competent national authorities, notably courts, to ensure the correct and effective application of the national transposing rules of these Directives in view of the specific circumstances of each case and to ensure the fulfilment of any employer's duties in this regard.

As far as the contributions received from the European Social Fund are concerned, the Commission will assess whether the conditions are met in order to intervene through the competent national or regional authorities with a view to recovering the sums granted.

Lastly, it is unclear if the case referred to by the Honourable Member complies with the requirements of the European Globalisation Adjustment Fund (EGF). The Commission has neither received an application for

⁽³³⁾ COM (2008) 800 final

⁽³⁴⁾ COM (2008) 867 final

⁽³⁵⁾ Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies, OJ L 225, 12.8.1998

⁽³⁶⁾ Directive 2009/38/EC of the Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast), OJ L 122, 16.5.2009

⁽³⁷⁾ Directive 2002/14/EC of the Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community, OJ L 80, 23.3.2002

assistance from the EGF concerning this case, nor has it had informal discussions with the Italian authorities about such an application.

Only upon receipt of an application can the Commission analyse the case and propose a contribution to be agreed by the Budgetary Authority. In any case, assistance from the EGF is strictly targeted at the workers affected and cannot in any circumstances benefit the enterprise, or influence its decision concerning the possible closure of the factory.

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Question no 33 by Mairead McGuinness (H-0499/09)

Subject: Decrease in bee populations

Can the Commission outline what action it has taken in response to the European Parliament's Motion for a Resolution on the situation in the beekeeping sector, adopted on 20 November 2008 (P6_TA(2008)0567)? Can the Commission comment on the recently published EFSA study on bee mortality (03.12.2009)? Does the Commission have any immediate plans to act on the report's recommendations?

Answer

The Commission is well aware of the problems of the beekeeping sector underlined in the European Parliament Resolution of 20 November 2008 [B6-0579/2008/P6_TA-PROV(2008)0567].

The Commission has already taken several actions as regards the health of bees, and it has in particular:

reviewed the regulation on residue limits of veterinary medicines in foodstuffs; this should help to increase the availability of veterinary medicines for bees

proposed a new Regulation concerning the placing on the market of plant protection products in which, amongst others, the existing criteria for the acceptability as regards the exposure to honey bees laid down in Directive 91/414 have been further reinforced. That Regulation has been adopted meanwhile by the European Parliament and the Council

for relevant insecticides already approved, conditioned the authorisation with strict risk mitigation measures to be implemented by Member States

supported several research projects for a total funding of about 5 million EUR.

The Commission has also established an internal co-ordination platform to ensure synergies and optimal use of resources.

Following a request of the Commission, the European Food Safety Authority (EFSA) has recently published a study on the mortality in bees and its causes in the EU. The EFSA study identifies that multiple factors such as disease agents, climate change, use of pesticides and veterinary drugs are involved in colony losses. However, the relevance of many of the factors involved remains unclear. The BEE DOC research project starting in March 2010 is expected to provide more information on this question. The EFSA report also highlights that Member States have very different surveillance systems in place for bee mortality and diseases and this hampers a better understanding of the health problems affecting bees.

In this regard, in the next months the Commission intends to discuss with experts, stakeholders and the Member States's competent authorities the establishment of an EU reference laboratory for bees and of a network at EU level for a more harmonised surveillance of the health of the bees.

The Commission aims to sustain bees and other pollinators through the promotion of habitat connectivity and the integration of the biodiversity policy into other policy sectors. Rural development programmes provide several measures which are relevant also to beekeepers, including advisory services, training, support for modernisation of holdings and different types of agri-environmental measures favourable to bees.

As explained above, the Commission has already taken several actions and will continue to do so to tackle the health problems of bees, taking into account the new scientific information that will be available.

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Question no 34 by Brian Crowley (H-0503/09)

Subject: Assistance for medical professionals

Would the Commission be willing to investigate the possibility of establishing an EU-wide programme to assist medical professionals who suffer from addictions or stress-related illnesses?

Answer

Stress, addictions, including the abuse of alcohol, and mental health problems have indeed become one of the key challenges at EU-workplaces. Stress can lead to mental disorders, such as burnout and depression, which can strongly reduce the ability of people to work, often over long periods. Stress is the second most reported work-related health problem in the EU, after back pain.

In some Member States, mental disorders have become the leading cause of work disability and early retirement. The productivity losses caused by mental disorders are enormous. They were estimated to account for EUR 136 billion in 2007.

There is evidence that stress, addiction and burnout are also widespread among health professionals. In fact, it seems that health professionals are at a higher risk of experiencing mental health problems than professionals in other sectors. High pressure at workplaces, low feedback on performance and lack of emotional support could contribute to this.

The health sector is one of the greatest employers in the EU. In an ageing society, the availability of a sustainable health workforce, which is itself enjoying good health, is of increasing importance.

Therefore, the Commission agrees on the importance of assisting medical professionals in tackling addictions, stress and other mental health problems.

The Commission does not however have the competence and the resources to set up an EU-wide assistance programme which would specifically target health professionals.

Instead, the EU's role should lie in the following areas:

- raising awareness about healthy workplaces making good business sense;
- increasing awareness and disseminating data about health challenges for health professionals;
- highlighting best practice and developing guides for responding to them;
- encouraging the social partners in the health care sector to carry out the mandatory workplace risk assessment under the Framework Directive 89/391/EEC⁽³⁸⁾ and to implement the EU-level social Framework Agreements on work-related stress (of 2004) and on violence and harassment (of 2007).

In fact, a great number of relevant activities have already been carried out, or are ongoing or planned. These include the previously mentioned social policy initiatives as well as activities of the Bilbao Agency and the Dublin Foundation.

During 2010 the Commission will consider the conclusions contained in the Report of the consultation on the Green Paper on the EU Workforce for Health, which was published on the Commission's Public Health website in December 2009. The Commission will reflect on the results of this public consultation to see how the EU can contribute to tackling the challenges facing the European workforce for health, and, in early 2011, will organise a conference on "Mental Health in workplace settings" under the European Pact for Mental Health and Well-being.

Through these initiatives and activities, the EU sends important signals and lends significant support to all workplace actors, including the professionals in the health care sector and their representative social partner organisations.

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⁽³⁸⁾ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ L 183, 29.6.1989.

Question no 35 by Pat the Cope Gallagher (H-0505/09)**Subject: Mackerel fisheries**

When does the Commission envisage that the amendment to the Council Regulation (EC) No 1542/2007⁽³⁹⁾ on landing and weighting procedures for herring, mackerel and horse mackerel to include areas VIII a, b, c, d, e, IX and X in the scope of that regulation will be adopted, and from what date will it apply?

In light of ICES scientific advice showing that the southern component for mackerel over the last few years has been consistently overfished by Spain by at least twice its quota, what control measures and investigation procedures does the Commission intend to put in place to ensure that this practice does not continue, and will a payback system be put in place?

Answer

The Commission will treat the amendment of Commission Regulation (EC) No 1542/2007 on landing and weighing procedures for herring, mackerel and horse mackerel with urgency as soon as the new College of Commissioners is in office.

Furthermore the Commission is pleased to inform the Honourable Member that allegations on possible overfishing have been the subject of high level contacts between the Commission and Spain. The Commission has expressed its grave concerns with respect to the alleged overfishing and Spain was urged to treat the matter seriously.

Spain has reacted positively to the Commission's concerns and has closed last year's fishery for southern mackerel as from 10 June 2009. Commission Regulation (EC) No 624/2009 of 15 July 2009 establishing a prohibition of fishing for mackerel in VIIIc, IX and X; EC waters of CECAF 34.1.1 by vessels flying the flag of Spain has enshrined the closure in EU law. Provisional catch figures communicated to the Commission by Spain did not indicate the need to initiate a payback procedure.

The Commission would like to ensure the Honourable Member that it will endeavour to undertake further inquiries into this matter and that it will do its utmost to avoid a future overfishing of the southern mackerel stock.

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Question no. 36 by Ryszard Czarnecki (H-0506/09)**Subject: Financial market stability in Poland**

The six-monthly report on financial stability in the euro zone published on 18 December 2009 by the European Central Bank (ECB) indicates that in 2010 euro-zone banks will need to write down EUR 187 billion, citing losses resulting from the unfavourable economic situation in Central and Eastern Europe as one of the two main reasons for this. In this connection, UniCredit is specifically mentioned in a Wall Street Journal editorial on the ECB's report.

Would the Commission not agree that the business practices and accounting procedures used by the UniCredit Group result in the real financial losses incurred being concealed, something which in the medium to long term could undermine the stability of the EU's financial system? Bank Pekao SA is artificially propping up UniCredit Ukraine's balance sheet and liquidity by cleansing toxic loans and injecting more and more funds, which raises concern about the stability of the financial market in Poland, given that Pekao SA has yet to make the write-downs required under European law (IFRS) for its investments in Ukraine.

Is UniCredit's draining of funds from its subsidiary Pekao SA in keeping with EU law? Is forcing subsidiaries to conclude, as part of 'Project Chopin' (Poland, Romania and Bulgaria), unfavourable contracts with Pirelli Real Estate SpA, which enjoys UniCredit's protection, in the presence of a clear conflict of interests on the part of UniCredit's CEO, Alessandro Profumo (who, when the contracts were signed, was a member of the board of a Pirelli Group company), not in breach of EU competition rules?

⁽³⁹⁾ OJ L 337, 21.12.2007, p. 56.

Answer

One of the key objectives of the European Union is to create a common legal framework for the EU financial sector aimed at ensuring robust prudential oversight, transparency and sound governance of market participants. A common legal structure is essential for financial stability and fair competition of the European financial sector.

Accordingly, the EU has adopted several legislative acts, such as the: "Capital Requirement Directive" (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006L0048:EN:NOT>)⁽⁴⁰⁾ which lays down rules in relation to the [taking up and pursuit of the] business of credit institutions, and their prudential supervision; the IAS Regulation (Regulation 1606/2002/EC)⁽⁴¹⁾ which obliges listed companies to apply the International Financial Reporting Standards (IFRS) for their consolidated financial reports and the Directive 2006/43/EC⁽⁴²⁾ which requires financial reports to be audited by authorised external auditors.

In the aftermath of the financial crisis the Commission has significantly stepped up its efforts to enhance financial stability also through its membership of the Financial Stability Board and, more specifically, by many new important proposals such as, for example, on credit rating agencies, securitisation, the supervision of cross border banking groups and a general overhaul of the EU supervisory architecture based on the De Larosière report. Many of the Commission's proposals have already been adopted in a single reading thanks to the close and constructive co-operation between the Parliament and the Council.

Moreover, the Commission is also working on other initiatives that will enhance the ability of the banking sector to absorb economic shocks. For example, the Commission will shortly consult on tightening the quality of regulatory capital, new liquidity requirements as well as countercyclical buffers for banks.

While the Commission is closely monitoring the correct and timely implementation of EU laws by Member States the enforcement of these laws and the supervision of market behaviour of individual financial institutions is the sole responsibility of the national authorities.

As regards any potential impact of the Unicredit Group's business practice on the financial market stability in Poland, the Commission, without taking a position on this specific case, would point out that:

although Bank Pekao SA is part (a subsidiary) of UniCredit Group, it is supervised by the Polish Financial Supervision Authority (KNF). Moreover, as a licensed Polish bank, it must always meet the minimum EU solvency requirements on a stand alone basis;

as far as the stability of the banking sector is concerned, Poland has established a specific Committee for Financial Stability, consisting of the Minister of Finance, the Governor of the National Bank of Poland and the Chairman of the Polish Financial Supervision Authority;

UniCredit Group is subject to the supervision of the Italian authorities (Banca d'Italia and Consob);

UniCredit as an Italian bank, and, like all the other European listed banks, is required to prepare its consolidated financial reports according to the International Financial Reporting Standards (IFRS) adopted by the European Union under Regulation 1606/2002/EC which provide a high level of transparency.

From a company law point of view, it has to be noted that that there is no rule in EU law that prohibits asset transfers between a subsidiary and its parent company or establishes specific conditions for any such transaction. Notably, the project of a so-called Ninth Company Law Directive⁽⁴³⁾ which was meant to regulate relations within a cross-border group of companies was finally abandoned in the context of the 2003

⁽⁴⁰⁾ Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast), OJ L 177, 30.6.2006.

⁽⁴¹⁾ Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards, OJ L 243, 11.9.2002.

⁽⁴²⁾ Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC, OJ L 157, 9.6.2006.

⁽⁴³⁾ Draft Commission Proposal for a ninth Directive pursuant to Article 54(3)(g) of the EEC Treaty relating to links between undertakings, and in particular to groups (III/1639/84).

Company law Action Plan⁽⁴⁴⁾, in view of the lack of support from Member States and the business communities that did not see the need for such a comprehensive framework. However, transactions between parent companies and their subsidiaries are considered related party transactions and are therefore subject to disclosure obligations. Thus, these transactions need to be disclosed in the companies' financial statements, in accordance with International Accounting Standard (IAS) 24 which requires that an entity shall disclose the nature of the related party relationship as well as information about the transactions and outstanding balances necessary for an understanding of the potential effect of the relationship on the financial statements.

Apart from these disclosure duties, the rules of the so-called Second Company Law Directive⁽⁴⁵⁾ on distributions to shareholders apply to all public limited liability companies, independently of whether they form part of the same group of companies or not. Article 15 of that Directive requires inter alia that the distribution must not lead to reducing the net assets of the company below the amount of the subscribed capital plus the legal reserves and thus protects the financial stability of the company.

Concerning the suggestion that UniCredit was "draining of funds" its Polish subsidiary, the Commission is not aware of any particular problems in this regard. The available statistics suggest that international banks indeed decreased somewhat their exposure vis-a-vis the Polish banking sector during the second half of 2008 and in early 2009, but then they increased it again in the second quarter 2009. This suggests that the decrease of exposure – possibly including the relation between UniCredit and Pekao – may have been temporary, linked to the decline in credit. The Commission will continue monitoring developments in this area.

Finally, with specific regard to the concern raised about the possibility that UniCredit behaviour could have been "not in breach of EU competition rules", from the information contained in the question it appears that the EU competition rules, notably the antitrust rules, are not the appropriate instruments for tackling the issues raised in the question and alleged practices of UniCredit or its executives. Indeed, the issues at stake do not relate either to a collusion or to an anti-competitive agreement between undertakings or to any abuse of a dominant position.

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Question no. 37 by Ivo Belet (H-0001/10)

Subject: Body scanners

The Dutch authorities intend to introduce millimetre wave scanners or body scanners at Schiphol airport before the end of January 2010, particularly for flights to the USA. They are necessary because they can detect dangerous substances and fluids.

Does the Commission agree that the decision by the Dutch authorities is justifiable because passenger safety should take precedence over passengers' absolute right to privacy?

Under what conditions does the Commission consider body scanners acceptable? Is it sufficient if the images obtained by scanning people's bodies cannot be stored or relayed?

What additional measures is the Commission planning in the near future in order to safeguard passenger security, particularly on flights to the USA? Will the Commission propose rules on body scanners within the next few weeks?

Answer

No EU rules have been adopted concerning the use of body scanners as possible method to screen passengers before boarding. Legally, Member States are entitled to introduce body scanners for trials or as a more stringent security measures⁽⁴⁶⁾.

⁽⁴⁴⁾ Communication from the Commission to the Council and the European Parliament - Modernising Company Law and Enhancing Corporate Governance in the European Union - A Plan to Move Forward (COM(2003)284 final).

⁽⁴⁵⁾ Second Council Directive 77/91/EEC of 13 December 1976 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent, OJ L 26, 31.1.1977.

⁽⁴⁶⁾ Without a legal basis in EU law, body scanners may not replace existing means of screening performed in line with presently applicable EU legislation, except for time-limited trial periods.

Security can only be achieved through a multi-layered approach. Body scanners, because of their effectiveness, might be part of this multi-layered approach, as long as privacy, data protection and health requirements are satisfied. Aviation security is also embedded into a broader approach, because airport security measures are merely the last line of defence.

The Commission is considering, in close contact with the Parliament and the Council, the need for a European approach which will ensure that the introduction of body scanners will meet the privacy, data protection and health requirements.

Operational standards for body scanners must be designed so as to be compatible with fundamental rights requirements as incorporated in EU law including data protection. Any intrusion in passengers' privacy must be proportionate and well justified, which implies a careful assessment. Adopted measures must be strictly limited to the minimum necessary to meet an identified threat risk. Conditions could include the following: limited storage facilities strictly excluding any use or recuperation of the image once the passenger has been cleared; low resolution of body areas not identified as containing potential threat items, or 100% remote reviewing without any but preset automated contact with the actual screener. The option to use body scanners at airports may come with an obligation to use the latest available privacy enhancing technology in order to minimise the privacy intrusion. Furthermore, any operation of body scanners will have to be accompanied by comprehensive information to passengers. And finally, any technologies to be used must not pose a health risk. In this context, it is worth noting that such technologies exist.

In the coming weeks and months, the Commission will continue its considerations and assessment regarding potential new security measures and their compatibility with fundamental rights requirements, and assess the effectiveness of measures and instruments already available. It will be only on the basis of this assessment that the Commission might propose EU measures on the use of body scanners.

It is therefore not likely that the Commission will propose legislation on body scanners within the next few weeks.

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Question no 38 by Laima Liucija Andrikiénė (H-0003/10)

Subject: Further implementation of the Baltic Sea Strategy

The Baltic Sea Strategy was one of the key priorities of the Swedish EU Presidency.

How will the Commission continue implementing the Strategy under the new trio of Presidencies (Spain, Belgium and Hungary) during the upcoming 18 months?

What steps does the Commission plan to take in the near future and in the longer term in order to establish a strong basis for the implementation of the Baltic Sea Strategy?

Answer

The Commission is committed to taking forward the successful implementation of the EU Strategy for the Baltic Sea Region, in close partnership with the Member States.

The Council of the European Union – General Affairs Council – retains responsibility for assuring the overall political direction of the Strategy. This will involve making recommendations on the basis of reports from the Commission to the Member States and stakeholders. Other Council formations may address specific issues within the Strategy, and the European Council will be updated periodically on progress.

Preparation and servicing of the General Affairs Council discussions will be undertaken by the Commission in line with the Commission's monitoring, co-ordination and reporting responsibilities with regard to the Strategy. In order to ensure that the Commission is in possession of all relevant information about the progress and development of the Strategy, certain structures and procedures will need to be put in place with the involvement of the Member States and other stakeholders.

In particular, the Commission will convene a High-Level Working Group of Senior Officials from all Member States to consult with on the progress of the Strategy. This Group will be able to invite additional members as appropriate, whether from key stakeholders such as inter-governmental organisations or from policy ministries. The Group will advise the Commission on the content of the regular report to be prepared on the Strategy and on recommendations for any necessary adaptations to the Strategy and its Action Plan.

The work on the ground in implementing the Strategy will be carried out by the 15 Priority Area Coordinators and the 80 flagship Project leaders. The Priority area Coordinators come mainly from Member State ministries while the Flagship Project leaders may also come from regions, universities, international organisations and non-governmental organisations (NGOs). Their task will be to ensure that the Strategy moves from words to action. The Commission will provide the necessary support to enable these key actors to fulfil their tasks.

The Commission will also organise an annual forum already in 2010 to maintain the high visibility and forward momentum of the Strategy. The forum will involve the Commission and other EU Institutions, Member States, regional and local authorities and inter-governmental and non-governmental bodies and is intended to be open to the public. This first forum will allow the Commission to check whether the structures which have been put in place are functioning effectively or if changes are necessary.

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Question no. 39 by Georgios Toussas (H-0006/10)

Subject: Tragic death of nine seamen aboard the Aegean Wind

Nine seamen met a tragic death on Christmas Day in a fire which broke out on board the 26 year-old vessel, the Aegean Wind, which was flying the Greek flag. This latest 'accident' at sea joins the list of those which have claimed multiple lives, including the ferry Express Samina, the bulk carriers Dystos and Iron Antonis, the Errica, the Prestige, etc. The Member States and the EU gear their maritime policy to the shipowners' demands for competitiveness and profit and, ignoring the just demands of seafarers, allow outdated, poorly maintained vessels to sail, step up the pressure on seafarers in their work, reduce crew numbers, and impose exhausting 16-18 hour working days with devastating consequences for the safety of life at sea.

Does the Commission know whether the Aegean Wind met the basic safety standards which would have prevented the loss of the seamen's lives, whether the ship was equipped with the necessary fire-protection, fire-safety and fire-fighting systems and whether they were operating normally? Is there any information and assessment from EMSA concerning the causes of death of the seamen?

Answer

The general cargo vessel Aegean Wind caught fire in the Caribbean Sea off the coast of Venezuela on 25 December 2009, killing nine and injuring five out of the 24-member crew. The Commission deplores the loss of lives and the injuries and commends the Venezuelan authorities for their assistance in particular to the injured crew members.

As the accident investigation under the responsibility of the Greek authorities is ongoing, the Commission is not in a position to make any statement on the origin of the accident. However, all class certificates have been issued at the last special survey in 2007 and are valid until 2012 after having been recently endorsed in June 2009. Likewise, surveys for statutory certificates on board the ship have been performed as recently as June 2009, endorsing the validity of all statutory certificates required under the SOLAS (Safety Of Life At Sea) and MARPOL (MARitime POLLution) conventions. Finally, the ship has been issued with a new Safety Management Certificate in March 2008 with a regular validity for five years. Furthermore, it should be noted that the vessel was regularly inspected by Port States and that it had never been detained during at least the last 10 years. The last inspection on 14 October 2009 in Texas by the United States (US) Coast Guard did not reveal any deficiency.

At present, Member States are obliged by international legislation to investigate accidents if there are lessons to be learnt. The accident to which the Honourable Member refers, has to be considered as a very serious casualty within the meaning of Article 3 of Directive 2009/18/EC⁽⁴⁷⁾ establishing the fundamental principles governing the investigation of accidents in the maritime transport sector, which is part of the third maritime safety package. For such casualties, the directive foresees an obligation for the Member States to organise a safety investigation carried out by an independent organisation in order to determine the causes of the accident and to identify measures designed to prevent similar events in the future. The Member State will have to publish the relative report within one year. The transposition period for this Directive ends on 17

⁽⁴⁷⁾ Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council, OJ L 131, 28.5.2009.

June 2011. While the European Maritime Safety Agency (EMSA) does not have any role in the investigation of marine casualties, EMSA collects information on marine casualties provided by the Member States and from commercial sources. Following the transposition of Directive 2009/18/EC, Member States will have to notify all marine casualties and incidents through the European Marine Casualty Information Platform (EMCIP) managed by EMSA.

Regarding hours of work onboard ships, the Commission wishes to point out that Directive 1999/63/EC⁽⁴⁸⁾ on the organisation of working time of seafarers establishes both a maximum number of hours of work, fourteen hours in any 24 hour period and 72 hours in any seven-day period, and a minimum number of hours of rest, ten hours in any 24 hour period and 77 hours in any seven-day period.

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Question no. 40 by Charalampos Angourakis (H-0007/10)

Subject: Persecution of members of the Democratic Society Party (DTP)

Two days after the EU congratulated the Turkish Government on its progress towards 'democratising' the country and resolving the problems with the Kurdish community, the Turkish Constitutional Court decided to outlaw the Democratic Society Party (DTP). Furthermore, the Court deprived 37 members of the party of their political rights for five years and withdrew member of parliament status from the party chairman, Ahmet Turk, and from Aysel Tugluk. According to the Mayor of Diyarbakir, following a coordinated operation by the Turkish authorities, 81 members of the party were arrested and taken into custody, including nine democratically elected mayors.

Does the Commission condemn such actions, which aim to terrorise and prevent political activity and constitute a flagrant violation of the fundamental democratic rights of Turkish citizens?

Answer

The Commission has expressed serious concerns following recent developments, such as terrorist attacks in the Southeast, the closure of the Democratic Society Party – DTP and the arrest of members of this party, including mayors. The Commission believes that these developments do not create the right conditions for the effective implementation of the democratic opening, which the Turkish government launched in the summer of 2009.

The Southeast of Turkey needs peace, democracy and stability that can bring about economic, social and cultural development. The democratic opening aims at raising democratic and living standards for all Turkish citizens. It has raised hopes that, after decades of violence, the Kurdish issue can be addressed through dialogue and within the framework of Turkey's democratic institutions. The success of this initiative requires the participation and support of all political parties and all segments of society.

At the same time, the Commission condemns terrorism in the strongest possible terms. The Commission also invites all parties involved to do likewise and work within the framework of Turkey's democratic institutions to enhance the rights and freedoms of all Turkish citizens irrespective of their ethnic, linguistic, religious or cultural background.

The Commission will continue to follow closely the situation, on the basis of the relevant provisions of the European Convention on Human Rights, the case law of the European Court of Human Rights and the recommendations of the Venice Commission of the Council of Europe regarding the Turkish legislative framework and practice as regards the closure of political parties. In this regard, the Commission reiterates that Turkey's legislation on political parties needs to be brought in line with European standards.

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⁽⁴⁸⁾ Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) - Annex: European Agreement on the organisation of working time of seafarers, OJ L 167, 2.7.1999.