

THURSDAY, 17 DECEMBER 2009

IN THE CHAIR: MR SCHMITT

Vice-President

1. Opening of the sitting

(The sitting was opened at 09.00)

2. Mutual recognition of professional qualifications (debate)

President. – The next item is the oral question to the Commission by Malcolm Harbour, Andreas Schwab, Evelyne Gebhardt, Cristian Silviu Buşoi, Heide Rühle, Adam Bielan and Kyriacos Triantaphyllides, on behalf of the Committee on the Internal Market and Consumer Protection, on the transposition of Directive 2005/36/EC on the recognition of professional qualifications (O-0108/2009/rev.2 - B7-0217/2009).

Malcolm Harbour, author. – Mr President, with your permission, I would propose that we delay a moment or two because this is an oral question to the Commission and we were hoping that Mr McCreevy would be here, but I see that Mr Samecki is going to speak. I have not met Mr Samecki before, so I am interested that he is here to provide an answer to an issue that Mr McCreevy and his team have been working on. Thank you very much.

I was going to have welcomed Mr McCreevy here and thanked him for his work previously, so perhaps you will pass on our good wishes for what might have been his final appearance here. Nevertheless, I am particularly pleased that Mr Barnier has joined us as a very active member of my committee to hear this, because this is a dossier which will be very much in his in-tray, assuming of course that the Parliament approves his nomination and the Commission moves forward. It is nevertheless very good that he is here.

The free movement of professionals and the Directive on the mutual recognition of professional qualifications are among the flagship issues that my committee is most concerned about in the whole construction of the single market. It is very appropriate that we are discussing this question to the Commission this morning, which is essentially to ask for an update on the progress in transposing the revised directive that my committee worked on back in 2004-2005, and on how that is actually being implemented by the Member States. It is also very timely because Professor Monti came to our committee on Monday to talk about his mission for the President of the Commission on the future direction of the internal market. He made a very strong point that part of the problem with the internal market is actually not the lack of legislation, but the consistent enforcement and effectiveness of the existing instruments that we have in place to create the internal market.

In the case of the mutual recognition of professional qualifications, as the text of our question quite clearly sets out, we already know that a significant number of problems in relation to recognition of professional qualifications are encountered by citizens across the European Union. It has one of the highest levels of complaints in the Solvit mechanism that we very much support at member government level. Many people feel frustrated by the absence of clear decisions and also by the lack of contact between authorisation bodies in different Member States. One of the things that our own research has done, and this committee commissioned research on this topic, is to demonstrate the fact that there is nothing like enough coordinated activity on helping people to recognise their rights under mutual recognition. The other aspect is that it is also clear from the work we and others have done that not enough professions are actually thinking in terms of moving into a European qualifications framework. There are serious questions that we need to ask about the mechanism, about how simple it is to access and about how effective it is in practical terms. We know from the statistics and the information – and I am sure we will hear from the Commission shortly – that transposition of this instrument has been delayed in just about every Member State. It has taken much longer than people expected to bring this into operation, and that of itself raises concerns about the complexity of the instrument itself.

Just to pull all these things together in the context of the work of the Internal Market Committee over the next five years, I am delighted that, I think, all the coordinators of the committee are here today and I want to thank them for the work they have done, together with myself, on shaping the forward agenda for this committee. This question of mutual recognition of professional qualifications is not just a one-off. It is part of our feeling that the role of our committee is to continue to investigate, to promote and to make

recommendations about the future evolution of the key legislations, the key building blocks of the single market.

We know that the Commission is due to review the mutual recognition directive in 2011. We plan to have a meeting of national parliaments and national parliamentarians to discuss this proposal. We have already had a hearing on this and we have our research report. These are the instruments that my committee can use and, if the coordinators agree, I am sure that we will be doing an own-initiative report sometime in 2010 to feed into this discussion that the Commission will have.

That is the context of the question. We look forward to hearing the Commission's reply to set the framework for that, but this is just the beginning of the process and I am sure that the new Commissioner will be able to take that forward and work with us to really develop this crucial piece of legislation and make the single market work better.

Paweł Samecki, *Member of the Commission*. – Mr President, I would like to thank the Members of the Committee on the Internal Market and Consumer Protection for raising these important questions.

Before responding to the individual questions, let me start with an overview. The objective of the Professional Qualifications Directive is to facilitate the free movement of our citizens in the internal market. Two years after the end of the transposition period, transposition is complete in 22 Member States, and four Member States will hopefully deliver by the end of the year. At this stage I am, however, concerned about Greece, from which we have not received any transposition measure yet.

Let me now turn to the first question. The transposition has constituted a challenge for Member States mainly because it affects more than 800 different professions. These professions have often even been regulated in federal or regional laws. However, this cannot be an excuse for any delays, and the Court of Justice has not accepted such delays in six judgments so far.

Concerning the second question, the main problems relate to the health professions and architects, where a higher degree of harmonisation of training requirements at European level is in place. Problems also occur in professions with higher levels of cross-border mobility of workers such as teachers or tourist guides.

On the third question, the priority of the Commission is to ensure correct and consistent implementation of the directive. To this end, we have developed a code of conduct on administrative practices and a user guide addressed to citizens, which will also promote more consistency.

As to the obstacles which Solvit identified, we are fully aware of problems on the ground, such as delays occurring in the recognition procedure, lack of response from the national competent authorities, unsubstantiated decisions, lost files, etc. Sometimes, erroneous information is even given to migrants and they are invited to follow wrong procedures. However, the Solvit network has proven to be effective in solving many of these problems.

But there is not only Solvit. National contact points are now in place in all Member States to inform and assist citizens, and the Commission expects them to be even more active in the future. Moreover, the Internal Market Information System has also provided a medium for supporting more than 1 200 information exchanges for many of the regulated professions this year. This has brought about enhancements in day-to-day administrative cooperation between Member States.

Finally, on the last question, the Commission is not in a position to assess whether there is a need for reform at the moment. This will be done during an ex post evaluation exercise foreseen by the directive. Our intention is certainly to respect the timetable set in the directive. It will be up to the next Commission to decide how to take this forward.

Kurt Lechner, *on behalf of the PPE Group*. – (DE) Mr President, ladies and gentlemen, in 2005, we adopted this directive after several years of work and debate in Parliament and it came into force. In 2007, it was implemented. Now we have reached 2009 and it is hard to accept that the directive has not been implemented everywhere, particularly since it was not completely new, because there were already proposals in place. I can only encourage the Commission to exert more pressure on the Member States.

I had expected that the problems would lie in the practical management of the directive. That is the main subject of the forthcoming investigations: to find out where there are specific local problems and to discover what is actually happening. There has already been a reference to the fact that 20% of the complaints to SOLVIT concern this subject. This is a very serious matter. Mr Harbour rightly pointed out – and I do not

want to repeat what he said – the importance of this problem for the internal market from an economic perspective.

However, apart from the economic issues, it is also one of the fundamental freedoms of citizens to be able to exercise their profession and to fulfil their potential in another state, for example, when they marry or move to another country for some other reason. This is a genuine problem for the citizens of Europe.

It is important for us to acknowledge that there will inevitably be problems. It is a complex matter, it takes time to implement and different cultures and traditions are involved, particularly with regard to the professions and the concepts of quality and qualifications within those professions. Therefore, it is not possible to recognise every qualification from one country in another country without question. For me and for us, this is less about dealing with the individual cases of hardship which will inevitably occur and more about investigating – and this is where SOLVIT comes in – whether there are faults in the structures or in the system and whether and how improvements can be introduced.

I would like to point out that it will never be possible to bring this subject to a close. It is a long-running issue because new professions and new job descriptions are, of course, constantly coming into existence. For this reason, this is an ongoing task for the Commission and for Parliament, but also for the Member States, whose goodwill I would like to call on at this point.

Evelyn Gebhardt, *on behalf of the S&D Group.* – (DE) Mr President, I would first like to say that it is totally outrageous that there are no members of the Commission here, because this is a question directed at the European Commission. This shows contempt for Parliament. It is simply outrageous and we find it totally unacceptable.

(Heckling)

Yes? Yes, he did not get up. Well, I am sorry. I cannot accept that.

Moving on to the matter in hand, ladies and gentlemen, this is all about the citizenship of the Union, about the people who have the right to move freely throughout the European Union and to practise their professions where they live and where they choose to work. We have put this legislation in place so that this will become easier and so that the process of recognising professional qualifications can genuinely be brought up to date. I find it simply appalling that the Member States in many cases have not taken the necessary steps to implement this legislation and to ensure that citizens really have this freedom of movement. There is still a great deal to be done by the European Commission in this respect.

I would like to draw attention to one point which is very important to me and which we have repeatedly brought up in Parliament. We must ensure that the European professional card, which we have proposed, is introduced. This will put into citizens' hands something that will allow them to move throughout Europe. There are organisations which are attempting to do this. However, I feel it is important to ask the European Commission whether this is an area in which it could become involved in order to speed this process up.

Cristian Silviu Buşoi, *on behalf of the ALDE Group.* – (RO) The free movement of persons is one of the fundamental rights of the European Union's citizens. This also includes the free movement of professionals, which is a vital condition for ensuring that the internal market operates as efficiently as possible.

As has been mentioned in all the speeches made so far, in spite of the adoption of the Directive on the recognition of professional qualifications in 2005, professionals wishing to exercise their right of free movement are still encountering numerous difficulties. I have personally come across various cases of this type, which have been brought to my knowledge not only by Romanian citizens, but also by European citizens, relating to a variety of professions.

My colleagues from the Committee on the Internal Market and Consumer Protection did the honour of appointing me as rapporteur for the European Solvit network. As has been mentioned so far, a significant proportion of the cases which Solvit has to resolve are linked to failures in the system for mutual recognition of professional qualifications.

I believe, fellow Members, that we need to analyse in detail the problems which have been submitted to the Solvit centres so that we can see what we can improve.

Better communication is also needed between contact points in order to promote mutual understanding between Member States. They must understand how the other systems work in the European Union so that

the maximum possible flexibility can be used when applying the directive, as well as to avoid the administrative obstacles blocking the professionals' path.

Lastly, it would be desirable for the five Member States which have not yet completed transposition of the directive, or any state among the 22 which has done this but is still having problems with transposition or has transposed it inappropriately, to quickly rectify these situations. The ultimate aim is to facilitate the smooth operation of the internal market for the provision of services which is directly affected by problems relating to the recognition of professional qualifications.

Heide Rühle, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Commissioner, I think we all agree on the objective here. Of course, we all want the citizens of Europe to be able to move about freely and to exercise their professions. The question is why this directive has still not been properly implemented after four or now nearly five years. I believe it would make sense if the committee was involved not only in drawing up and enacting the legislation, but if it also carried out an analysis afterwards of the reasons why transposition is delayed in this way.

The Directive on the recognition of professional qualifications is not the only directive which is causing problems. When there are so many cases in the Court of Justice of the European Union, when there are so many complaints procedures and when SOLVIT is so heavily involved with this subject, this should act as a wake-up call for us. We must look more closely at the reasons behind this. There are a number of causes. On the one hand, it is always very easy to say that the Member States are responsible for the delay. Protectionism is doubtless another of the reasons. The different cultures and legal systems certainly also play a role. What effect does European legislation have on these differing legal systems? That is another issue that we will have to address.

In addition, we must consider whether the directive has had the intended effect or whether it was incapable of achieving certain results right from its conception. I believe it is very important that we look at this issue again. This type of ex-ante analysis is one of the important subjects which this committee will have to deal with and make progress on.

However, I also have questions for the Commission. I am surprised that these guidelines are only appearing after more than four years. This could have been done much earlier. However, I do welcome the guidelines. I have read them and they are certainly helpful. Nevertheless, it would have been useful to have them some time ago. I would like to join with Mrs Gebhardt in asking what is happening about the European professional card. That will be the second important step.

Adam Bielan, *on behalf of the ECR Group*. – (PL) Mr President, the crisis which has affected the European Union in recent months has shown irrefutably how important the internal market is for the functioning of the entire Union. We will not finish building it without introducing a certain freedom for people to migrate, which is guaranteed, among others, by the Directive on the mutual recognition of professional qualifications. Therefore, it is a sad and disturbing fact that, four years after adoption of the directive, it still is not in force in four countries, and none of the Member States adopted it before the deadline contained in the directive, 20 October 2007.

In relation to this, my first question to the European Commission is as follows: has the Commission not been too passive over the last four years, and what exactly did the Commission do so that all the countries would manage to transpose the directive in time? Secondly, I would like to ask when the Commission will publish a report evaluating transposition of the directive, and what will be used as the basis for the conclusions in the report? The Services Directive should be implemented at the end of the year. Today, in Parliament, we know already that many countries will not manage to pass laws about this in time. I would like to ask what connection the Commission sees between these two documents?

Finally, a very important matter for the country I represent is the question of migration of nurses. The directive introduces harmonisation of training requirements for nurses. I would like to ask what specific action the Commission has taken to help nurses from the countries of Central and Eastern Europe, including those from Poland?

Andreas Schwab (PPE). – (DE) Mr President, Commissioner, firstly I would like to express my sincere thanks to the Commission for presenting its opinion to us. However, I would also like to point out that, following the interinstitutional agreement between the Commission and Parliament, and I have seen this happen with the Services Directive, which we discussed in Brussels months ago, Parliament has a right to demand that

the Commissioner responsible should be here to answer difficult questions. I do not think that we can resolve this issue with this Commission and there is no point in trying to do so.

On behalf of Parliament, I would like to explain to the representative of the Commission who is here that we believe that this part of the interinstitutional agreement is extremely important. Why is that? Not for reasons of mere formalism, but because this is a very important political question for the citizens of the European Union. Mr Bielan has just referred to the Services Directive, which can only function if professional qualifications are recognised by both sides. It is of great importance, but many people also connect it with a feeling of helplessness, if they have the impression that their employer is making use of discrepancies in the cross-border mutual recognition of professional qualifications simply to reduce their earnings.

These people feel abandoned and helpless. I have seen this myself in a number of cases here on the border between Germany and France. However, this is obviously not the only problem area. It is true that we cannot resolve all the difficulties overnight and that this process will remain an ongoing issue in future, as Mr Lechner, the rapporteur, has said. Nevertheless, it is our job to show the citizens that we take their concerns seriously and, in my opinion, this also includes the Commission attaching sufficient importance to this issue.

I hope that we will be able to work together with the new Commission on this in order to make progress. I would like to ask you to arrange this with the Directorate General responsible for this area.

Bernadette Vergnaud (S&D). – (FR) Mr President, ladies and gentlemen, we have already discussed the fears linked to the transposition of the Services Directive. In this sense, the example of the Directive on the recognition of professional qualifications is symbolic. Some States have failed to respect the transposition deadline and are having problems due to the gaps in the text. Although this directive lays a solid foundation for mutual recognition, the specific characteristics of certain professions have not been taken into account. The fact is, recognising qualifications without having established actual common levels of qualification and training, including for higher education, can only cause complications and create mistrust on the part of Member States, professionals and the citizens.

The most obvious example is that of the medical professions. For example, French midwives are authorised to write prescriptions and are trained for that, which is not the case in other countries. What happens when a midwife without such authorisation arrives in France without additional training and has to write a medical prescription? Similarly, certain specialisms do not exist in every Member State.

This directive is crucial to the free movement of workers, the foundation on which the European project is based, but it must be improved and enhanced, and the difficulties encountered must serve to identify the professions for which language teaching and harmonised training are necessary.

I should like to mention the remarkable initiative, which is supported by all health professionals, to create a European card. This is a genuine guarantee as much for the carrier as for the customer or patient, and I call on the Commission to extend it to other professions, since this will enable us to improve mutual recognition and to gain the citizens' trust.

Antonia Parvanova (ALDE). – Mr President, when discussing the mutual recognition of professional qualifications and the good functioning of the internal market, we have to look at the current situation in the health sector, for which the directive and its implementation may need to be further discussed.

In addition to the full implementation of this directive, it is crucial to introduce further measures applying to mutual recognition, not only of diplomas, but of health professionals' qualifications as well. The provision of health services requires appropriate linguistic skills, registration through national regulators and, most importantly, the ability to deliver safe and high-quality care.

I think there is a need for better sharing of information between Member States regarding health professionals' registration, for example through a common EU database. A competence assurance system is also a key element of safe health care services provision, and we should think about common standards for the assessment of competences and skills.

Health professionals' mobility is also a question of public health and public safety. On these grounds, the ECJ has already approved additional national safeguards for the circulation of goods. There is also a rationale for such measures applying to the provision of health services, especially when new communication technologies allow controversial practices such as e-doctor consultations. We have to face the challenge of an ageing population, and this will put even more pressure on the European health workforce.

While ensuring the mobility of health professionals, we must also be able to guarantee to all European citizens accessible health services, timely delivered with the highest quality standards. This is a responsibility for all of us. I hope that the European institutions and Member States will consider it seriously, given the fact that some national health care systems are almost drained of professionals and this will make it extremely difficult for us to provide basic health care service.

Małgorzata Handzlik (PPE). – (PL) Mr President, if we want our citizens to be mobile – and this is what the European economy needs – they have to be sure that when they gain their qualifications, for example, in Poland, they will not have problems with recognition of these qualifications in any Member State. I understand the scale of the problem perfectly. The 800 regulated professions of which Mr Samecki spoke, together with numerous regulations of these professions at national and regional level, are a considerable challenge for the administrations of the Member States. However, the challenge for our citizens who are having problems with recognition of their qualifications is, principally, how to find their feet in the complexities of the entire system. This is confirmed by data from Solvit, and this is why the problem with implementing the directive in time is only one aspect of our discussion.

We should not, however, forget that many problems are emerging because there is a lack of trust in Member States towards the education and training systems in other Member States. We lack, finally, cooperation, resources and the engagement of national administrations. The introduction of a European professional card is a good idea, and we had the opportunity to discuss this during the previous term of the European Parliament. Such a card must, however, facilitate the flow of people, and not make it more difficult. Introduction of this card – and I would like to stress this very strongly – should not become another barrier in the internal market.

Ladies and gentlemen, in just under ten days, the deadline for transposition of the Services Directive expires. I mention this because it is also important in the context of our debate today. These two directives complement each other in certain respects. Transposition of the Directive on the recognition of professional qualifications cannot be called a success, and so I will permit myself once again to appeal from this place for an intensification of work on both directives, because without them, we will not make progress with the internal market.

António Fernando Correia De Campos (S&D). – (PT) Mr President, as we are all aware, 15 directives were consolidated into a single legislative act for the mutual recognition of professional qualifications. That has given rise to a number of practical problems with transposition in the various Member States. The difficulties are well known, and the Commission should list the sticking points and analyse the problem areas found in the transposition of this important internal market provision.

The protectionism that rears its head at various levels is an obstacle not only to the free movement of persons but also to the internal market. We must try to identify the hazy areas so that the directive is not made less effective through mistrust. We are not asking the Union to do what the Member States should be doing, but an effort is needed to facilitate matters by helping to demolish professional corporatism.

To improve the transposition of this directive will require dissemination of the recognition of qualifications via the Solvit and EURES networks, the encouragement of joint platforms, implementation of effective contact points and, no less importantly, the linking of this directive to the Services Directive.

Louis Grech (S&D). – (MT) The biggest issue affecting the proper enforcement of this directive is the Member States' lack of trust in each others' systems. The Member States' disinterest in collaborating with each other is also reflected in the incoherent manner in which they perceive the internal market information system. Every Member State claims to use the system, but the frequency of use varies in accordance with the purpose for which it is used. It is impossible for an information exchange system to work properly when the Member States do not use it in the same way. It is necessary to have a full compilation of data which is updated regularly and it is also necessary to create a point of reference for all Member States, where each Member State inputs all necessary data which will allow the concrete application of the directive.

I would like to ask the Commission to inform us on the plans of action it intends to adopt for the proper transposition of this directive, if we truly wish to embrace the concept of the single market and not merely interpret it as we deem fit.

Catherine Stihler (S&D). – Mr President, before I go onto my question, there has been a lot of talk this morning about Solvit. At the last IMCO Committee meeting, we were told of the under funding of Solvit centres. You may want to take note of this before your hearing, Mr Barnier, but there is one intern running the organisation in one large Member State. We cannot allow that to go on, because Solvit provides us with an excellent service.

My question to the Commission is connected to health care professionals. An impaired professional risks putting patients' health at risk and, in the most extreme cases, can cause death.

Is the Commission considering a legal duty for competent authorities to proactively and effectively share information about struck-off professionals to ensure that the mobility of health care professionals does not compromise patient safety?

The current internal market information system allows for the sharing of information, but only when a competent regulator has a question about an applicant to its register, so we have to have a better exchange to alert authorities when an individual has been struck off due to incompetence.

Thank you, Mr President, for raising this issue for the committee.

Philippe Juvin (PPE). – (FR) Mr President, much has been said about the mutual recognition of professional qualifications. The question is: why is this directive, which is so important and so universally longed-for, difficult to apply? Well, quite simply because it is difficult and complex to apply in everyday, operational terms.

I see three main problems: the first is obviously language, a point that has been raised; the second is the complexity of the procedures to be followed to have a person's qualifications recognised as valid – at times, people have to literally jump through hoops to have their initial diplomas recognised; and the third is perhaps the variety of types of initial training.

In this regard, I think it would be a good idea for the Commission to ask the Member States to appoint, for each profession, a single competent professional body to be in charge of continuing training – continuing training being one of the solutions. These competent bodies should be asked to sit as a board, at European level, to define a common European form of certification. In that way, we would gradually see professionals go from an initially heterogeneous level to a common level of continuing training.

Marc Tarabella (S&D). – (FR) Mr President, Commissioner, ladies and gentlemen, Belgium is one of five Member States to have not yet fully transposed the Directive on the recognition of professional qualifications. However, according to the information that I have, the only thing it has left to do to comply with European law is to solve the problem of travel professionals.

Leaving aside the difficulties inherent in the Belgian institutional system with regard to the transposition of the various European directives, it seems that the directive that we are discussing here is particularly complex. That has already been mentioned. Belgium is not the only country to be affected by the non-transposition, poor transposition or partial transposition of directives. That is why, in the interests of professionals, I call on the European Commission to help those Member States that are having difficulties. Professionals should be able to benefit from the free movement of persons and freedom of establishment which, I would point out, constitute the main objective of this directive.

Seán Kelly (PPE). – Mr President, firstly, my thanks to Mr Samecki for his good work. I think we all agree with the principle we are discussing here this morning, but it should apply not only across the European Union but worldwide as well.

This is something we discussed recently at the Canadian delegation, which is a step in the right direction. However, if we want that Utopian situation, we must ensure that professional qualifications are of an equal standard across the European Union and, ideally, worldwide.

There is anecdotal evidence to suggest that, in some countries at least, when students have not reached the educational standard to qualify for a course, they can go to another country and pay to do it there.

So there is a need for independent verifiable evidence that the standards are equal and, if they are equal, then there is no excuse for not transposing this principle across the European Union and, hopefully, in due course worldwide, to attain what we desire – the free movement of labour for professionals.

Alan Kelly (S&D). – Mr President, let us get straight to the point here. The failure of Member States to get their act together in terms of the recognition of qualifications is costing us jobs. The failure of Member States to actually take this seriously enough is a serious issue. Our level of cross-border trade for what is supposed to be a single market is nowhere near what it should be. We are in the process of rebuilding the European economy, and part of this move must involve ways to enhance cross-border trade and make labour more mobile than it is now.

We must move to a new area of entrepreneurial innovation, where in Europe we are working together to make the world's most cutting-edge products. Given that our manufacturing base has dried up – Ireland being a case in point – exporting our services represents a new way of enhancing trade within Europe. However, for this, Europe must have standards when it comes to qualifications.

So far, the failure of Member States to agree on the rules for this matter is limiting our ability to sell these same services across borders. For the individuals involved, it is restricting the free movement of labour.

I agree with my colleague, MEP Grech, that Member States are not showing enough respect in particular for the information system they use and somebody needs to be held responsible in each Member State for the same. I urge the Commission to identify and tackle the obstacles which are preventing the realisation of the single market in this instance.

Lambert van Nistelrooij (PPE). – (NL) Mr President, I should like to pick out one aspect in this debate. There seems to be a great shortage of specialised professions, which has resulted in a trade in these qualifications and led to genuine qualifications being disregarded. This can entail great risks, both in the security sector, for example, and in large-scale plants such as chemical companies and oil refineries. National supervision in this regard seems to be inadequate.

I should like to ask the Commissioner three questions. Firstly, whether he knows about this; secondly, whether the European Commission can give us a report on this; and, thirdly, what we can do about it.

This is an absolutely ridiculous, undesirable phenomenon that I believe must be eliminated.

Milan Zver (PPE). – (SL) Ladies and gentlemen, this is really a very important issue that we are dealing with here, that of mutual recognition of professional qualifications within the European Union. This is a major problem because qualifications are granted by the education systems of EU Member States, of which there are at least 27.

Some of you will probably recall that, in March last year, we established the European Qualification Framework, which is a mechanism enabling comparison between education systems. However, one problem with this qualification framework is that it has not been implemented by the Member States. Some of them have not implemented it fully and some have used it merely as a convenient translator of various qualifications, occupations, skills and educational levels.

In my opinion, a major task lies ahead for the Member States in this particular area and, if they were really to enforce the European Qualification Framework, which was previously adopted at European institution level, they would greatly facilitate the comparison and the real mutual recognition of educational qualifications.

Paweł Samecki, Member of the Commission. – Mr President, honourable Members, my apologies for not standing up during my first intervention. It is because of a lack of experience and the early morning hour.

In general, I would like to refer to a couple of selected questions. First of all, we should underline that the Commission has been supporting Member States in preparing the transposition of the directive. Where the transposition period has lapsed, we have also been vigorous in enforcing transposition. In 2007, we published a transposition guide. Then we developed the internal market information system, which is now used quite intensively by all Member States, and we also published a code of conduct on administrative practices in June this year.

A year ago, the Commission brought non-compliant Member States to the European Court of Justice, and the Court of Justice issued six favourable judgments condemning the lack of transposition by the Member States concerned. Very recently, we published a scoreboard illustrating the state of transposition in the Member States, as well as a user guide for citizens and the business community.

To conclude, I would like to thank you for all the questions and comments, and especially the Chair, Malcolm Harbour, for his valuable input. We believe that it is up to the Member States to deliver now. The Commission is looking forward to developing a special relationship with Parliament also as regards this file. In particular, we are ready to actively discuss how the directive works in practice, and how to take best account of a swiftly changing environment in the coming years.

President. – The debate is closed.

Written statements (Rule 149)

Christa Klauß (PPE), *in writing*. – (DE) One stated goal of this directive is to implement fully the current legal provisions concerning the freedom of movement of professionals within the EU. The free movement of professionals has already been adopted in Directive 2005/36/EC. However, problems are occurring repeatedly, particularly in regions near national borders. Many people in the region I come from work in Luxembourg, Belgium or France. I receive numerous enquiries from citizens who cross into one of the neighbouring countries to work. These enquiries often relate to the recognition of professional qualifications. This situation must change. Agreements have been reached by the professional organisations for specific professions, but this does not help in every case and all too often, citizens have to fight to have their qualifications recognised. It becomes particularly difficult when a particular country does not have a specific profession or that profession is organised differently, for example, physiotherapists or people with a PhD in business administration. At the same time, many areas are short-staffed. Nurses or toolmakers, for example, must, in future, have better opportunities on our labour markets and, above all, the internal market must function effectively as far as work is concerned. We need a transparent, simple and clear recognition procedure.

3. The cohesion policy after 2013 (debate)

President. – The next item is the oral question to the Commission by Danuta Maria Hübner, on behalf of the Committee on Regional Development, on the cohesion policy after 2013 (O-0121/2009/rev. 1 - B7-0229/2009)

Danuta Maria Hübner, *author*. – Mr President, three years ago, a major reform of European cohesion policy was introduced taking into account the unprecedented enlargement of the Union and new emerging challenges.

It was not by chance that, back in 2005 and 2006, the top priorities for European cohesion policy were: the Lisbon strategy, innovation and competitiveness, climate change, energy security and efficiency, water efficiency, investment in new skills, attractiveness of territories for young people, and quality of life.

It is because we have understood that the mission of cohesion policy is to anticipate change, not to follow it, that we have put on the cohesion policy agenda for 2007-2013 all those priorities which we see today in the Commission's Europe 2020 agenda.

That is why, more than two years ago, the Regions 2020 analytical report was published. The purpose was to know what the cohesion policy priorities should be after 2013. Today, we are well prepared to face the future.

A year ago, the policy put all its assets at the disposal of the European Recovery Package, thereby also providing the essential link between the exit strategy from a real economic crisis, on the one hand, and long-term sustainable growth and structural transformation on the other.

But our oral question is about the future. In years to come, the Europe we live in will be in need of strong collective action to respond to the expectations of its citizens, who are today informed citizens, fully aware of how much depends on choices made by policy makers. Those expectations are confirmed by public opinion polls.

Jacques Delors once said that the European single market is about competition that stimulates, about cooperation that makes us stronger and about solidarity that makes us united. European cohesion that makes the single market work is delivered by the European regional policy, which is today based exactly on this triple foundation: competitiveness, cooperation and solidarity.

For years, we have talked about the need to unlock, to mobilise, the development potential of all European regions and cities. Experience and logic clearly show that this mobilisation turns out to be most effective and efficient if pursued through the direct engagement of subnational levels of European governments.

The European regional policy has already passed the subsidiarity test. Subsidiarity works for Europe.

The 2006 reform of cohesion policy has made it a modern place-based policy founded on a balance between equity and efficiency, between bottom-up and top-down approaches, between common strategic European objectives and local flexibility.

There is a need to move further on those issues, to continue the reform of policy governance, but certain principles should not be abandoned. The new treaty has cemented the new understanding of European

subsidiarity already deeply rooted in the cohesion policy, that is, subsidiarity extended to local and regional levels of governance.

We can do more on it, especially with regard to the local level. Those who suggest that cohesion policy can be limited to Brussels and national level either do not know the European reality, or do not understand that excluding local and regional Europe from the pursuit of common European objectives is economically at best unwise and politically dangerous.

Cohesion is a notion that excludes exclusion. For political, economic, social and legitimacy reasons, cohesion policy must not be divisive: it should be a policy for all, as the internal market is, as the common currency is.

All elements of this integration triangle – common market, common currency, cohesion – are mutually strengthening and interdependent. They are our common European public good.

We policy makers have raised the stakes by promising to deliver. The challenges are well known; the EU 2020 strategy has been opened to public consultations.

Development policy with clear targets and tools is needed. Cohesion policy is a policy for development that engages all levels of European governance working in concert for European citizens.

To conclude, Europe needs new energy to take care of its future, to renew itself in an assertive way. It is legitimate to ask where this energy could and should come from. For me, the answer is clear. Today, this energy should come from below. Today this energy can be released through the direct engagement of local and regional levels of European governance in the pursuit of common European objectives.

Paweł Samecki, *Member of the Commission*. – Mr President, the questions put forward are very pertinent. They underline the importance you attach to cohesion policy as well as your dedication to keep the policy at the heart of European integration.

As regards your question on multi-level governance, multi-level governance has been recognised as a fundamental mechanism in delivering EU policy priorities. The growing interdependence between different levels of government in the Union was stressed by the consultation paper launched by the Commission on the EU 2020 strategy.

Cohesion policy is a good example of multi-level governance. It offers a governance system which values and exploits local and regional knowledge, combines it with strategic direction from the Community level, and coordinates interventions between levels of government.

The strengths of multi-level governance were also stressed by the Committee of the Regions in its White Paper of June 2009, where it called on the Union to strengthen mechanisms of multi-level governance and pointed to the leverage effects generated by cohesion policy, which contributed to the implementation of other Community policies as well.

On your two questions concerning the eventual abandonment of Objective 2 and the eligibility of all European regions, in the period 2007-2013, all regions are eligible for structural funds support. Concerning the period post-2013, there is no official Commission position at this stage.

As regards your third question on the weakening of the principle of additionality, additionality is one of the basic principles of cohesion policy. It ensures that the structural funds do not replace the public or equivalent structural expenditure by a Member State. Thus, it guarantees the genuine economic impact of EU interventions and provides cohesion policy with an important European added value.

As to your question on the regional dimension of cohesion policy after 2013, the Lisbon Treaty maintains the objective of reducing disparities between the levels of development of the various regions and the backwardness of the least-favoured regions as part of the Union's remit on economic, social and territorial cohesion under Article 174.

In addition, Article 176 points out that the European Regional Development Fund is intended to help to redress the main regional imbalances in the Union through participation in the development and structural adjustment of regions whose development is lagging behind and in the conversion of declining industrial regions.

As regards your question on the involvement of regional and local levels of governance in the pursuit of European objectives within the framework of post-2013 cohesion policy, once again, I would like to draw your attention to the Commission's consultation paper on the EU 2020 strategy, which looks for the active support of stakeholders, such as the social partners and civil society, and recognises that the take-up of the EU 2020 vision across all the regions of the EU will also be crucial to its success.

The Commission has not yet developed a position on what role cohesion policy will play in the delivery of the EU 2020 strategy. But the cohesion policy has the capacity to mobilise regional or local actors across all boundaries in pursuit of European objectives.

In relation to your question whether the Commission intends to publish a White Paper on Territorial Cohesion, at the current stage, a separate White Paper on Territorial Cohesion is not foreseen. Policy conclusions resulting from the public debate on the Green Paper on Territorial Cohesion will instead be incorporated in the comprehensive cohesion policy legislative package for post-2013 prepared in the context of the Fifth Cohesion Report which, according to the new treaty, is due for submission in 2010.

On your question concerning the role of the European Social Fund in cohesion policy, in pursuing the objective of balanced and sustainable development, cohesion policy plays a crucial role in the delivery of European priorities. This is also the case for the European Social Fund, which will continue to pursue its objectives as defined by Title XI of the new treaty.

Achieving social, economic and territorial cohesion requires appropriate policies and a mix of investments from various levels. Human capital investments financed by the ESF form an essential component of this policy mix in the context of the global knowledge-based economy.

With regard to your question on the role of cohesion policy in relation to other EU policies, cohesion policy provides the EU with its largest source of investment in the real economy. The December 2008 communication of the Commission on 'Cohesion policy: investing in real economy', underlined the importance of the policy for focusing on the EU Lisbon Agenda delivery, investing in people, business, research and innovation, priority infrastructures and energy.

The Commission's current focus is on ensuring that the implementation of the planned investments can be delivered in partnership with national and regional authorities as effectively as possible. This effort involves close cooperation between relevant Commission services and between the Commission and relevant regional and local authorities.

A practical example of cooperation between the Commission services is the 'Practical Guide to EU funding opportunities for research and innovation' published in 2007, which was conceived to help potential beneficiaries to find their way through the three funding Community instruments and provides policy makers with advice on coordinated access to those instruments.

As far as the ESF is concerned, the close alignment of its priorities with the Employment Guidelines provides for a direct link between EU employment policy priorities and EU financial support.

Complementarity also exists between actions supported by the cohesion policy and by the rural development policy as clearly set out in the Community Strategic Guidelines of both policies.

I hope that I have responded to some of your questions and I look forward to an interesting debate.

Lambert van Nistelrooij, *on behalf of the PPE Group.* – (NL) Mr President, Commissioner, today's debate primarily concerns the substantive assessment of the cohesion policy and the way ahead for this policy. Of course, the European Parliament wants a financial mid-term review. The cohesion policy and the use of the funds now and in this subsequent period up to 2020 forms a key part of this. However, much to our surprise, we found absolutely no mention of a substantive assessment in the 'non-paper' preparatory to the mid-term review. I should like to make clear, as the first speaker from the Group of the European People's Party (Christian Democrats), that the new Commission must present the European Parliament with a substantive assessment rather than a caricature of regional policy.

Commission President Barroso's vision document EU 2020 envisages growth and a knowledge-based economy, equipping and training, competition and a green economy. Well, then, regional policy now and in the future constitutes the European integration framework for the realisation of these objectives. Look at energy transition, climate change and the Lisbon Strategy: these are all essential elements for regions and cities.

As far as the PPE Group is concerned, we wish to focus the cohesion policy rather more on the key elements of this EU 2020 strategy, whilst retaining solidarity among all the regions and also Objective 2, about which the Commissioner spoke so vaguely just now. The promotion of competition in the rich regions forms part of the comprehensive assessment. Splitting budgets, increasing the sectoral fragmentation of funds at European level within the framework of such a mid-term review, serves no purpose whatsoever and is the wrong approach to take. In the present times of crisis, we are seeing how important regional funds are to recovery. These are being disbursed faster and are being fully utilised: in 2009, virtually 100% has been mobilised for innovation and new objectives in my region, the South Netherlands region. In early 2010, I myself shall be issuing a report on the synergy between regional funds and research and development.

I should like to finish off with a question. Commissioner, you say you will not be presenting a White Paper on Territorial Cohesion, yet it is Parliament that will be dealing with this by means of the ordinary legislative procedure and ensuring that these things are laid down in the new regulations.

Constanze Angela Krehl, *on behalf of the S&D Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, I would have liked to see a more exciting introduction to this topic, because I believe that the European cohesion policy must change after 2013. We are faced with quite different challenges than was the case 10 or 15 years ago.

The focus for my group is on the fact that solidarity between the regions is not negotiable. On the one hand, this means that all the regions must have the opportunity to participate in the European Union cohesion policy and, on the other hand, it also means that we must oppose any attempt to renationalise the cohesion policy. We need a European approach which allows citizens to identify with the European Union.

For us, there is no question that we also need to change. In the next few years, the spotlight will be on a discussion about prioritising the areas which will receive funding from the European cohesion policy. In future, we will not be able to subsidise everyone with European money. We must focus on establishing effective infrastructures, in particular, in the new Member States, and on developing research and innovation. Of course, we must also bear in mind that in future, the European cohesion policy will have to respond appropriately to challenges such as climate change, demographic change and globalisation.

We also need to concentrate on urban development. This is not because I want to neglect rural areas, but because we know that 80% of citizens live in towns, cities and urban hinterlands and because rural development unfortunately does not form part of the cohesion policy at the moment, but is covered by agriculture policy. Our approach is to create stronger networks. I do not yet know whether this will work, but we must rise to the challenge.

Importantly, support for people themselves also forms part of the cohesion policy and this is why I regret the fact that the Commissioner's response was slightly evasive. For us, this means primarily education, training and qualifications for everyone from small children right through to the elderly. Life-long learning is an important concept. However, this also means that the European Social Fund (ESF) must continue to be integrated with the cohesion policy. There must be no thoughts of separating the ESF from the cohesion policy.

Cross-border cooperation is very important to us. We want to strengthen this cooperation at the same time as simplifying the bureaucracy involved.

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

Filiz Hakaeva Hyusmenova, *on behalf of the ALDE Group*. – (BG) Ladies and gentlemen, the debate on the reform of the Structural Funds is of fundamental importance in terms of the opportunity for the European Union to have financial instruments which are suitable for the economic situation, along with the relevant natural and human resources.

We are faced with a tough task in forecasting and devising a cohesion policy which will promote citizens' long-term prosperity. This policy was and still is one of the visible quantifiable indicators of European solidarity. However, the disparities between some regions are fairly extreme and we must not ignore this fact.

What is alarming is that trends are being observed indicating that these disparities are growing, which may increase inequality and lead to isolation. As a representative of one of the poorest Member States in the

European Union, I urge that one of the focuses of the cohesion policy will be cohesion between low-income Member States.

I note that we are not looking at the Structural Funds as a panacea. It is clear to us that we need to join efforts and increase our pace towards achieving the European Union's basic standards. We should also warn of the possibility that the fact that countries are moving at different speeds may lead, at a suitable moment, to an internal restructuring of the European Union.

Above all, we must set criteria, simplified terms and an equal chance of acquiring resources from the EU funds. Only after this should a clause be added for reducing the support for countries which fail to make any progress. I feel it is appropriate, if some countries encounter difficulties while acting on their own, to have them included in areas and problems with a significantly transnational dimension.

As a result, European resources will also be allocated to richer countries and their regions with a lower GDP. Ultimately, the results of the cohesion policy must also be measured in terms of employment generated. This is also an indicator of how it integrates with other policies and ensures added value.

Elisabeth Schroedter, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Commissioner, not much has been said about the significance of the European cohesion policy in Europe. It lies at the centre of the European Union, as it is the policy which holds the EU together at its heart. It is a symbol of solidarity and of overcoming national egoism. It is an instrument for all the regions. This is why the European Parliament is so concerned that this solidarity mechanism may simply be abolished behind our backs. It does not say much for good governance when the Commission secretly issues strategic documents, instead of holding an open debate about how we can continue with the solidarity mechanism in the light of the major challenges which face us, such as climate change and demographic change, given the tight budgetary constraints.

We need reform, but it must result in genuine change. It must bring about sustainable development in the regions. It must provide the regions with support for their projects and not consist of top-down policy, in the way that this earmarking mechanism currently does. Instead, it must develop a bottom-up process in close partnership with all the players in the regions. We are familiar with this process. We already have the LEADER method for the development of rural areas. This is an excellent method for promoting sustainable development and getting everyone involved in order to ensure a very high level of local acceptance. However, we need a Commission which is brave enough to say yes to the solidarity mechanism and yes to the regions deciding on their own development, rather than this being the responsibility of national governments.

Oldřich Vlasák, *on behalf of the ECR Group*. – (CS) Mr President, Commissioner, ladies and gentlemen, the current cohesion policy is a living organism. As Europe changes, the position of individual states and groups changes in respect of this policy. Unfortunately, more questions than answers have emerged in discussions over the future of cohesion policy after 2014.

Will cohesion policy continue to serve mainly the least developed regions of the Union? Will we have the opportunity to construct transport and technical infrastructure in the coming period? Will we manage to improve quality of life and make savings? Will we manage to reduce the bureaucracy and excessive administration connected with the drawing of EU funding? We will be looking for consensual answers to these and other questions in the very near future.

From the perspective of future developments, I personally consider it vital firstly to align the role of local authorities correctly in managing European funds and secondly, to target European funds at supporting the use of modern technologies. It is precisely these two areas that are combined in the so-called Smart Cities initiative, which offers an opportunity to revitalise municipal authorities and, at the same time, to offer the business sector the opportunity in a period of economic crisis to apply modern systems and intelligent technologies and to generate economic growth. This is unquestionably a reason for focusing strategic investments on this area not only at a local authority level but also at a Member State and even EU level. Intelligent transport systems that can liberate cities from transport chaos, supportive navigation mechanisms that can increase the attractiveness of tourism in cities, and teleassistance systems enabling senior citizens to remain longer in their own homes are all types of investment that should be given the green light.

As a result of the economic crisis, our debate on the future of the cohesion policy has become even more urgent than it ever was in the past. Today, we must think twice before deciding where to direct European funds.

Charalampos Angourakis, *on behalf of the GUE/NGL Group*. – (EL) Mr President, the European Union's cohesion policy has not only failed to reduce regional and social inequalities, but it has also helped to exacerbate them. The values given in statistics are often fictitious, as the European Union itself admits, which is why it created the transitional support regime for a series of regions, three of which are in my country, Greece.

The rule of unequal development in the capitalist system is implacable, especially in times of crisis, during which contrasts are even more marked. Unfortunately, forecasts for 2013 are even worse for the workers, especially in less developed areas. The European Union's cohesion policy tries to gloss over this anti-grassroots policy, to buy people off, to disorientate the workers and, more importantly, to secure the profitability of capital.

The aim of temporarily ironing out the contrasts between sections of the plutocracy, misleadingly referred to as 'solidarity', is now being replaced by the rule of competition and the free market. These elements also exist in the Lisbon Strategy and the EU strategy for 2020.

It calls for new forms of regional and local governance, as proposed in Greece by the PASOK and New Democracy parties, extended and more direct intervention by the European Union in regional bodies and differentiated territorial cooperation which will also cross national borders. We call on the workers to reject this policy.

Finally, I should like to take advantage of my speaking time to call on you, Mr President, to exert your influence in obtaining satisfaction in the European Parliament of the just demands of the workers, who are taking to the streets.

John Bufton, *on behalf of the EFD Group*. – Mr President, regarding post-2013 cohesion policy, a leaked draft budgetary document entitled 'A Reform Agenda for a Global Europe' reveal that EU funding from 2013 onwards could change entirely to a nationally coordinated rather than regionally allocated distribution.

The draft abandons regional and local level control in multi-level governance, overturning the shared management principle. Instead, a sectoral approach to the new budget is adopted rather than operating independently within current structures.

The proposal to limit the policy to national level would lead to qualifying Member States governing redistribution. Not only does this mean that net contributors will lose further return funding, but those Member States expected to join the European Union under future expansion would enter membership under cohesion funding likely to remain for the forthcoming budgetary duration.

As a result, those countries who currently shoulder a large proportion of the Union's financial burden, like the UK, will discover they must finance an ever-increasing pool of Member States qualifying for support.

Even fewer will have to carry even more, with a possible loss of the rebate for the UK. With more countries queuing up to join the EU, I am concerned Wales will see much needed support go to newer Member States.

It is no surprise that some of Europe's richest countries like Norway and Switzerland have given the European Union a wide berth, knowing that they would be paying to fund their poorer neighbours. But Wales cannot afford to pay if nothing is paid back out.

The move reinforces the European Union's increasing ambition to become further integrated, centralised and federal, yet abandons the regional dimension of cohesion policy which underpins the European Union's pledge to support territorial cohesion and deliver benefits to all members.

Instead the EU, like a wolf in sheep's clothing, is covertly abandoning cooperation and compromise in favour of consolidation.

Whereas the people of Europe were told the Union – on the grounds that it enhanced trade links – strengthened agriculture ties and promoted equality, the machinations of an increasing bureaucratic global Europe see the focus on farming and regional development decrease in favour of an unwanted ambitious global strategy, including increased emigration to countries like the UK.

Larger shares of the EU budget will need to be devoted to such an agenda at the expense of regions such as Wales. The last payments to projects under the 2007-2013 EU structural funds programmes will be made in 2015. There is uncertainty over what, if any, subsequent EU funding will be available to Wales in future funding rounds.

The implication that cohesion might disappear entirely from richer nations with no mention at all of transitional funding would further disenfranchise the people of the UK.

The disproportionate membership bill would be better steered towards funding economic development through self-sufficiency determined by the UK itself.

The EU budget review set to be published in the spring will likely see every government in Europe declare the necessity for increased public sector borrowing. It seems increasingly likely that the level of funding available to Wales will reduce substantially.

The consequences will include reductions in programme budgets, less investment in the wider economy in Wales, and broad-reaching loss of jobs connected to programme management and project delivery.

Rather than having any sort of beneficial effect on my constituents, the EU will serve a glancing blow to the people of Wales if they decide to pull the rug from under our feet. The likely result of the reduction in funding to Wales and the UK will have a major impact on our country as a whole which will affect the farming sector as well.

It now must be time that the people of Wales and the UK have a referendum on its relations with the European Union so the people can decide if they want to be governed by Westminster or Brussels.

Markus Pieper (PPE). – (DE) Mr President, ladies and gentlemen, let us just imagine for a moment the European regions without the European regional policy. Many towns and rural regions would lack decisive incentives for structural change. The border regions with their problems of cross-border workers and cross-border infrastructure would simply be neglected. Social policy would no longer be able to benefit from European contributions to education and employment policy. Medium-sized companies would be prevented from taking part successfully in international networks.

Without European regional policy, the communities in the regions would no longer be visible. For this reason, we are very annoyed by the signals coming from the Commission which include proposals for social programmes without the support of structural funding. This would turn the Commission into a social monopoly without the regions or would lead to calls for subsidy policy only for the weakest in our society. This, in turn, would mean that we would completely lose sight of the European context and we would return to the age of renationalisation.

Whether or not the Commission has now made these documents public, the European Parliament will not lend its support to the move that they describe to a regional policy without the regions. This does not mean that we are closed to the idea of reform. New challenges relating to the environment, to energy policy or to demographic change must be integrated into our existing subsidy structures. I am also in favour of making it easier to measure the European contribution to the regions.

We must also impose stricter sanctions on the Member States which consistently fail to demonstrate that they are managing the funds properly. More regional cofinancing, more loans, more transparency and more efficiency: these are the types of proposals we would like to see for the reform of the cohesion policy. We will support proposals of this kind, but we will fight every attempt to destroy regional policy. Reforms yes, renationalisation no!

Georgios Stavrakakis (S&D). – (EL) Mr President, I agree with the members who have spoken so far and I, too, should like to point out that we cannot accept a post-2013 cohesion policy which, firstly, will distinguish between the regions of the Europe with proposals such as abolishing Objective 2 (competitiveness); secondly, will include the renationalisation of policies; and, thirdly, will exclude local authorities from the programming and implementation of Community policies.

On the contrary, we envision a post-2013 cohesion policy, a period in which there will still be a common European policy applied to all regions of the European Union, that will continue to have adequate funds to achieve its objective and will have simplified application rules so that it acquires even greater added value.

I am concerned about the contents of the document for the 2020 strategy, because there is no reference to cohesion policy, which is the most appropriate tool for achieving the Lisbon objectives. In fact, a large part of cohesion policy is already serving these objectives and will prove its added value. Also, important proof of its significance is that cohesion policy has spearheaded the European Economic Recovery Plan.

There is one development policy, one solidarity policy, one policy for every European citizen regardless of the region of the European Union where they are living. Unfortunately, however, in the European Commission, they forget this or they appear to ignore it and they process proposals that change the principles and form of cohesion policy. However, you can be sure that we shall take every opportunity to remind them.

Michael Theurer (ALDE). – (DE) Mr President, ladies and gentlemen, funding for the regions and structural funding form part of our practical economic policy and make Europe widely visible. In local authority areas, towns and municipalities in the regions, different players are working closely together. For this reason, we must retain this integrated approach for the entire European Union.

I call on the Commission to focus much more closely on small and medium-sized enterprises and to involve the local authority areas, the towns and the municipalities much more in the future cohesion policy. We will definitely need to invest in the infrastructure in future, but most importantly, we must ensure that innovation and technology transfer are guaranteed for small and medium-sized enterprises. In future, we should also enable jobs to be subsidised. These are the crucial issues in choosing a new direction for the structural and cohesion policy in the European Union.

François Alfonsi (Verts/ALE). – (FR) Mr President, as far as the Group of the Greens/European Free Alliance is concerned, cohesion policy is at the heart of one of the most fundamental policies of the European Union: solidarity. Europe becomes stronger whenever European solidarity is shown. This is a fundamental issue for us.

The European Commission must, in our view, integrate the following principles. Firstly, since territorial cohesion is a political priority, it should therefore also be a budgetary priority.

Secondly, the region is the appropriate level of partnership for a regional development policy. Renationalising this policy would be unacceptable for us.

Thirdly, cohesion must also be used to reduce the most serious economic and social disparities within a territory for the benefit of deprived urban areas or rural areas that are in difficulty or which receive very few services on account of structural handicaps, as is the case with islands, for example.

Lastly, the eligibility of all EU regions to benefit from cohesion policy must be judged on an individual basis, of course, according to their level of wealth, but the European Union must be able to make its contribution whenever cohesion policies are at stake.

Cornelia Ernst (GUE/NGL). – (DE) Mr President, this is a central debate about the character of the European Union. The choice is between the market and social policy. The Commission's current ideas about the future of the cohesion policy are unacceptable. The structural funds must be strengthened and not weakened. Europe must do more and not less to overcome economic and social differences in development. I would like to say quite openly that the renationalisation even of parts of the current cohesion policy would have a serious impact on disadvantaged regions, including those in Germany and, in particular, eastern Germany. After the last phase of enlargement of the European Union, the differences between the regions in the Union have increased.

In addition, it is important to me that, in particular, socio-economic requirements in the regions which are just above the eligibility threshold of 75% of the EU average GDP per head are recognised. The sudden removal of subsidies after 2013 would be devastating for these regions.

Of course, it is extremely important for specific subsidies for towns to be increased by the European Union, as this is where the major potential for the economy and finance lies, because the towns have been particularly hard hit by the crisis.

I would like to say one last word about the border regions. As a Member of Parliament from eastern Germany, I know that we need to invest and achieve a great deal there. I am very concerned that the Commission will fail us in this respect.

Franz Obermayr (NI). – (DE) Mr President, you will probably have heard in the meantime that there is serious consternation and disquiet among the members of the Committee on Regional Development, because a so-called secret document from the Commission has been circulating since October. This document contains the draft of a budget reform for the period 2013-2020 which represents a U-turn in budget policy. The original regional focus of the budget has been replaced by a sectoral approach.

The new draft represents a huge restriction on the principles of subsidiarity and multi-level governance, which is in contradiction to the Lisbon strategy. In specific terms, the draft includes plans to abolish Objective 2, in other words, competitiveness and employment policy. As there are Objective 2 regions in every Member State, this would, of course, sadly affect two thirds of all the EU regions. This unfortunate proposal is justified on the basis that the difference between new – or in other words, future – Member States and Western Europe at a national level is so great that a new budget policy is needed. In the light of the financial crisis, this is said to be a way of stimulating the economy.

It seems obvious to me that this proposal is anticipating the possible accession of Turkey. We know that increased funding would be needed and this is a way of planning to ensure that the huge amounts of money required for the accession will be available.

However, I would like to say quite clearly that at a regional level, the success of the cohesion policy lies in its proximity to local economic problems. As a result, money will be invested sensibly and efficiently, as it has been until now. If the regional component is not included, it will not be possible to bring an end to the economic crisis.

I was not convinced by Mr Barroso's answer to Mrs Hübner's open letter, which indicated her concern, and, therefore, I expect to see a concrete statement soon.

Alain Cadec (PPE). – (FR) Mr President, ladies and gentlemen, our group clearly supports a strong and well-financed cohesion policy that can promote the convergence of Europe's regions. Indeed, we believe that, to be effective, this policy must be reformed and enhanced. We, Parliament and the European Commission, must design this policy together, with maximum transparency.

I welcome the creation, by Parliament's Committee on Regional Development, of a working group on the future of cohesion policy. Consultation on the post-2013 budget and the future objectives of this policy must involve all the actors concerned: the Member States, the regions, the European Commission and Parliament. It is inconceivable to weaken, or indeed abolish, the regional and local levels that give full meaning to this policy. Where financing in particular is concerned, we are today faced with great uncertainty regarding the future of this cohesion policy. The expiry date of the current financial framework is uncertain, as is the extent of the reform of the financial perspective. The importance of maintaining stability in the financing of this policy must be remembered. It is also crucial to reject any idea of renationalising cohesion policy, since this would deprive the regions of the choice of how to share out the Structural Funds and would destroy the regional dimension of this policy.

We expect an unmistakably proactive attitude from the Commission concerning the preparation of a White Paper on Territorial Cohesion, Commissioner. With regard to the distribution of these funds, we do not want egalitarianism but financial equity, and we want this in conjunction with a form of harmonious development that is based on findings and on situations that vary according to territory. Cohesion policy must not just focus on the most impoverished regions; it must be aimed at all of Europe's regions, including those overseas.

It is vitally important for Parliament to have clearly identified local contact points. That is the price – the only price – at which the European Structural Funds will be distributed fairly and effectively.

Ricardo Cortés Lastra (S&D). – (ES) Mr President, Commissioner, ladies and gentlemen, I should like to begin by sending a greeting to all the social organisations present in Copenhagen, hoping for a positive outcome for the future of the planet and for the future of global cohesion.

We must defend cohesion policy as a Community policy that is a bulwark against attempts at renationalisation. This is necessary not only because of its direct impact on the development of cohesion across our regions and Member States, but also because of its added value in terms of strategic planning, financial stability and the visibility of the European project.

At the same time, it is important to bear in mind the vital role the regions play and must play in cohesion policy. Decentralised management and good governance at various levels are crucial to ensuring the success of regional development policy.

The establishment of transition mechanisms providing for a smooth transition in those regions and countries where intervention is gradually being reduced within the framework of the so-called convergence objective and the Cohesion Fund is another matter of concern to me. So, too, is the development of European regions that have to cope with natural difficulties, including the peculiarities of border regions.

Ilda Figueiredo (GUE/NGL). – (PT) Mr President, we have been extremely concerned to witness all the developments surrounding the reform of the budget, particularly in relation to the structural and cohesion policy.

In a crisis marked by huge social inequalities and regional asymmetries, the structural and cohesion policy is a basic factor for effective economic and social cohesion. That means maintaining tight objectives in this area and not attempting to nationalise the costs of Community policies in either agriculture or fisheries, which would harm less developed countries and regions as well as outermost regions.

There are various signs, however, that moves are afoot to subvert the cohesion concept even further, either by trying to make it include and finance all kinds of actions and actors that have no connection with cohesion objectives – especially the European Union's strategy for 2020 and climate change policy – or by changing eligibility and management criteria. This debate on the cohesion policy after 2013 is therefore much needed. We look forward to obtaining clear responses in support of a genuine economic and social cohesion policy.

Nuno Teixeira (PPE). – (PT) Mr President, Commissioner, ladies and gentlemen, we urgently need a debate on the Community budget and how to improve its sustainability and transparency in future. The post-2013 financial framework must be built on the basis of solidarity and territorial cohesion. These are crucial values for regions like Madeira, which face permanent difficulties and therefore require permanent support.

I should like to share with you a few ideas that I think should always be present when we think about and develop our cohesion policy. On a number of occasions, the Commission has mentioned certain aspects that I believe are essential, such as the need for this policy to be more flexible, simpler, more efficient and more results-oriented in its definition and implementation. There are, however, issues that cause me some concern, particularly with regard to the needs of the outermost regions. I should like to make three brief remarks in this respect.

Firstly, the current regional approach should prevail over alternative criteria, such as added-value sectors. Such a change could jeopardise Objective 2, which currently benefits roughly two thirds of the European regions, as well as being potentially counterproductive in regions with highly specific economic profiles and competitive advantages.

Secondly, I believe it is vital to maintain the proximity criterion in the cohesion policy. Priority should still be given to allocating and managing the Structural Funds from a regional standpoint and not from a national or even a centralised European one.

For my third and final point, but one that is no less important, I should like to highlight Article 349 of the Treaty of Lisbon, which provides for special treatment for the outermost regions with regard to access to structural funds, precisely because of their economic and social situation compounded by permanent and unique constraints and characteristics, which reveal themselves in their constant difficulties and therefore require the permanent aid that is sought.

Wojciech Michał Olejniczak (S&D). – (PL) Mr President, the cohesion policy is, today, contributing to the development of road and rail infrastructure, principally in the new Member States. Thanks to the policy, many new jobs have been created, and more will doubtless be created in the next few years. Investments related to environment protection are also extremely important.

When evaluating the policy and its effectiveness to date, it is worth answering a basic question: what will happen after 2013? The European Parliament should say clearly that there is no consensus on rationalisation of the cohesion policy. After 2013, as well as its traditional activities and mechanisms, the cohesion policy should support research, science, development, innovativeness, job creation and the fight with global warming. The cohesion policy should also include rural areas to a greater degree. It is important that realisation of the cohesion policy be based on regions and macroregions.

Tamás Deutsch (PPE). – (HU) Mr President, ladies and gentlemen, I would like to speak briefly about three matters: equality of rights and status, secrecy and, last but not least, the importance of rural development. Twenty years after the collapse of the Berlin Wall and 20 years after our fellow Member, László Tőkés, broke through the wall of silence at the start of the Romanian revolution in Temesvár (Timișoara) in Transylvania, it has been said more than once that in the 21st century, we no longer have old and new Member States in the European Union, but a single European Union. I fully agree with this statement, which is, of course, very general, but I feel it is important that it does not only appear as part of token decisions, but also features in

the everyday application of the cohesion policy, one of the European Union's most important common policies.

If the European Union's Member States enjoy equal rights and status, it is inconceivable that the cohesion policy should be reformed in such a way that the European Union Member States who joined in 2004 and 2007 lose out in the new cohesion policy. Such a reform is simply unimaginable. My second point is about secrecy. It is a ridiculous state of affairs where the European Commission either pronounces some meaningless statements on the cohesion policy's future or says absolutely nothing at all on the subject. As an MEP and a member of the relevant European Parliament committee, I would expect the European Commission to adopt a clear, unambiguous position on these matters.

Last but not least, I want to talk about rural development. I firmly believe that rural development must continue to be a crucial aspect of the cohesion policy. Suitable resources need to be allocated to rural development policy. Based on the technical position adopted by the European Council of Municipalities and Regions, I think it is important for us to think through the possibility of integrating rural development policy with the cohesion policy after 2013.

Luís Paulo Alves (S&D). – (PT) The cohesion policy is the European Union's main instrument for ensuring that all European citizens have an equal chance of success wherever they live. It contributes decisively to creating a European sense of belonging and is one of the most successful and effective European development policies.

Commissioner, I cannot hide my concern at the Commission's now famous 'Non-Paper' and its proposals. We do not accept the renationalisation of the cohesion policy, which would, in practice, come to an end if its effectiveness depended on each Member State's wealth. I sincerely hope that the Commission will abandon that path once and for all.

As you are aware, Commissioner, the new Article 349 of the Treaty establishes the need for European policies to be adjusted to the special characteristics of the outermost regions, particularly to mitigate their handicaps, but also to make good use of their potential. What ideas can you give us on the future strategy for the outermost regions that the Commission is to publish during 2010?

Seán Kelly (PPE). – Mr President, like my colleagues, I, too, have been concerned by some of the trends outlined in the internal document which, in the grand old scheme of things, was leaked recently. The area that is causing me most concern is the suggestion to deprioritise the competitiveness objectives.

These competitiveness objectives have been vital in creating rural and regional development – particularly the technology parks, which have helped to drive the smart economy and will be needed more so into the future.

They have also helped with cohesion within, as well as across, regions. I think it is very important to realise that there are huge poverty gaps within regions. This is not always recognised, and I think in particular the criterion of basing everything on national GDP is an erroneous measurement. It should be more on purchasing power, and certainly the purchasing power within some regions is far lower than the national average.

I hope these things will be addressed in the forthcoming White Paper, as well as the opportunities that exist in synergies between research, innovation and regional development.

Like my colleague, I, too, would be concerned about rural development policy – albeit not as part of the cohesion policy, more in line with the CAP – but, at the same time, it is absolutely vital that it is not squeezed in any future proposals because rural development, and particularly the family farm, is vital for the social infrastructure of society.

Finally, I just want to say also that more needs to be done in combating fraud. I know there have been improvements in recent years, but we must ensure that the money which is given by the EU goes to where it is supposed to go, so that we can have better opportunities for people right across the European Union.

Elżbieta Katarzyna Łukacijewska (PPE). – (PL) Mr President, Podkarpacie – the region I represent – is a region of wonderful, ambitious, hard-working people, a place where many energetic businesses operate. New initiatives are appearing, such as Aviation Valley, but at the same time, Podkarpacie is one of the most poorly developed areas in the European Union. Our problems are not the result of a lack of willingness, but of structural and infrastructural limitations, which, with the help of a variety of programmes, we are trying to eliminate. I would like to stress that, as part of our efforts, we are not asking for charity, but for support

for our initiatives. We, too, want the competitiveness of the European economy to rise, and we want solutions which will help protect our climate.

However, we also want the change in priority of financing to be gradual, not sudden, because that would mean leaving the weakest regions to look after themselves. It is very important that the cohesion policy be realised by the regions, because such a solution brings the best effects. I would also like to note that the cohesion policy carries with it a very important message for the citizens. It shows that Europe is united and that it is worth participating in this exceptional project.

Sabine Verheyen (PPE). – (DE) Mr President, the regional structural funding is an important tool for European integration and the Objective 2 funding in particular has, in the past, been seen as an engine for local structural and economic development by the people in many regions. It is an important means of managing structural change in the regions and in local authority areas.

This allows citizens to experience Europe at first hand, because the funding has a local impact. However, we need simpler, clearer and more transparent structures and better controls in the cohesion funds, so that the money is used sustainably and efficiently. Cohesion, or the convergence of social and economic development, is a major objective of the EU and, therefore, it is important that this instrument is strengthened rather than weakened in future.

The cohesion policy in Europe needs more clarity, more transparency and more efficiency. The individual Member States must also take more responsibility in this area. This is why it is important to retain the system of additionality in funding. We do not want structural funding to be renationalised. Therefore, I would like to ask the Commission to meet these requirements in the funding criteria for 2013.

Derek Vaughan (S&D). – Mr President, Wales is probably the most positively European area in the UK, and the reason for that is that every community, almost every individual and many organisations benefit from European funding, formerly Objective 1 and now convergence funding.

Therefore, if the proposals suggested by the Commission are brought forward, I believe it would have huge political consequences in areas like Wales. It would also, of course, have huge economic, financial and social consequences for those regions.

Therefore, I think it is absolutely vital that all Members of this Parliament urge the Commission to bring forward proposals which are acceptable to us – and by that I mean proposals which would allow every region across Europe that qualifies, to access structural funds – and also to ensure that those areas ceasing to be eligible for convergence funding after 2013 also have some transitional status in the future.

President. – So, Mr Gollnisch, you have finally arrived. I am going to give you the floor, but you have just one minute.

Bruno Gollnisch (NI). – (FR) Mr President, I have, in any case, listened very carefully to all of my fellow Members' speeches. I think that two main points have come out of these speeches. The first is the secrecy surrounding the Commission's mysterious 'non-document', and that is why we are eagerly awaiting the Commission's explanations.

The second is this rather strange attitude whereby territorial cohesion policy is apparently being redefined on the basis of completely new priorities, which seem to have very little in common with cohesion itself. I am thinking in particular of the issue of foreign policy, which we are well aware is a priority for the High Representative, but which is obviously much less of a priority in this area.

As for the common agricultural policy, unfortunately, it has already been sacrificed to a great extent to market forces. Therefore, we believe that it would be extremely helpful if the Commission could give us a much clearer idea of what its objectives are from now on. Lastly, global warming does not seem to me to come under cohesion policy.

Alfredo Pallone (PPE). – (IT) Mr President, ladies and gentlemen, I share the concerns of many of my fellow Members. I strongly believe that GDP returning to barely positive growth rates such as those forecast for 2010 will not mark the end of the economic crisis we are experiencing. We will only be able to consider it actually over when employment has returned to pre-crisis levels. The most optimistic estimates put this time at around 2010.

In this context, it is necessary to implement an investment policy and it is vital in strategic terms that Objective 2, or something similar, is maintained, since it represents an effective instrument for helping our regions overcome the crisis. Maintaining Objective 2 is in the interests of Italy and of many other European countries, since it fulfils an essential need: development of lagging regions and strengthening of the competitiveness of the most developed regions.

In view of these arguments, Commissioner, Mr President, do you not think that your abandonment is extremely harmful for the regions of Italy, Europe and the Mediterranean and also for other countries?

Evelyn Regner (S&D). – (DE) Mr President, all or at least the majority of the speakers are talking about the European social model, but this is not reflected sufficiently in the EU budget or in the cohesion policy. Therefore, I would like to see an independent European Social Fund (ESF) which is separate from the European structural policy. More funding should be allocated to the ESF and it should become more flexible. It should also be possible to increase the funding available during the seven-year finance period.

By separating the social fund from structural policy, it will be possible to make sufficient funding available to those regions which are not economically underdeveloped and have therefore largely been ignored by EU structural fund policy. The European Social Fund should therefore be used more effectively to combat problems on the labour market, such as high levels of unemployment, low employment rates for women, large numbers of early school leavers and low levels of further education.

Rodi Kratsa-Tsagaropoulou (PPE). – (EL) Mr President, I consider that our parliamentary committee took a very important decision for today's debate, which is proving to be extremely interesting, with so many issues and very important dimensions being raised which relate not only to an effective post-2013 cohesion policy, but also to the character of the European Union.

I should like to point out that this debate, this concern, is being formulated at a very strange time for the European Union. On the one hand, we have a positive step towards integration with the Treaty of Lisbon and, on the other, we are still experiencing the consequences of an unprecedented international financial crisis in which we all understood how important the solidarity of the European Union is in supporting the internal market and cohesion.

I should like to ask the European Commission about two issues which are worrying the European Parliament, on which I share my fellow members' concern. Firstly, is there any intention in your plans for innovative proposals, which we are happy to accept, of renationalising Community cohesion policy and, secondly, what is to happen with Objective 2, because this is actually what is needed for the competitiveness, not only of certain areas, but ultimately of the entire European market.

Karin Kadenbach (S&D). – (DE) Mr President, I believe that the job of Parliament and of the European Union is to establish the basic conditions to allow people from all the Member States to have the best possible quality of life in the regions in which they live. However, these conditions vary widely throughout Europe. This is why we need a strong and adequately funded cohesion policy.

We must strongly reject any proposals that involve leaving our chosen path and we have heard today that some have been made. We do not need renationalisation. We need funding instruments for all the European regions, including those which are disadvantaged and those which already have high levels of development. We must not put at risk what has already been achieved.

We need a transparent subsidy system which allows for easy access to funding, but also ensures that the money is used correctly and efficiently. We must think on a European level, but act on a regional level.

Iosif Matula (PPE). – (RO) I find this debate on the future of the cohesion policy after 2013 particularly useful. Nowadays, especially during this crisis, the differences between the levels of development in Europe's various regions are considerable and are continuing to grow.

Local regions in Europe need to continue with the cohesion policy in order to achieve the proposed objectives. The disparities between the different regions must be reduced at a faster pace, without delay. The involvement of the regional and local levels of governance must definitely grow, but without these regions necessarily feeling that they are gradually being forgotten and abandoned.

Many countries in the European Union base their development efforts and national economic policy on the cohesion policy objectives as well. My country, Romania, also thinks that it would be particularly useful to

continue with the current cohesion policy after 2013 as well, combining efforts and national funds with those offered by the Structural Funds and finances at regional level.

Antigoni Papadopoulou (S&D). – (EL) Mr President, I agree that regional policy is the lever for better cohesion and solidarity in the Community. The present international economic crisis has bared its teeth. It has caused numerous inequalities and pressures, especially among vulnerable groups. It has increased unemployment, inequalities and social upheaval at national and regional level.

However, the present global economic crisis is also a challenge. Community solidarity urgently needs to be strengthened in order to achieve a proper, integrated European regional cohesion policy which will set high priorities and safeguard proper infrastructures and closer cross-border cooperation through exchanges of best practices.

We say 'no' to discrimination, 'no' to renationalisation, 'no' to bureaucracy, 'no' to a lack of transparency, 'no' to the secret disposal of funds and the abolition of Objective 2, which will harm Southern Europe and the Mediterranean. We say 'yes' to the fair distribution of Community funds, to the participation of local authorities, to the strengthening of small and medium-sized enterprises, to proper reform, which must be carried out so that there is proper funding of actions in keeping with the objectives of Europe for 2010. Finally, we say 'yes' to special treatment for remote areas, especially in Southern Europe and the Mediterranean.

Petru Constantin Luhan (PPE). – Mr President, the rise of multi-level governance has resulted in an increasing need for coordinating mechanisms and platforms, and local authorities often find themselves having to address social disparities caused by developments of policies over which they have no control and little influence.

Moreover, it is very difficult to estimate the long-term effects of projects financed by European funds and the impact of programmes which are implemented at the same time.

I would like to know how the European Commission intends to support the efforts of local authorities to generate an integrated and sustainable development strategy based on the needs of the communities and taking into account the needs which could be influenced by external causes.

What instruments will be developed by the European Commission for local authorities?

Czesław Adam Siekierski (PPE). – (PL) Mr President, cohesion policy is a pillar of development policy. It is, indeed, this policy which contributes most to strengthening the identity of regions and local society. In my opinion, we go to two extremes here. Some would like to put a bit too much into the policy, while others want to restrict it too much. Surely, the most important objective of the policy is sustainable development in a variety of areas.

Cohesion policy must be the same for both urban and rural areas. Let us remember that the Union, after such a major enlargement, is greatly differentiated. Ensuring equal opportunities for development is an important task. Contemporary challenges, which we have to face up to at the same time, are the fight against the economic crisis, the unfavourable demographic trend and, finally, climate change. One thing is certain: there is a need to continue the cohesion policy and to adapt it to the present challenges.

Silvia-Adriana Țicău (S&D). – (RO) I would like to add to what my fellow Member said by saying that when we talk about intelligent cities, it is important for us to invest more in energy efficiency in residential buildings. 90% of the buildings which will exist in 2020 already exist now. This is why I am asking for the future cohesion policy to increase the European Regional Development Fund allocation so that it can be used by Member States to improve energy efficiency in buildings, especially homes. I also think that we need to invest more in public transport to develop urban mobility.

Georgios Papanikolaou (PPE). – (EL) Mr President, my fellow Members have covered the basic issues of today's debate. I should just like to highlight two issues.

Firstly, it is unacceptable for the preconditions to be met and for the facility to exist for taking advantage of our cohesion policies and programmes and for this to ultimately be unfeasible for operational and, more importantly, bureaucratic reasons. Therefore, the more we simplify our procedures and policies, the closer we shall be to what we are striving for, namely cohesion in Europe.

Secondly, we have said that we are, in any case, coming out of the economic crisis which has affected the whole of Europe and the entire world at the moment. If we want to be optimistic, we obviously have to

strengthen the areas with the greatest need and, more importantly, if I may say so – and I should like a reply from the Commission here – the social groups in greatest need of support. I am referring here, above all, to young people.

This is our basic position and that of our political group on the social market economy. This is the only way we can face the future with certainty.

Paweł Samecki, *Member of the Commission*. – Mr President, first of all, there is no doubt that the cohesion policy will be closely involved in the realisation of the EU 2020 Strategy.

The EU 2020 Strategy will respond to numerous global challenges, and the cohesion policy will be among the key and fundamental instruments at the disposal of the European Union and Member States to address these challenges. Therefore, concerns that cohesion policy will be detached from the implementation of EU overall strategy are unfounded.

Secondly, the Commission does not have clear answers at this stage to many of the questions and issues raised by honourable Members, such as on geographical coverage, the coverage or existence of Objective 2 regions, the appropriate funding base, transitional arrangements, or the status of individual groups of regions.

I admit this, but there is an ongoing vivid and deep debate among Commission services, as well as between the governmental experts from the Member States and the Commission. These debates will lead to the preparation of a fully-fledged Commission position in autumn 2010.

In the course of the coming months, the questions and problems raised here should find proper responses from the Commission.

Finally, I would like to thank all honourable Members for their questions and suggestions. They confirm the importance of the cohesion policy as an instrument of long-term investment in areas which are necessary for building the growth potential of European regions and Member States. I will take your interesting and valuable comments back with me to Brussels, and I will report about them to my colleagues in the Commission services and to my successor.

The Commission will be ready to continue discussions with Parliament related to the shape of future cohesion policy in the forthcoming months.

President. – The debate is closed.

Written statements (Rule 149)

Livia Járóka (PPE), *in writing*. – (HU) Ladies and gentlemen, the debate on the future of the cohesion policy is of paramount importance. Given that we are dealing with a horizontal policy which redistributes more than a third of the EU's budget, the results from achieving the cohesion objectives have a crucial bearing on the continent's future. Since its inception, the cohesion policy has achieved spectacular successes in the EU15. Unfortunately, more active intervention is required in the Member States which have recently joined and are affected by extreme poverty. In addition, the situation is made even more difficult by new, strong challenges, such as climate change, the declining population or the global economic recession. Consequently, we must deal in the future with the territorial differences in social and economic indicators within a more effective and flexible framework. Strong emphasis must also be focused on the development of the least developed areas, especially small regions falling behind the regional average and struggling with far more severe disadvantages than even other areas surrounding them. With this purpose in mind, it would be worth considering earmarking resources at EU level, aimed specifically at bringing LAU 1 (formerly NUTS 4) planning-statistical regions into line where the decision about the use of these resources can be made by the relevant small regions or their associations. Coordination with the EU's other policies must also be improved. The barriers between the various funds must be eliminated so that the maximum possible allocation of resources can be achieved. The implementation rules must also be greatly simplified. Furthermore, priority must be given to investments relating to education, vocational training and sustainable employment, and to the implementation of comprehensive programmes tailored to the small regions' individual needs.

Richard Seeber (PPE), *in writing*. – (DE) The Europe of the regions is a principle on which the EU has long agreed. The cohesion policy after 2013 must continue to make this vision a reality. One good approach is to make territorial cohesion the main objective. In this context, interregional cooperation plays an important role. In recent decades, the interregional approach has had some significant successes. The various EU projects in this area allow citizens to experience Europe directly and bring the freedom of action characteristic of

European policy down to a regional level. However, there is still work to be done in the future. An interregional approach requires effective coordination to bring the different structures in the different countries into line. Other important cornerstones of regional policy in the years to come will be additionality in funding, cross-sectoral cooperation and conditionality. In order to ensure that the funding reaches the areas where it is needed, projects must have clear and specific objectives. In my opinion, careful long-term planning also brings added value and prevents funds from being wasted.

Tomasz Piotr Poręba (ECR), *in writing*. – (PL) I fear the provisions put forward by the Commission – especially those concerning the ending of Objective 2 and abandonment of the regional aspect of cohesion policy in favour of a sectoral approach – may mean a return to the concept of a two-speed Europe and an increase in the distance, in terms of economy and civilisation, between the old and the new Europe. Such a model would be a departure from integration of the entire 27 and from the idea of solidarity enshrined in Article 3 of the Treaty of Lisbon. That idea, surely, lies at the root of the entire cohesion policy, which is intended to bring about equalisation of opportunities and elimination of differences between regions.

The proposal of the Commission concerning increasing the emphasis on research and the development of new technologies should be praised. This is the route which Europe needs. In choosing this, we must not, however, forget those regions and countries where bringing the standard of living up to the EU average is a fundamental matter. Please remember that between the richest and poorest areas of the EU there is a greater than 11 times difference in wealth. Eliminating these differences must continue to be the main principle of EU cohesion policy.

A new version of the document is currently being written. I hope that in the new version, the Commission will take account of the words which were said during today's debate, and of what is being said in various parts of the European Union and at various levels: local governments, governments, associations and non-governmental organisations. Good regional policy can be achieved only with close cooperation from the regions.

(The sitting was suspended at 11.05 and resumed at 11.30)

IN THE CHAIR: MR BUZEK

President

President. – I have one announcement to make. It concerns a lady who has supported us in the European Parliament for many years – Mrs Birgitte Stensballe. She is, unfortunately, leaving us, and will retire on 1 January 2010.

(The House accorded Mrs Stensballe a standing ovation)

4. Agenda

Martin Schulz (S&D). – (DE) Mr President, ladies and gentlemen, I would like to raise two points of order and I would like to be able to raise them one after another. Firstly, I have a request for the entire House. It refers to an urgent matter which we will be discussing this afternoon. This is the case of Aminatou Haidar.

We have an urgent matter on the agenda this afternoon. I would ask my fellow Members to put their trust in me with regard to the following process. Some Members who have been closely involved with this case know – and I cannot give any more details at this point, but I am one of those who knows – that we will have a solution for this case during the course of the day. Prominent government representatives from the EU are working to achieve a positive solution. Therefore, it would be sensible to remove this urgent matter from the agenda this afternoon, because any further debate would only hinder the work which is being done through diplomatic channels. This is why I am asking the House to agree that in this exceptional case, we should remove this urgent matter from the agenda, because this will be of greater help in resolving the case than debating it would be. That was my first request, Mr President. The second request will follow immediately.

President. – Mr Schulz, I am not certain we can discuss this point again. I am afraid it is already too late, because we made a decision on this matter earlier. It is difficult, now, to discuss this point again.

Joseph Daul (PPE). – (FR) Mr President, I support Mr Schulz's proposal. I believe that the negotiations are extremely difficult. We are talking about a case that concerns a human being, a woman, and efforts are under way to find a political solution.

I therefore believe that, when efforts are under way to find a political solution, it is important not to exacerbate the situation. I ask that we first be allowed to find a political solution.

(Applause)

Miguel Portas (GUE/NGL). – (PT) I would just like to make a brief point. The diplomatic efforts are very important, but Aminatou Haidar is on her 33rd day of hunger strike in hospital. The worst thing we could do would be to tell a woman who is fighting for basic human rights that this Parliament was going to forget her here and now.

President. – Ladies and gentlemen, in accordance with Rule 140 of the Rules of Procedure, we can vote on the proposal to remove this from the order of business.

In relation to this, I would like someone to speak in favour of the motion.

Juan Fernando López Aguilar (S&D). – (ES) In my capacity as leader of the Spanish Socialist delegation to the European Parliament, I should like to express my appreciation of the words spoken by the President of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament supported by the President of the Group of the European People's Party (Christian Democrats). I do so for two reasons. Firstly, because as I see it, this House is clearly demonstrating its solidarity with Mrs Haidar personally and with her cause in this dangerous situation resulting from a prolonged hunger strike.

My second reason is that I believe the House is also adopting a positive stance in support of the intense multilateral diplomatic effort led by the government of the Kingdom of Spain. This is, after all, the government of the country on whose territory Mrs Haidar is currently to be found. It is also the government of the country in which the hunger strike is taking place that Mrs Haidar herself has stated will not end until she returns to a territory that is not under Spanish jurisdiction.

I therefore support the current diplomatic effort, and believe that our best course of action would be to avoid a resolution that could compromise the success of any negotiations that might take place in the next few hours...

(The President cut off the speaker)

President. – Now I will ask for someone to speak against the motion.

Izaskun Bilbao Barandica (ALDE). – (ES) Mr President, I am taking the floor to voice my group's opposition to this proposal, and I shall now explain our reasons. I do not think it is appropriate to present such a proposal this morning. Furthermore, it would amount to a failure to respect all the parliamentary groups that have tabled the text of a resolution.

We devoted three hours, only yesterday, to finding a way of taking this matter out of the political debate and ceasing to focus on what is happening in Spain. Thanks to the efforts of all the groups involved, we succeeded in reconciling differing positions and arriving at a common text for a resolution. We were also able to overcome differences of opinion in the same meeting.

Consequently, I believe that if it is deemed inappropriate, if this House does not make its voice heard on such a situation, when will it actually make itself heard? When will that be?

(Loud applause)

I have one final request ...

(The President cut off the speaker)

Willy Meyer (GUE/NGL). – (ES) Mr President, it is not right to say that the House has expressed a view on the case of Mrs Haidar. That has not happened. The House was going to express its view today. It was going to do so today, after a hunger strike that has lasted 33 days, yet an attempt is being made to prevent us from debating the matter. I think this is immoral. I repeat, it is utterly immoral.

(Applause)

José Ignacio Salafranca Sánchez-Neyra (PPE). – (ES) Mr President, I asked for the floor to make a point of order. This House is irrevocably committed to the cause of human rights and duty bound to honour that obligation. Mr Schulz made a proposal to the House this morning. If he is privy to data or important

information relevant to Mrs Haidar's case, he should make that information available to the House. A decision should then be taken in plenary this afternoon at the start of the debate.

(Applause)

Martin Schulz (S&D). – (DE) Mr President, for many years, I was responsible for human rights debates in this House on behalf of my group. I am dealing with this case with great care. I would like to mention that I had a very long discussion about this case with the Moroccan foreign minister last Sunday.

I have the impression that there is the possibility today of ending Mrs Haidar's hunger strike and finding a solution for her. If I had the impression that a public statement would help to resolve this case, I would make a public statement. However, because I believe that in complicated diplomatic cases of this kind, discretion is the best way of solving the problem, I would ask my fellow Members to use the necessary discretion to ensure that this lady is saved. That is my only wish.

President. – Ladies and gentlemen, I would like to ask you for a moment's attention. We cannot continue discussion on this matter indefinitely.

Raül Romeva i Rueda (Verts/ALE). – (ES) Mr President, I should like to begin by expressing my surprise, given that, as Mrs Bilbao Barandica pointed out, we devoted almost three hours to debating this matter yesterday. If Mr Schulz has been in possession of relevant information concerning this matter since Sunday, we should have been informed accordingly yesterday. I repeat, the information should have been passed to us yesterday, before the joint resolution was debated. We should have been aware of this information when talks were held between the different groups, leading to an agreement, that is to say, to a compromise.

(FR) No, that is not true. We have a responsibility to adopt a resolution, at least so that we may know this House's position on the case of Aminatou Haidar. Therefore, I am not asking that we do not vote, but that we should hold a debate as usual.

(Applause)

Charles Tannock (ECR). – Mr President, clearly the House is divided. This is a very delicate issue. There is a lot of confusion. Can I please request that we delay this vote until 15.00 so that we can consult both the parties and the groups, and also discover what is actually happening on the ground in Morocco?

President. – Ladies and gentlemen, we have heard all the comments. You have heard everything and you have a full picture. In accordance with Rule 140 of the Rules of Procedure, I am putting this motion to a vote. We have a specific motion, that we do not discuss this matter today.

(Parliament agreed to the request)

Martin Schulz (S&D). – (DE) Mr President, I very much regret having to ask once again for the patience of the House. On the voting list today, we have the vote on the principle of subsidiarity. Under the terms of Rule 177(4) of the Rules of Procedure, I request that we postpone a vote on this point until the next plenary session and investigate the legitimacy of passing a resolution on this point. I believe that there is substantial agreement throughout this House that the principle of subsidiarity and the fundamental rights should be guaranteed. However, there is absolutely no point in raising this to the level of the European Union. I would also like to say specifically on behalf of my Italian fellow Members that the debate taking place in Italy is an Italian and not a European debate and that, like us, my fellow Members will defend diversity and plurality. However, it does not make sense to do this in a resolution of this kind.

(Heckling)

Mr President, it is amazing that groups which have the concept of democracy in their name are not even familiar with the democratic principle of allowing a speaker to finish what he is saying.

Under the terms of Rule 177(4), I request that the vote is postponed until the next session and that the legitimacy of the resolution and the vote is investigated.

(Applause)

President. – Ladies and gentlemen, Mr Schulz, please put on your headphones. I have a specific proposal – we will reach this point in the second part of the vote. First we will vote on the budget, and then we have

several additional points. You can all think about Mr Schulz's proposal and we will come back to it in a moment, when we all have the resolution in front of us, in the second part of the vote.

Bernd Posselt (PPE). – (DE) Mr President, now that the urgent matter has been removed from the agenda, I would like to ask you to divide the speaking time for the Western Sahara item between the other two urgent matters, as we had some tough discussions yesterday about the speaking time for urgent matters. This is my practical proposal for this afternoon and I would ask you to accept it, as we will be spending an hour discussing urgent matters.

President. – We will take your suggestion into account.

5. Voting time

President. – The next item is voting time.

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

5.1. Mobilisation of the Flexibility Instrument (A7-0080/2009, Reimer Böge) (vote)

5.2. Amendment to the multiannual financial framework 2007-2013: financing energy projects under the European Economic Recovery Plan (A7-0085/2009, Reimer Böge) (vote)

5.3. Draft general budget of the European Union for the financial year 2010 as modified by the Council (vote)

- Before the vote:

László Surján, rapporteur. – Mr President, we are about to hold probably the shortest vote on the budget under the Nice Treaty, and it is sure that this will be the last vote under the Nice Treaty.

How is it possible that the voting list is so short? It is due to the excellent cooperation of the groups. As a rapporteur, I should like to thank all the groups who participated in the preparation of this vote. In addition to that, I should like to thank the Secretariat for its work. Without them, it would also have been impossible to have been here with just these two pages. Thank you very much to all of you.

(Applause)

And I think that this shortness is justified, for, in a time of crisis, we should work to manage the crisis and not spend time on lengthy votes.

Vladimír Maňka, rapporteur. – (SK) Mr President, I propose that we vote on the *Other Institutions* block in a single vote as I am not expecting any problems. Thank you.

President. – A situation has arisen in which we are voting on different institutions, and in accordance with the rules, we are obliged to vote on each institution separately. It is not possible to combine it all into one block. That would be contrary to procedure.

Hans Lindblad, President-in-Office of the Council. – (SV) Mr President, the Council notes with satisfaction that Parliament has confirmed the agreement that we reached at the conciliation meeting on 18 November this year. In conjunction with the outcome of the second reading in the Council, we are happy that Parliament's second reading can be deemed to represent a common text from the two parts of the budgetary authority in accordance with the new Article 314 of the Treaty of Lisbon.

The Council accepts this common text and the President of the European Parliament can thus declare the budget finally approved. However, I would like to point out that once you, Mr President, have declared the budget finally approved, the Council believes that it should be signed by both parties since the new Treaty states that both the Council and Parliament are responsible for it.

The Council regrets the fact that this position has not been taken into account. Having said that, we are not questioning in any way whatsoever what has been agreed. Nonetheless, we hope that next year's budgetary procedure will allow sufficient time to deal with these matters.

I would also like to take this opportunity to thank once again the Chair of the Committee on Budgets, Mr Lamassoure, and the three rapporteurs, Mr Surján, Mr Mañka and Mrs Haug, for their constructive attitude throughout the budgetary procedure, which also demonstrates the very good cooperation that we have enjoyed in this work.

I would like to finish with a personal reflection. Being President-in-Office of the Council is probably the most distinguished office that I will ever hold. It has been a great honour for me to serve Europe in this way and I would like to express my thanks for this opportunity. Thank you very much indeed.

(Applause)

President. – Ladies and gentlemen, because we have finished this part of the vote, I, too, would like to express very sincere thanks and congratulations to our rapporteurs, Mr Surján and Mr Mañka – and earlier we had the report of Mr Böge – as well as to all the people who have worked on the budget. It was an exceptionally difficult budget. In addition, I would like to congratulate our fellow Members, and also all of Parliament, because we have made this decision together. It is, truly, a great result. Congratulations to all!

(Applause)

Now I have to read out some very important points which are related to the extraordinary way in which we adopted the budget. It is very important because we have moved from the Treaty of Nice to the Treaty of Lisbon. It was a very difficult move. We began under the Treaty of Nice, and we are ending under the Treaty of Lisbon, and this is why this statement is necessary. You have to listen to this statement.

'The budgetary procedure for 2010 has been exceptional. It started under Article 272 of the EC Treaty, but its last stage was conducted when the Treaty of Lisbon entered into force. On 18 November 2009, Parliament, Council and the Commission therefore agreed to continue the budgetary procedure under the EC Treaty, but also reached an agreement covering the outcome of the budgetary procedure, including Parliament's vote, which took place in full respect of the Multiannual Financial Framework. The President of the Council has just confirmed the agreement of the Council on the budget we have just voted. This means that Parliament and Council have now reached an agreement on a joint text, respecting the aim and purpose of Article 314. I thus note that the budgetary procedure, that was initiated under Article 272 of the Treaty establishing the European Community and continued under Article 314 of the Treaty on the Functioning of the European Union, has been completed in accordance with Article 314 of the Treaty on the Functioning of the European Union and the Multiannual Financial Framework. The budgetary procedure can thus be deemed to be completed and the budget is declared definitively adopted.'

This is a very important statement. Next time, there will not be such complications, because the Treaty of Lisbon will be in force. Now I will officially sign the document.

Ladies and gentlemen, please allow me to add that the Chair of the Committee on Budgets is Mr Lamassoure, who has put a great deal of work into this. I would also like to mention his name as someone who has been very active in this matter.

6. Welcome

President. – At the moment, there is a delegation from Serbia in the gallery. We would like to extend a very warm welcome to the delegation. Please stand up, so that everyone can see you.

(Applause)

7. Voting time (continuation)

7.1. Draft general budget of the European Union for the financial year 2010 as modified by the Council (all sections) (A7-0083/2009, Vladimír Maňka) (vote)

- Before the vote on Amendments 3 and 7 (second part):

László Surján, rapporteur. – Mr President, it is proposed that Amendments 3 and 7, which are identical in the text, be voted in three parts, and that an oral amendment be made to the second part. Why? Because the original text mentioned the opinion of the Commission but, in the meantime, the Council has decided on this issue.

Therefore, I will read out the new proposal: ‘notes the European Council conclusions that the EU and its Member States are ready to contribute with fast-start funding of EUR 2.4 billion annually for the years 2010 to 2012; stresses, however, the need for information on participation and contribution from the EU budget during 2011 and 2012’.

That is the oral amendment, and my proposal is to vote in favour of all three parts.

(The oral amendment was adopted)

President. – I would like to take the opportunity to extend my best wishes to you all for the three-week break. We have some very important work before us next year. I would like to invite you all to cocktails on 12 January 2010, to mark the new year and the beginning of the Treaty of Lisbon, which is so important for us. So I invite everyone on 12 January.

All the best to you. Happy Christmas and New Year!

IN THE CHAIR: MRS WALLIS

Vice-President

Simon Busuttil (PPE). – Madam President, there is a mistake in the EPP voting list. I wish to point out to EPP colleagues that the vote on the two separate votes should be a ‘plus’ in our voting list – so, a ‘plus’ for the two separate votes that we shall be voting upon now.

William (The Earl of) Dartmouth (EFD). – Mr President, this is a private matter for the EPP, and I do not see why the Assembly should be bored with it.

7.2. Improvement needed in the legal framework for access to documents following the entry into force of the Lisbon Treaty (vote)

7.3. Defence of the principle of subsidiarity (vote)

- Before the vote:

Martin Schulz (S&D). – (DE) Madam President, I would like to repeat my point of order:

(Uproar in the Chamber)

I am pleased that I am always able to wake my fellow Members up. This is good for the circulation.

Once again, under the terms of Rule 177(4), I request that the vote is postponed and that the legitimacy of the resolution and the vote is investigated in the meantime.

Manfred Weber (PPE). – (DE) Madam President, ladies and gentlemen, firstly I would like to look at the procedural argument. I would like to remind everyone that we have just voted on the Cashman report. This is a report created by Parliament in the course of an ongoing legislative procedure. Our Legal Service has stated that this is not permitted, but the socialists insisted on introducing it. While we were discussing the freedom of the press in Italy and the Commissioner responsible explained that the European Union has no authority in this area, the socialists still felt that it was worthwhile to attack Berlusconi. Whenever it suits the socialists, it is a question of there being no authority. Whenever other people are being opposed, the authority is in place. For this reason, we should not give in to them.

However, the second argument is worthy of serious discussion. Are we responsible for the Convention on Human Rights? I would like to remind my fellow Members that, following the entry into force of the Treaty of Lisbon, the European Union will become party to the Convention on Human Rights. This means that if it is legitimate for the Italian Parliament to discuss this, because Italy is party to the Convention on Human Rights, then it is also legitimate for the European Parliament to discuss this, as it will be party to the Convention on Human Rights in future.

My third and final argument concerns the fact that we are not lawyers, we are politicians. This judgment affects millions of people and, therefore, we should vote on it today.

(Applause)

(The vote was postponed)

7.4. Belarus (vote)

- Before the vote:

Jacek Protasiewicz (PPE). – Madam President, the rationale of this amendment is to raise awareness of recent cases of repression in Belarus. My oral amendment is just to add one more name – that of a young democratic activist who was kidnapped on 6 December this year – to the list of names listed in this amendment.

So it will read as follows: after mentioning Zmitser Dashkevich, I would like to add ‘and Yauhen Afnabel on 6 December 2009’. This is just adding one more person to the list of those who are being harassed by the Belarusian Government.

(The oral amendment was accepted)

7.5. Violence in the Democratic Republic of Congo (vote)

8. Explanations of vote

Oral explanations of vote

- Report: Reimer Böge (A7-0080/2009)

Siiri Oviir (ALDE). – *(ET)* Mr President, the decision taken on the implementation of the flexibility instrument shows the success of international cooperation and, once again, gives an assurance that the institutions of Europe consider it urgent to fund the second stage of the recovery plan for the European economy. Another positive thing in this resolution was the fact that we were able to find unspent funds in the economy recovery plan for energy projects, confirming this later in the budget. I voted in favour of the resolution.

- Report: Reimer Böge (A7-0085/2009)

Siiri Oviir (ALDE). – *(ET)* I also supported this report, the adoption of the report, because the result from the Conciliation Committee – apparently the Conciliation Committee does not proceed very straightforwardly and quickly – was positive: to implement the recovery plan for the European economy, to implement the stated aim of this plan. Another positive thing was that we supported the previous decision in the later vote on the budget to set aside EUR 2.4 billion for the purposes mentioned. I supported this report.

- Report: László Surján, Vladimír Maňka (A7-0083/2009)

Chris Davies (ALDE). – Madam President, Nick Griffin of the British National Party has suggested that my voting is influenced by commercial interests. I want to make it clear that I am proud to be an advocate of low-carbon technologies to fight climate change. I have never requested or been paid a penny for my work; I do it because I believe in it. Any shareholdings I have ever had have always been declared in the declaration of interests, and they have never stopped me from criticising some wind-power projects.

Openness and transparency have always been the hallmarks of my political life, and, before Nick Griffin tries to smear the reputation of Members here, let him explain why the party he leads has failed twice to submit

its accounts on time to Britain's Electoral Commission. His accountants say that the accounts do not give a true and fair view of his party's affairs. Many people suspect that money from his party's members have been used for personal gain. If he denies it, then perhaps Mr Griffin could produce a set of accounts that his own auditors will approve.

Ashley Fox (ECR). – Madam President, if I may misquote John Dunning, an English MP in the 18th century, the EU budget has increased, is increasing and ought to be diminished.

I voted against the budget resolution because it breaches the 1% limit on gross domestic product. That is a limit we should not breach. We need to be aware that every euro we spend comes from the taxpayer. We should be prudent with their money, and this is not a prudent budget.

Syed Kamall (ECR). – Madam President, I, like my previous colleague, also voted against the budget. It is interesting how we often talk about European common values and solidarity with the citizens. Yet, at a time when many communities and families are struggling with the current economic situation, struggling to pay the bills, some of them losing their jobs, many even taking pay cuts, I think it is outrageous that we are voting to increase a budget which takes no account of the current economic situation.

We need sound finances, we need to show that we understand the concerns of our electorate and we need to be prudent with taxpayers' money. Only in that way can we generate the growth which is so badly needed to help citizens right across countries of the European Union. That is why I voted against this budget.

I would like to wish everyone a Merry Christmas and a Happy New Year.

- Motion for a resolution B7-0248/2009

Laima Liucija Andrikiienė (PPE). – Madam President, I voted in favour of the resolution because the Belarusians here today demonstrate the level of their engagement with the European Union.

Despite a lot of talking on the Belarusian side, only modest changes have so far taken place. Most recently, we have heard from the opposition that the President intends to sign a decree limiting access to free information on the Internet.

The EU certainly needs to support Belarus to draw it closer to Europe, but first of all, we need to engage with the Belarusian people.

It seems that now we are trying to engage with the Belarusian authorities by suspending the travel bans, but the travel bans are still there for the ordinary people of Belarus. EUR 60 for the Schengen visa is too expensive for the majority of Belarusians. At the same time, the price for Russian citizens is half as much. The EU would not suffer if the citizens of Belarus covered only the cost of the visa, which is not more than EUR 5.

President. – I would be grateful if Mr Brok and Mr Saryusz-Wolski would go and have their discussions somewhere else. Mr Brok, could you have your discussion outside of the Chamber, please?

Could you please have your discussion outside of the Chamber?

Out!

Mr Brok, will you please leave the Chamber and have your discussion outside.

Mr Preda, if you wish to make an explanation of vote on Belarus, I will take it now. Is that what you wish?

Cristian Dan Preda (PPE). – (RO) I was wanting to provide an explanation of why I voted for the proposal made by Mr Schulz. As I did not think there would be such a proposal, I did not register beforehand, but I would like to explain my vote for Mr Schulz's first proposal relating...

(The President cut off the speaker)

President. – I am sorry, it is not possible. I thought you wanted to speak on Belarus.

- Motion for a resolution B7-0187/2009

Laima Liucija Andrikiienė (PPE). – Madam President, I voted in favour of this resolution because the situation in Congo is horrific. Tens of thousands of people are killed in the country every month because of violence from the armed groups. The Congolese armed forces are often at the centre of such crimes, using unrestrained

force at times, and civilians are usually the victims of such violence. The situation of women is appalling, with sexual violence a specific problem in the country. There are reported rapes by almost all fighting parties, including the Congolese army.

We welcome the EU's engagement in Congo. European military engagement contributed to the prevention of a situation similar to the one in Rwanda. The EU police mission is especially important, since the main problem Congo faces is impunity and lack of criminal-prosecution capacity. However, in order to achieve significant progress, we need more engagement from the international community. That is why more action needs to be conducted through the MONUC and more resources have to be given to the United Nations.

Nirj Deva (ECR). – Madam President, as we leave for our Christmas vacations and our fat turkeys and whatever we eat in the festive season, we must also go with the thought that, in the Democratic Republic of the Congo, many people will die during the same period.

Nearly five million people have been killed there since 1999, and it is estimated that 45 000 – the size of a small English town – 45 000 people get killed there every month. As we celebrate Christmas, we ought to think about this and wonder whether these people in the Democratic Republic of the Congo and ourselves are still living on the same planet.

For twenty odd years or more, the United Nations has been trying valiantly to bring this situation to some stability, but only with 20 000 soldiers. How on earth can they manage to keep the peace with 20 000 soldiers? We need to help the UN do an effective job and arrest those people who are behaving with impunity and who are raping and killing women and children. We need seriously to end this now.

- Motion for a resolution B7-0191/2009

Simon Busuttil (PPE). – Madam President, on behalf of the EPP Group, I wish to state that the EPP voted against the resolution, not because it does not favour transparency or access to documents, certainly under the new treaty, but because it had tabled its own resolution – which eventually we did not vote on – which presented, to our mind, a more balanced approach to this very delicate issue.

We have to be careful when discussing the issue of access to documentation and transparency that we do not go overboard, and that we do not expose documentation and procedures to a degree which makes the entire system unfeasible. If we are to open up secret negotiations and closed negotiations completely, then we might end up undermining the very negotiations and the very system on which we are built.

Written explanations of vote

- Report: Reimer Böge (A7-0080/2009)

Andrew Henry William Brons (NI), in writing. – I voted in favour of this very reluctantly. Whilst it mainly concerned the reallocation of existing funds, it would involve subsidy, by use of the Flexibility Instrument. However, the main purpose was to reimburse Bulgaria and other countries that had been forced to decommission functioning nuclear reactors, against their better judgment. A promise of funding had been made by the EU and that promise had to be kept.

David Casa (PPE), in writing. – Following the conciliation meeting held on 18 November 2009, Parliament and the Council were capable of coming to an agreement regarding the use of the Flexibility Instrument in favour of the EERP as well as of the decommissioning of the Kozloduy power plant in Bulgaria. While both are important, I feel that the proper and correct decommissioning of this power plant is particularly important. I have thereby decided to support the rapporteur and vote in favour of this report.

Diogo Feio (PPE), in writing. – (PT) The motion for a resolution that is being debated concerns European financing for the period 2010-2013 for the decommissioning of the Kozloduy nuclear power plant in Bulgaria and the mobilisation of the Flexibility Instrument for this purpose, thus honouring a commitment made to Bulgaria during its accession process.

It also concerns additional financing under the Flexibility Instrument for the second phase of the European Economic Recovery Plan (EERP) in the area of energy, since this plan had not yet been adequately financed.

I do not deny that nuclear energy can form part of a well-balanced European energy basket and that its use may lessen our external dependence in this field, but I believe the European Union cannot avoid sharing in

the effort to close down that obsolete nuclear facility while also ensuring that economic recovery projects deserve adequate funding.

The environmental safety resulting from the decommissioning of Kozloduy and greater investment in energy projects are both good reasons to mobilise the Flexibility Instrument.

José Manuel Fernandes (PPE), *in writing*. – (PT) At the conciliation meeting of 18 November 2009, the Flexibility Instrument was mobilised to finance the decommissioning of the Kozloduy nuclear plant to the sum of EUR 75 million in 2010. I deplore the fact that the Commission only presented these financing needs in Amending Letter No 2/2010 after Parliament's first reading, in other words, after Parliament had set its priorities.

That created additional pressure on subheading 1a, considerably affecting the dynamics of the negotiations on the 2010 budget and jeopardising Parliament's political priorities. Nonetheless, promises once made have to be kept, as in the case of the protocol concerning the conditions for the accession of Bulgaria to the European Union, which contains the EU's commitment to finance the decommissioning of Kozloduy. The additional financing needs in 2011-2013, totalling EUR 225 million, must be addressed in a mid-term review of the multiannual financial framework. Further financing of Kozloduy in 2011-2013 should be without prejudice to the financing of existing multiannual programmes and actions. I therefore voted in favour.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) The use of this fund is based on the logic behind the energy strand of the European economic recovery plan. I shall abstain for the same reasons.

- Report: Reimer Böge (A7-0085/2009)

David Casa (PPE), *in writing*. – The recovery plan has been one of the Commission's responses to the economic crisis that has plagued Europe in recent years. Its goals include restoring business as well as consumer confidence and, in particular, ensuring that lending is carried out. There has been a need to be flexible and allow for funds to be reallocated from different budgets when necessary. This is why I have to support the rapporteur's views and vote in favour of the proposal.

José Manuel Fernandes (PPE), *in writing*. – (PT) The European Economic Recovery Plan (EERP), to which the sum of EUR 5 billion was allocated by Parliament in March 2009, is divided into trans-European energy projects and projects to develop broadband Internet in rural areas. This is an important instrument for tackling the economic crisis, reviving the economy and hence creating jobs. During the conciliation meeting of 18 November, an agreement was reached by Parliament, the Council and the Commission on financing for the second year (2010) of the EERP, to the sum of EUR 2.4 billion. This financing, for energy and broadband Internet projects, requires a review of the multiannual financial framework for 2007-2013.

Financing of the EERP should not be postponed to subsequent years, and I therefore welcome the agreement that was reached. I would also point out that the current multiannual financial framework does not meet the European Union's financial needs. Consequently, the Commission should urgently submit a proposal for a mid-term review of the MFF. I also endorse the need to extend the 2007-2013 MFF to the years 2015-2016. I therefore voted in favour.

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) Even if some positive use is made of the funds being mobilised here, they are still far from enough to address rural areas' need for support. Agriculture in the countries of the European Union has many other needs and the farmers who work the land are calling for an agricultural policy that encourages production, guarantees them a decent living and prevents the ongoing desertification of rural areas.

It is not enough, therefore, merely to say that we are promoting solidarity in the energy resources field and promoting broadband in rural areas if we really want to contribute to the recovery of Europe's economy.

As we have advocated, what is needed is a thorough revision of Community policies and a substantial increase in budget funding.

That is why we abstained.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) The energy strand of the European Economic Recovery Plan contains some striking proposals. These include the creation of a specific 2020 fund, the increase in state requirements concerning the environmental performance of goods, and the incentive to construct energy-efficient buildings. The decommissioning of the first-generation Kozloduy nuclear power plant in

Bulgaria, for its part, fulfils an urgent requirement. Just as remarkable, however, is the fact that the EU plans to provide no assistance whatsoever to a project to move us away from nuclear power.

Clearly, although it is a matter of urgency, the EU is not firmly committed to making the break from maximum productivity. How could it, when it is committed to giving absolute priority to the principles of liberalism glorified by this recovery plan? That is why, on this chapter, I decided to abstain.

- Report: László Surján, Vladimír Maňka (A7-0083/2009)

Liam Aylward (ALDE), in writing. – (GA) I supported the European Union budget for the financial year 2010. I particularly welcome the agreement with the Council, which will provide extra aid to the value of EUR 300 million to dairy farmers. One of the demands the Parliament made at the talks about budget 2010 was that a dairy fund worth EUR 300 million would be provided to deal with the dairy crisis. Although the Commission agreed with the proposal initially, it wanted to put only EUR 280 million into that fund.

This money will be a great help to dairy farmers who were severely affected by the low prices over the summer and who are having problems with liquidity. I also welcome the support provided in the budget for the Special Olympic Games organisation and for their request regarding funding for the European Special Olympic Games in Warsaw in 2010 and for the World Special Olympic Games in Athens in 2011. EUR 6 million has been allocated to the Special Olympic Games, with a provision for further funding to be provided in 2011.

Françoise Castex (S&D), in writing. – (FR) I voted, unenthusiastically, for the European budget for the financial year 2010 so as not to jeopardise the funding of the second section of the European recovery plan (energy infrastructure and broadband Internet), the launch of a new European initiative to promote micro-credit (amounting to EUR 25 million in 2010), or emergency aid for the milk sector (an additional EUR 300 million). I would point out that my French socialist colleagues and I voted against the financial perspective for 2007-2013 as far back as 2006. Back then, we criticised a cut-price budget which, because of its shortcomings, would not have enabled far-reaching innovative projects to be developed. Today, our analysis is being confirmed: this budget does not put us in a position to tackle the crisis, and it reflects the absence of a European political project. Although the unprecedented economic crisis that Europe is going through requires a strong, common response from the Union, the Council and the European Commission have chosen to allow the Member States to develop their own recovery plans. It is not with a budget such as this that we will restore lasting growth and successfully combat climate change.

Vasîlica Viorica Dăncilă (S&D), in writing. – (RO) The outcome of the vote on the 2010 budget marks an important step in the drafting and application of joint norms and measures required to regulate the areas of energy, technology, agriculture and infrastructure. It is seen as providing proper support in a context where Member States' economies are facing a crisis situation. I welcome the allocation of EUR 300 million, although only EUR 280 million had been allocated initially, as immediate aid intended for dairy producers who are facing a collapse in prices, leading to insecurity. I believe that this action will tackle the causes but, above all, the effects which have led to this considerable slump in the dairy product market, which is happening against the backdrop of the current economic crisis.

Marielle De Sarnez (ALDE), in writing. – (FR) The 2010 EU budget has just been adopted. With this budget of EUR 2.4 billion, we will be able to finance the second and final phase of the European Economic Recovery Plan, and that is good news. Unfortunately, the negotiations on the financing of a European programme to promote micro-credit – a particularly useful and necessary instrument for reviving growth – are being held up at the Council.

Similarly, the Council's rejection of Parliament's amendment proposing to increase the aid granted to people most in need, at a time of unprecedented economic and social crisis, is highly regrettable, when 2010 has been declared the 'European Year for Combating Poverty and Social Exclusion'.

On the other hand, the European Council's announcement, last Friday, of the willingness of the EU and its Member States to contribute to the financing and prompt implementation of EUR 2.4 billion per year from 2010 to 2012 to help developing countries combat climate change is along the right lines. However, if the Council wants to be consistent and responsible, it must accept the urgent need for a mid-term review of the 2007-2013 financial framework. Without it, this news would unfortunately be nothing other than a publicity stunt.

Göran Färm, Anna Hedh, Olle Ludvigsson and Åsa Westlund (S&D), in writing. – (SV) We Swedish Social Democrats have decided to vote today in favour of the second tranche of financing for the European Economic Recovery Plan. The plan is an important step in our joint efforts to enable the EU to recover from the financial and economic crisis. However, a large part of the recovery plan involves investments in CCS technologies. We are in favour of further research in this area, but we feel that we should not focus too much on this technology until CCS has been compared with other existing methods of reducing carbon emissions. Such a comparison would enable us to invest the EU's resources where they would be of most benefit in combating climate change.

We support the budgetary commitment and voted in favour of all the parts with the exception of the requirement to introduce permanent support for the milk sector, which we voted against.

Diogo Feio (PPE), in writing. – (PT) As I said before, I think it essential that the specific conditions of the crisis that we are currently experiencing be taken into account when we discuss the allocation of funds to the various sectors of the European economy. In particular, I believe it is essential to allocate funds to implementing the European Economic Recovery Plan, particularly with regard to adopting measures to stimulate economic growth, competitiveness, cohesion and job protection.

I reiterate that allocating the necessary funds so that small and medium-sized enterprises, which are among the main victims of the crisis, can receive support to help them weather this crisis is essential, and the Structural and Cohesion Funds are crucially important for national economic growth.

I regret, however, that only EUR 300 million, which I regard as too little, has been allocated for the creation of a fund for the dairy farming sector. The serious crisis that the sector is currently experiencing would justify the allocation of more funds to help producers overcome the difficulties they are currently facing.

José Manuel Fernandes (PPE), in writing. – (PT) This is a budget that will help to fight unemployment and kick-start the economy. Parliament is prioritising the European Economic Recovery Plan, with financing of EUR 2.4 billion for the coming year. I welcome the granting of EUR 300 million of additional support to the dairy sector, but I advocate creating a budget heading to establish a permanent fund for this sector. I also consider it very important that the current multiannual financial framework for 2007-2013 be revised and extended to the 2015-2016 financial years, as we proposed in this budget. I would point out that the fight against climate change is an EU priority that is not sufficiently addressed in this budget. I would also point out that energy security is crucial for the Union, and I therefore welcome the signing of the Nabucco project. The budgets for Parliament and the other institutions, which have been tabled for second reading, are the same as we approved at first reading. Under heading 5, we have a margin of EUR 72 million, which will be used preferentially for financing additional expenditure directly attributable to the entry into force of the Treaty of Lisbon. I therefore voted in favour.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) We voted against this report, which 'welcomes the overall agreement on Budget 2010', because this is a Community budget that already reflects the priorities set in the Treaty of Lisbon for a European Union that is increasingly neoliberal and militaristic and less and less concerned with economic and social cohesion.

In the midst of an economic and social crisis that is having terrible effects on employment and people's living conditions, it is unacceptable for the Community draft budget to have EUR 11 billion less in payments than was projected in the financial perspective.

We welcome the fact, however, that some of the proposals we tabled were adopted, namely:

- the creation of a budget heading for actions in the textile and footwear industry, with a view to creating a Community programme for the industry;
- the creation of another heading to promote the transformation of jobs with no stability into jobs with rights.

The aims of these proposals are firstly to draw attention to the severe crisis that the textile industry is currently undergoing, which was partly caused by the exponential rise in imports from third countries, and secondly to help fight the rapid growth in job instability, unemployment and poverty.

Lidia Joanna Geringer de Oedenberg (S&D), in writing. – (PL) Madam President, as a result of the conciliation procedure, a level of expenditure was agreed which was satisfactory for Parliament and sufficient for realisation of the most important objectives of the Union next year. Especially significant are the agreements concerning

means for realisation of the European Economic Recovery Plan, including projects in the field of energy, for which EUR 1 980 million has been reserved. A sum of EUR 420 million will be allocated to increasing the availability of broadband Internet, which will contribute to realisation of the principles of the Lisbon Strategy. Significant last-minute changes were made to planned administrative expenditures in connection with the entry into force of the Treaty of Lisbon.

Establishment of the European Council as an EU institution, as well as establishment of the office of President of the European Council and the External Action Service, entail consequences for the Union budget. Costs related to the European Council and the President are estimated at EUR 23.5 million and will be met with savings from 2009, whereas costs associated with establishment of the External Action Service may exceed even the EUR 72 million which is currently in the budget reserve for 2010. So the debate on expenditure in 2010 will not end today. The funds in the reserve may turn out to be insufficient, and then it will be essential to make a correction to the budget. It is necessary, therefore, to appeal to the Member States to show responsibility and make available the means needed for the Union to meet the new obligations which result from the Treaty of Lisbon.

Sylvie Guillaume (S&D), *in writing*. – (FR) It was somewhat unenthusiastically that I voted in favour of the 2010 budget, since it is no match for the challenges that we have to face, not only in this context of serious economic and social crisis, but also in view of the fight against climate change. My main aim, with my vote, was to prioritise support for the European recovery plan, for the launch of a new initiative on micro-credit (EUR 25 million in 2010) and for emergency aid for the milk sector (EUR 300 million). In future, it is the effectiveness of the EU budgetary framework that we will have to review in order to equip ourselves with collective resources for action that are genuinely in keeping with reforms.

Jörg Leichtfried (S&D), *in writing*. – (DE) I am voting in favour of the report on the 2010 EU budget. I am particularly pleased that, although this is the last budget negotiated on the basis of the Treaty of Nice and although, on this basis, the European Parliament has no formal decision-making authority on agricultural spending, we have succeeded in negotiating a budgetary item of EUR 300 million to support dairy farmers.

Petru Constantin Luhan (PPE), *in writing*. – (RO) The 2010 EU budget respects the previous commitments assumed at European level with regard to the European Economic Recovery Plan. Although it has been a fairly difficult task for us to find the necessary resources both for tackling the problems triggered by the crisis and for continuing the development projects which the European Union already has, I think that the budget extensively covers both situations. For example, the commitments made by the President of the European Commission at the end of 2008 were retained and innovative measures were also introduced, such as the Preparatory Action – Erasmus for young entrepreneurs. This budget will enable Romania to continue to enjoy financial support provided from the Structural and Cohesion Funds. In addition, good prospects are being created for dealing with the matter of the borders in the eastern part of the European Union, as well as for the Black Sea Basin area, given that resources have been allocated for preparatory action aimed at environmental monitoring of the Black Sea Basin and for a common European framework programme for developing this region. Furthermore, we have considered, although we are going through a difficult period, focusing attention on tourism as a source of development, as highlighted by the budget allocation for sustainable and social tourism.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) The European Union's budget is a reflection of its policies: it is neoliberal and oblivious to the interest of the majority. The crisis in the capitalist system and the environmental crisis – the consequence of the fanatical obsession with maximum productivity entailed by the endless pursuit of profit – will not have had any effect on it. The EU continues indiscriminately to apply neoliberal dogmas without giving due regard to the evidence of their economic ineffectiveness and environmental and social harmfulness.

Only yesterday, Parliament was voting for aid to be granted under the European Globalisation Adjustment Fund. This fund is purely and simply about putting a socialist slant on the senseless relocations of large groups such as Ford, Nokia and Dell. And that is just one example. What can we say about the European Economic Recovery Plan, which advocates free trade, flexible working and maximum productivity? No, that Europe is definitely not the solution but the problem. Voting for this budget would go against the European general interest.

Nuno Melo (PPE), *in writing*. – (PT) The report adopted today is extremely important in several respects, first of all, because it provides for an economic recovery plan worth EUR 2.5 billion. The sum of EUR 300 million has also been approved for the textile sector, something that Parliament had been demanding

for a long time. The budget also includes several lines of support aimed at evaluating the status of key sectors of the economy, such as the textile and footwear industry and the fisheries sector, to promote renewal of the fishing fleet, which are very important sectors for my country. The pilot projects to halt desertification and to preserve jobs are also extremely relevant in these times of economic crisis. It should also be noted that this was the last EU budget under the Treaty of Nice. Under the Treaty of Lisbon, Parliament's powers are extended to the whole budget.

Willy Meyer (GUE/NGL), in writing. – (ES) This budget will not help to resolve the economic, social and environmental problems facing the European Union which have been aggravated by the crisis.

It also fails to take account of increased social and regional inequalities, unemployment and poverty. The European Union's budget must serve to effectively prioritise convergence policies based on social progress, the preservation and promotion of each Member State's potential, the sustainable use of natural resources and environmental protection, in order to achieve genuine economic and social cohesion.

My entire group is united in rejecting the idea of using the Community's budget to promote a more militarist and neoliberal European Union. That is why we are opposed to the increase in military expenditure contained in the budget. In this connection, we wish to highlight the need for democratic control of expenditure relating to the Common Foreign and Security Policy. This is a grey area outside the scope of the control to which budgetary expenditure is subject.

Andreas Mölzer (NI), in writing. – (DE) During an economic crisis, when the citizens of Europe are being subjected to waves of redundancies and cuts in social services, the European Union must also make savings. In difficult economic times, measures are, of course, needed to stimulate the economy, but it is doubtful whether instruments such as the European Economic Recovery Plan can achieve this. In the past, much-vaunted EU programmes have turned out to be paper tigers. In addition, various EU subsidies have proved to be an invitation to commit abuses of many different kinds. This means that hard-earned taxpayers' money has, for years, been trickling away into mysterious channels. Instead of continuing to inflate the EU budget, far-reaching renationalisation of the subsidy system is needed. For this reason, I reject the draft budget.

Aldo Patriciello (PPE), in writing. – (IT) Mr President, ladies and gentlemen, I welcome the excellent work done by the rapporteur, who has succeeded in securing funding for the European Economic Recovery Plan to the tune of EUR 1.98 billion, making it a fundamental objective of the 2010 budget.

I am sure that the new plan will provide a renewed impetus for economic growth, competitiveness, cohesion and job protection in Europe, at the same time showing that the EU budget is a tool aimed at putting European citizens first and which can provide specific responses so as to be instrumental in helping to overcome the recent economic crisis that has affected our continent.

It is now up to the Commission to ensure that all projects to be financed under the recovery plan will be fully compatible with current EU environmental legislation. The joint declaration calling for the simplification and a more targeted use of the Structural Funds and the Cohesion Fund to help overcome the effects of the economic crisis should also be welcomed.

The allocation of EUR 300 million to overcome the crisis in the milk sector is also very effective. This represents an additional EUR 20 million compared with the Council recommendation, which we can only welcome.

Marit Paulsen, Olle Schmidt and Cecilia Wikström (ALDE), in writing. – (SV) We believe that agricultural policy needs to be deregulated and market-based if it is to be of benefit to consumers and the rural population. Thorough reform of the common agricultural policy is therefore necessary.

All forms of export and production subsidies for agriculture should be abolished as soon as possible, and by 2015 at the latest. Abolition of the EU and US farming subsidies is also vital if we are to combat global poverty and hunger. During the same period, all trade barriers in respect of agricultural produce and fish should be phased out, thereby allowing free trade in food.

The part of the EU budget for 2010 that concerns agriculture falls under heading 2 – 'Conservation and management of natural resources' – and makes up what is known as Block 3. This block contains intervention and support measures that we oppose, including various stockpiling measures – such as for alcohol – and extensive EU support for the wine sector. It also includes EU support for milk and fruit in schools. This in itself is important, but we believe this matter should instead be dealt with at national level. At the same time,

the block contains important initiatives in respect of animal welfare and controls on animal transports, for example, which we would, in principle, welcome. However, since the voting procedure forces us to take a position on this group of amendments as a whole, we have chosen to abstain from voting on Block 3.

Paulo Rangel (PPE), *in writing*. – (PT) Since Parliament acknowledges European citizens' wish for a safe and secure Europe, it welcomes the increases in sub-heading 3a on freedom, security and justice relative to the 2009 budget. It stresses the importance of further funding being made available via the EU budget to manage legal immigration and integration of third-country nationals while in parallel tackling illegal immigration.

It points out that these policies must always be implemented against the backdrop of respect for the EU's Charter of Fundamental Rights. Equally important is the increase in funding for border protection, including the European Return Fund and the European Refugee Fund, to facilitate solidarity between the Member States. It acknowledges that all countries in the Union are facing growing challenges in relation to policies covered by this heading, and urges the Member States to make use of the increase in funding for freedom, security and justice relative to the 2009 budget so that they can together face these and any new challenges that may arise by promoting a common immigration policy that is as inclusive as possible but grounded in absolute respect for human rights.

Daciana Octavia Sârbu (S&D), *in writing*. – I welcome the outcome of this vote on the 2010 budget. It will ensure funds are directed to various important projects and will provide much needed support, especially in the light of the economic difficulties still facing the European Union. Of particular importance is the EUR 300 million which will be allocated to the dairy sector following the recent crisis. The Council finally agreed to the European Parliament's request for this amount, having previously argued for EUR 280 million. There is also significant funding being allocated to the second stage of the Economic Recovery Plan – EUR 2.4 billion – which includes vital support for energy (including renewable energy) projects and infrastructure, as well as EUR 420 million to provide broadband access in rural areas. The budget will therefore allow significant developments in the areas of energy, infrastructure, and technology, as well as providing crucial assistance in the current economic climate.

Nuno Teixeira (PPE), *in writing*. – (PT) The vote on the European Union budget is an annual institutional landmark whereby the commitment to Community programmes is confirmed and Parliament's role is emphasised. I welcome the conclusion of the second phase of funding for the European Economic Recovery Plan for 2009 and 2010, since economic and employment recovery are major concerns for the Group of the European People's Party (Christian Democrats) in the current crisis. Confirmation of the new microfinance facility programme demonstrates the priority being given to the goals of the Lisbon Strategy and the important role played by small and medium-sized enterprises in job creation. I must express my concern regarding the cuts in budget appropriations for the Structural and Cohesion Funds, which are vital for economic revival and territorial cohesion, especially in the outermost regions like Madeira.

I think it is essential to continue to make the cohesion policy more flexible with a view to raising the currently low levels of implementation of programmes financed from Community funds. In addition, projects that have strategic aims, provide added value and encourage competitiveness in the long term should continue to be promoted. For all these reasons, I voted in favour of this report, which is the culmination of a technically intricate process that was difficult to negotiate.

Silvia-Adriana Țicău (S&D), *in writing*. – (RO) I voted in favour of the draft general budget of the European Union for the financial year 2010 as modified by the Council (all sections) and for the Letters of Amendment to the draft general budget of the European Union for the financial year 2010. The 2010 EU budget provides considerable sums for the commitments made through the European Economic Recovery Plan, such as power networks (EUR 1 175 million), the European offshore wind power network (EUR 208 million) and capture and geological storage of carbon (EUR 523.2 million). The European Parliament has also managed to top up the sums allocated for transport safety, the SESAR Joint Undertaking, activities for supporting European policies in the areas of transport and passenger rights, the Intelligent Energy Europe programme, which is part of the Competitiveness and Innovation Framework Programme, and the Clean Sky Joint Undertaking. Furthermore, the sums allocated for agriculture include an increase of EUR 14 billion for promoting rural development and EUR 300 million for supporting dairy producers who have been hit very hard by the economic and financial crisis. Due to the economic and financial crisis, the main concern European citizens have nowadays is about losing their job. I believe that in 2010, particular attention should be focused on programmes for training young entrepreneurs and for supporting them in setting up their own companies.

Artur Zasada (PPE), *in writing*. – (PL) Today, we have adopted a European Union budget for 2010 amounting to almost EUR 123 billion. Every budget is a kind of compromise. Perhaps many of us are conscious of its deficiencies, but it is worth stressing that the average citizen of the EU gains by the document adopted today. Above all, the European Union is strengthening its energy security and is banking on the development of businesses, and particularly of micro-enterprises. I am pleased that EUR 20 million has been reserved for the Baltic Sea Strategy. It is true that the reserve funds will be released only when the European Commission presents written proposals for their use. I do believe, however, that this will happen as quickly as possible. I am particularly pleased by the inclusion in the budget of three projects which are important to my country. I am thinking of the support for the Special Olympics, which will be held in Warsaw and Athens, grants for young people from countries included in the programme of the European Neighbourhood Policy and establishment of the Bronisław Geremek Chair of European Civilisation at the College of Europe in Natolin.

- Motion for a resolution B7-0191/2009

Diogo Feio (PPE), *in writing*. – (PT) The openness of European institutions and the transparency of their procedures are guarantees that civil society and public opinion in the Member States are not only kept informed but are also an integral and informed part of their decision-making processes. Although people feel somewhat divorced from Europe, not least because the procedure that led to the entry into force of the Treaty of Lisbon was troubled, not always clear and often open to criticism, the European institutions must persist in and commit themselves wholeheartedly to making the greatest possible number of documents available in good time, thus helping to close the gap.

I must, however, deplore the fact that the left in Parliament has used the necessary improvement in the legal framework regulating document access, in the wake of the entry into force of the treaty, to take the populist stance of dismissing the real need for confidentiality in some areas of European action and seeking to elevate itself as the sole champion of transparency.

Affairs of such sensitivity can do without artificial and populist splits; they deserve to be taken seriously, with a sense of responsibility and the broadest possible consensus. I regret that that has not been possible.

Sylvie Guillaume (S&D), *in writing*. – (FR) I gave my full support to the resolution tabled by my colleague, Mr Cashman, in order to call on the Commission and the Council to review the rules on access to European institutional documents, in accordance with the clauses on transparency laid down in the Treaty of Lisbon. This issue is crucial to ensuring the democratic and responsible functioning of our institutions and must help to restore European citizens' confidence in Europe.

Elisabeth Köstinger, Hella Ranner, Richard Seeber and Ernst Strasser (PPE), *in writing*. – (DE) In the vote on Thursday, 17 December 2009, I voted against resolution B7-0194/2009 from Mr Cashman on the improvements needed to the legal framework for access to documents following the entry into force of the Treaty of Lisbon (Regulation (EC) No 1049/2001) for the following reasons: this resolution refers to facts which have nothing to do with the subject of transparency and calls for changes, the consequences of which would not make a constructive contribution to improving transparency.

I would like to emphasise that I am very much in favour of transparency and public access to documents. However, these important objectives will not be achieved by fulfilling Mr Cashman's demands, but only by dealing with the subject responsibly as highlighted in the resolution of Renate Sommer, Simon Busuttil and Manfred Weber of the Group of the European People's Party (Christian Democrats) on this subject.

Véronique Mathieu (PPE), *in writing*. – (FR) It is vitally important to make European action more transparent and to permit the broadest possible access to European institutional documents in order to give European citizens a greater understanding of how the Union works. However, we must be vigilant on this point and guard against any kind of demagoguery. For the sake of the effectiveness of European action, restrictions must be placed on this sacrosanct principle of transparency. The risk, in permitting maximum transparency, is that we will have sterile debates insofar as MEPs will be afraid to speak openly on sensitive issues. Negotiations, by definition, demand a discrete environment. Without it, these debates will take place in informal settings far removed from official meetings, and the end result will be the opposite of what we were trying to achieve. Therefore, yes to greater transparency, and, in this connection, I welcome the entry into force of the Treaty of Lisbon. It will enable these changes to take place, but this must not be at the expense of sound European decision making.

Nuno Melo (PPE), *in writing*. – (PT) The entry into force of the Treaty of Lisbon makes it necessary to introduce improvements in the legal framework regulating document access. Such improvements must safeguard the

rights of all citizens of the Union. Since the Union is an area of freedom, security and justice, as laid down in the Preamble to the Charter of Fundamental Rights, any effort that leads to greater transparency in access to EU institution documents is welcome. It is also highly important, however, to evaluate to what extent total freedom of access to all documents may be prejudicial to the proper functioning of the institutions. It is therefore essential to find a balance on this subject.

Frédérique Ries (ALDE), *in writing*. – (FR) I voted resolutely in favour of the ambitious European Parliament resolution on access to documents for the citizens. I did so because it is always important to remind people that transparency is key to democracy, because the path to gaining access to European Union information is still too often full of pitfalls for the average citizen, and also because the entry into force of the Treaty of Lisbon, on 1 December, significantly alters the situation. The right of citizens to access European institutional documents, in any form, is now enshrined in Article 42 of the Charter of Fundamental Rights. Citizens are, moreover, seeing their rights extended to the legal opinions of the Council with, in return, obligations extended to all the European institutions.

This vote also crowns all the work carried out by my political group, which has always been in the vanguard of this fight. On this subject, nine months ago, Parliament was adopting the Cappato report and calling for the Council's activities to be more transparent, open and democratic. Indeed, that institution has a moral obligation to make its decisions and its debates public; this is quite simply a democratic requirement that it is duty-bound to fulfil for the citizens.

Axel Voss (PPE), *in writing*. – (DE) Transparency is important and its importance is growing in the age of globalisation. Therefore, I support the efforts to introduce more transparency at an EU level. However, we need to maintain a balance. The resolution presented to us goes far beyond the transparency required by citizens and, therefore, I have voted against it. This motion for a resolution fails to find a balance between the necessary transparency and reasonable activity by the administration and the Members of Parliament at an EU level. In the current version, it is no longer possible to ensure the confidentiality of the written word, citizens' privacy can no longer be guaranteed when questions are asked, data protection is called into question and the consequences for our security and for the financial market policy of the European Central Bank cannot be predicted. In addition, it would give rise to a level of bureaucracy for the administration and the Members of Parliament that is totally out of proportion to its objective.

- Motion for a resolution B7-0273/2009

Louis Grech (S&D), *in writing*. – The Maltese delegation in the S&D Group will be voting in favour of the motion for resolution on the subsidiarity principle as presented by Mr Mauro, Mr Busuttil and Mr Weber. However, the delegation feels that a wider consensus and a bigger majority on the motion would send a stronger message to Europe. In this respect, therefore, it would be more beneficial to support the postponement motion – within a specific timeframe, since this could offer greater possibility for a broader consensus to be reached.

Jean-Luc Mélenchon (GUE/NGL), *in writing*. – (FR) It is the duty of all European institutions – national and Community institutions alike – to represent European citizens in their entirety, without distinction. Secularism is the only principle by which the institutions can allow citizens as a whole to access public services according to their beliefs. It is our common philosophical heritage and safeguards the principle of civil peace around which the EU was built.

That is why it is absolutely crucial that Italy complies with the *Lautsi v. Italy* judgment handed down by the European Court of Human Rights. As the Court points out, the display of religious symbols must be prohibited in all public buildings within the EU. It is high time that crucifixes, which were imposed in classrooms under Mussolini, were withdrawn from the state school environment.

Edward Scicluna (S&D), *in writing*. – The Maltese delegation in the S&D Group will be voting in favour of the motion for resolution on the subsidiarity principle as presented by Mr Mauro, Mr Busuttil and Mr Weber. However, the delegation feels that a wider consensus and a bigger majority on the motion would send a stronger message to Europe. In this respect, therefore, it would be more beneficial to support the postponement motion – within a specific timeframe, since this could offer greater possibility for a broader consensus to be reached.

- Motion for a resolution B7-0248/2009

Diogo Feio (PPE), *in writing*. – (PT) Belarus has deservedly been given the unflattering sobriquet of the last Soviet republic in Europe. Despite the progress that has been made in some aspects of that country's political, social and economic life, it is clear that none of the reforms implemented there can yet justify rejecting that deplorable description.

In Belarus, elections are not free, there is no freedom of expression, association or demonstration, and repression by the authorities is increasing.

The European Union is in danger of being inclined to follow a line of appeasement with this dictatorship, as it did with Cuba. I think it will be wrong if it does so and does not make it clear that the values of democracy and freedom are not only non-negotiable but also inseparable from any agreements to be made with Belarus. The European Union must therefore maintain and strengthen its contacts with the democratic opposition in Belarus to keep faith with those to whom Parliament awarded the Sakharov Prize for their fight to democratise that country.

Nuno Melo (PPE), *in writing*. – (PT) The European Union cannot be an area concerned solely with the affairs of the countries that it comprises. It must also be a driving force for the democratisation of the countries that have emerged since the dismembering of the former Soviet Union. Any measures aimed at improving conditions in these countries are very important. That is the context for the spirit of this motion for a resolution, which calls for measures to be adopted to support Belarus, which must be accompanied by clear signs of democratic reforms by that country, as well as respect for human rights and the rule of law. The participation of Belarus in the Eastern Partnership is an important step in that direction, yet there are still many aspects to improve with regard to freedoms and safeguards within Belarus.

Andreas Mölzer (NI), *in writing*. – (DE) I have voted in favour of the joint resolution on Belarus, because it gives a balanced presentation of the situation and highlights both the positive aspects and progress made and the democratic deficit in many areas. From my perspective, it is particularly important to ensure that the government of Belarus guarantees freedom of expression and freedom of association and assembly as quickly as possible, which would allow opposition parties to function effectively.

Wojciech Michał Olejniczak (S&D), *in writing*. – (PL) The resolution on Belarus is an important signal from the European Union and from Europe. We should show both the democratic opposition and the Belarusian authorities, and not only by such resolutions, that we do not agree with the violations of human rights or the ban on registration of political parties, non-governmental organisations and independent media.

The European Parliament cannot agree with the use of capital punishment, and Belarus is the only country in Europe which applies this kind of penalty. We cannot ease sanctions against Belarus if there is no noticeable progress in the direction of democratisation of the country. The European Union must not close its eyes to the flagrant restrictions on freedom of speech, respect for human and civil rights and non-governmental organisations. The European Parliament, which is composed of Members from 27 Member States, is an expression of democracy and cooperation.

The only measures which we can and will support are democratic measures, because they are the foundation of the European Union. There can be no consent, on our part, to other measures. I hope the resolution on Belarus is one of many steps we will take. Belarusians, and also the whole of Europe, expect this of us.

Justas Vincas Paleckis (S&D), *in writing*. – (LT) I voted for the resolution on Belarus with some doubt, because in the European Parliament, documents on Belarus are adopted too often and are thus devalued. On the other hand, while maintaining a critical tone towards the Minsk regime, this resolution accentuates more clearly than previous ones certain positive changes in EU-Belarus relations. In order for there to be a fundamental improvement in relations between the European Union, its Member States and Belarus, Belarus must steer towards reforms and democratisation. Such a turn would ease the development of all sorts of ties with this state. In Lithuania, 39 towns and regions are cooperating productively with Belarusian towns and regions, exchanging experience and participating in joint projects. I also approved of this resolution because it calls on the EU to devote more attention to concrete projects that coincide with the interests of the partner countries. In the resolution, we congratulated Belarus, Ukraine and Lithuania, which became the first states to submit trilateral projects to the European Commission and EU Member States for the Eastern Partnership Programme. This is a list of concrete projects in the areas of border control, transport, transit, cultural and historical heritage and social and energy security.

- Motion for a resolution B7-0187/2009

Anne Delvaux (PPE), *in writing*. – (FR) I welcome the vote on this resolution. Today, despite the Goma Conference on peace, stability and development and the conclusion of a ceasefire agreement in January 2008, violent fighting continues to take place in the east of the DRC, leading to the worst possible atrocities being committed against the civilian populations, in particular, women, children and the elderly. This sexual violence is becoming widespread and is today being perpetrated not only by the warring parties but also by civilians. Everything must urgently be done to ensure the protection of the populations at a time when the number of MONUC soldiers present on the ground means that it is not always possible to curb this increase in violence. The Congolese authorities have recently shown their determination to put a stop to impunity. However, this zero tolerance policy must not only be ambitious – every single perpetrator of the atrocities, without exception, will have to answer for his actions – but must also be applied in practice. We have a duty, as MEPs, to point out the need to respect these international obligations, such as human rights and gender equality, so that the dignity of women and the innocence of countless Congolese children are preserved.

Diogo Feio (PPE), *in writing*. – (PT) Ever since the fall of Mobutu Sese Seko's kleptocratic regime, the Democratic Republic of Congo (formerly Belgian Congo and formerly Zaire) has been mired in agitation and the most brutal violence, which has already led to millions of deaths.

The east of the country has suffered particularly badly from this scourge, which knows no borders and has taken on much more of an ethnic than a national profile. The worst atrocities are repeated at such a rate that it is impossible to keep up with them, and the international community, particularly the UN forces, have not shown the ability to deal with them, despite all the civilian and military efforts that have been made so far.

That some African countries appear to be ungovernable and central governments have lost control of parts of their territories are, unfortunately, phenomena that have yet to be eradicated. They are often connected with the illegal exploitation and plundering of raw materials either by insurgent forces or by regular troops and their leaders. Even if these phenomena have their origins in the European decolonisation process and the way the borders were drawn, that cannot release African leaders and decision makers from their responsibilities or from calling on civil society in those countries to take decisive control of their own destinies.

Sylvie Guillaume (S&D), *in writing*. – (FR) I voted in favour of the resolution denouncing the serious ethnic violence that Congo has experienced recently and which has led to the displacement of almost 44 000 abandoned and totally destitute people. I am particularly concerned about the issue of sexual violence, which is being used as a weapon of war. This is an unacceptable crime, which must not go unpunished and which the European Union must take a stand against. We must ensure that those within the Congolese army who are responsible for these human rights violations are actually brought to justice.

Nuno Melo (PPE), *in writing*. – (PT) The European Union cannot remain aloof from the various armed conflicts that occur to some extent throughout the world. The violence in the Democratic Republic of Congo is a conflict that has been dragging on for many years, causing millions of people to die, to be displaced or to lose their homes. It is therefore very important to urge all parties in this conflict to cease hostilities so that the people of those regions can once again live in a climate of peace. It is vital that we continue to support the United Nations missions on the ground so as to ease the suffering of the whole population, especially the elderly, women and children.

Willy Meyer (GUE/NGL), *in writing*. – (ES) The armed conflict in the area can only be resolved by way of a political solution. All intervention by neighbouring and other countries must therefore cease. A diplomatic solution negotiated between the parties is required to bring the conflict in the Democratic Republic of Congo (DRC) to an end. Such a solution must comply fully with the Charter of the United Nations and the Universal Declaration of Human Rights.

The United Nations Security Council should review the mandate of MONUC. The mandate under Chapter VII should be done away with, to avoid strengthening the Congolese Armed Forces, thus endangering the United Nations peacekeeping mission. We call for the EUPOL and EUSEC missions to the DRC to be closed down. These missions have made a negative contribution to the escalation of violence and to the deteriorating situation in the country because they have trained security forces that have gone on to commit crimes against their own civilian population.

United Nations resolutions concerning an embargo on the supply of arms to the DRC must be implemented. We wish to report that several Member States of the European Union are violating that embargo. The joint

resolution tabled by the other political groups does not refer to these fundamental points, and I have therefore voted against it.

Andreas Mölzer (NI), in writing. – (DE) This joint motion for a resolution on the Democratic Republic of Congo reflects the complicated situation in this African country. Despite the large amounts of human resources and funding provided by the international community, it has not yet been possible to bring peace and stability to the area. On the contrary, the UN soldiers are being accused of taking sides and of helping to escalate the situation further. It is important that this issue is resolved.

The huge cost of over EUR 7 billion for the UN mission, including humanitarian aid, can only be justified if it is clear exactly how the funds were used. As the resolution does not specifically call for this to be clarified, I have abstained.

Bart Staes (Verts/ALE), in writing. – (NL) The massacres, crimes against humanity, recruitment of child soldiers and acts of sexual violence against women and girls that are still taking place in the Democratic Republic of Congo cannot leave us unmoved. Further efforts are needed to put an end to the activities of foreign armed groups in the east of the DRC. The international community cannot look on helplessly. It must ensure that the March 2009 agreements on the ceasefire are respected effectively and in good faith. Two recent reports of the UN High Commissioner for Human Rights show that the humanitarian situation is worsening considerably.

MONUC plays a vital role, but its mandate and rules of engagement must be implemented with determination and on a permanent basis in order to guarantee the population's security more effectively. MONUC's presence remains necessary. Every effort must be made to allow it to carry out its mandate in full in order to protect those under threat. The Council must play a leading role and ensure that the United Nations Security Council supports MONUC by reinforcing its operational capacities and providing a better definition of its priorities, of which there are currently 41.

9. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 12.40 and resumed at 15.00)

IN THE CHAIR: MR WIELAND

Vice-President

10. Approval of the minutes of the previous sitting

Ilda Figueiredo (GUE/NGL). – (PT) Mr President, I have a point of order. This morning we held a vote here to justify negotiations that existed between the European Union and Morocco. Since a Commission document has just come out, dated today, saying that EU – Morocco negotiations on the agri-food and fisheries sectors are progressing, I should like to know if it was these negotiations that the Chairman of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament was referring to this morning when he used the negotiations as an argument to delete from today's agenda the topic on Aminatou Haidar, the Sahrawi fighter who has been on hunger strike for 32 days and is in a life-threatening condition at this very moment. This, then, is a point that needs to be duly clarified, because what happened here this morning is unacceptable.

President. – Thank you, Mrs Figueiredo. Unfortunately, I cannot give you an answer, because I can no longer remember myself what the group chair said at midday today.

Izaskun Bilbao Barandica (ALDE). – (ES) Mr President, two items were withdrawn from the agenda this morning. I wish to enquire about the resolution agreed between the parliamentary groups. Could you please clarify under which of the Rules of Procedure was the question raised and an on-the-spot vote taken to withdraw an agenda item we were due to debate this afternoon?

I believe this is an important issue and that Members of the House present today need to be informed appropriately as a matter of urgency.

President. – Mrs Bilbao Barandica, this concerned a point of order under the terms of Rule 140 of the Rules of Procedure which allows the agenda to be changed. I regret that I can now only permit points of order. We

will not be restarting this debate. I would like to point out that I will immediately cut off any speaker who attempts to begin the debate again.

Willy Meyer (GUE/NGL). – (ES) Mr President, pursuant to Rule 177 of the Rules of Procedure, a group or at least 40 Members may indeed move that a debate be adjourned. This is what happened this morning, in a highly unusual manner. In fact, the Rules of Procedure state that if an adjournment is to be requested, the President of the House must be informed 24 hours in advance. The President must then inform Parliament immediately.

I would like to enquire whether this process was followed because the situation we find ourselves in is quite extraordinary: This is the first time that the European Parliament has been prevented from debating a resolution agreed by all the parliamentary groups in response to an extremely serious situation, such as the case of Mrs Haidar. I would therefore like to know if this process was followed. If it was not, the resolution should be debated immediately. The resolution agreed by all the parliamentary groups must be recovered and put to the vote.

President. – Are there any other points of order?

Cristian Dan Preda (PPE). – (RO) I was only wanting to say that, in the meantime, Mr Schulz has arrived in the Chamber and we would be delighted if he could reply to the question which was asked by our fellow Member at the start while he was absent.

(Applause)

President. – Mr Preda, that was a very brief question, but it was not a point of order.

Oriol Junqueras Vies (Verts/ALE). – (ES) Mr President, we, too, wish to refer to Rule 177 of the Rules of Procedure. With that rule in mind, we cannot understand how an item can be withdrawn from the agenda, unless this is done prior to the relevant debate or vote.

Consequently, we also believe the Rules of Procedure have been applied incorrectly. We therefore call on the President to resolve the matter.

President. – As the questions refer to this point, I am happy to give you an answer. Under the terms of Rule 140(2) of the Rules of Procedure, the agenda can be changed under certain circumstances, including ‘on a proposal from the President’. A point of order was raised by a group chair and the President agreed to a vote on it. This is in accordance with the Rules of Procedure.

Charles Tannock (ECR). – Mr President, on a point of order, regarding my request on behalf of my group, the ECR Group, to postpone the vote that Mr Schulz called for to 15.00 to give us enough time to understand what this was all about. That was not actually put to the House. The President just put to the House the Schulz motion, and did not put my request for a motion to postpone it to give us two or three hours to cool down and find out the facts. I object to the fact that was not actually put to the House.

President. – Mr Tannock, the point of order raised by Mr Schulz is the ongoing point of order. Your point of order is therefore superfluous.

Francisco Sosa Wagner (NI). – (ES) Mr President, I would like to emphasise what Mr Meyer has said. I shall be brief. A large number of Members, a large proportion of those present in this House, have been very surprised by the train of events surrounding this morning’s proposal. The latter was voted through quite unexpectedly, and in a way that suggests it does not comply with the spirit of the provisions in force and is not in keeping with them.

President. – I have explained my understanding of the Rules of Procedure to you. Therefore, the procedure is in accordance with the Rules of Procedure. I am not able to acknowledge other new points of order. I would like to ask for your forbearance. We have two further important points. Mr Salafranca, if you have a point of order, please go ahead. However, I must tell you that I will cut you off, if this is not the case.

José Ignacio Salafranca Sánchez-Neyra (PPE). – (ES) Mr President, this is indeed a point of order. This morning, the President of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament asked for a motion for a joint resolution to be withdrawn from the agenda. This is an unprecedented decision, and strong arguments were adduced for it, namely that Mrs Haidar’s life would be endangered.

With this in mind, my Group did not wish to compromise the situation, bearing in mind also the views expressed by Mr Schulz.

As I see it, however, there is no reason why a statement by this House should endanger Mrs Haidar's life. In particular, I cannot understand why it should be necessary to act in contravention of the Rules of Procedure.

Mr President, Rule 177 clearly states that submissions should be made 24 hours in advance and prior to the debate.

(The President cut off the speaker)

President. – Mr Salafranca, I am very sorry, but it is no longer possible for us to investigate the motives of the Members of Parliament from earlier today. The question of what information has been received this afternoon is no longer a subject for today's agenda. I will therefore return to the agenda.

(The Minutes of the previous sitting were approved)

Bernd Posselt (PPE). – (DE) Mr President, I believe that Rule 140 is not applicable to the urgency procedure and I would therefore ask you to have this checked by the Committee on the Rules of Procedure, because it could set a dangerous precedent.

President. – I am happy to accept this suggestion, but it too was not a point of order.

11. Calendar of part-sessions: see Minutes

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

12.1. Uganda: anti-homosexual draft legislation

President. – The next item is the debate on six motions for a resolution on the anti-homosexual draft legislation in Uganda⁽¹⁾.

Michael Cashman, author. – Mr President, I crave the House's indulgence, if we can move away from points of order and to the issue of discrimination.

There is currently a bill before the Ugandan Parliament, and some argue: what is it to do with us? Breaches of international obligations, the Cotonou agreement and breaches of human rights – as we have always shown – have everything to do with us.

This bill's provisions are draconian and among them, let me inform the House, are: any person alleged to be homosexual would be at risk of life imprisonment or in some circumstances the death penalty; any parent who does not denounce their lesbian daughter or gay son to the authorities would face fines and probably three years in prison; any teacher who does not report a lesbian or gay pupil to the authorities within 24 hours would face the same penalties; any landlord or landlady who happens to give housing to a 'suspected' homosexual would risk seven years of imprisonment.

Similarly, the bill threatens to punish or ruin the reputation of anyone who works with a gay or lesbian population, such as medical doctors working on AIDS and HIV, civil society leaders active in the fields of sexual and reproductive health, hence, further undermining public health efforts to counter the spread of HIV.

It is vital that this afternoon in this House we put aside our prejudices and we defend those who have no one left to defend them. Therefore, I warmly welcome the statement by the Commissioner on Development and Humanitarian Aid, Commissioner De Gucht, statements from the British, French and Swedish Governments as well as President Obama and the Chair and Vice-Chair of the US House of Representatives' Committee on Foreign Affairs. I urge the House to give this the high importance which it deserves and to speak out for those in Uganda who currently are not being heard.

⁽¹⁾ See Minutes

Marietje Schaake, author. – Mr President, last September, a member of the Ugandan Parliament introduced an ‘anti-homosexuality bill’. This bill would criminalise homosexuality, leading to punishment by imprisonment and even the death penalty. This would not only apply to these alleged criminals but also to those who failed to report these so-called crimes, or who support human rights and other work in Uganda.

Our concern is that this would violate freedom of sexual orientation as well as freedom of expression, which are human rights: they are not just European values but universal values.

We also reject the death penalty as a whole and want to join the international community in its concern for NGOs which may have to cancel their activities working in Uganda.

We therefore join President Obama and others in the international community who have called for this bill not to be approved and for the review of any laws that would criminalise homosexuality in Uganda.

Charles Tannock, author. – Mr President, Uganda is a deeply Christian country where traditional values hold sway. Homosexuality is illegal in Uganda as it is in many African countries. We must, of course, be sensitive about forcing our more liberal and tolerant values on others, because it can sometimes be counterproductive.

But we should not be afraid to speak out against this outrageous bill, because it is clearly a draconian and hugely disproportionate piece of legislation. It would not only be seriously detrimental to the safety and freedom of homosexuals in Uganda, but it would also tarnish the image of Uganda throughout the world and make it into a pariah.

Uganda has made many great strides in the past two decades and, in some ways, can be seen as a model for Africa’s development. Why should Uganda’s parliamentarians choose to throw all that goodwill away? Why should they seek to place their country alongside brutal Iran, which regularly executes homosexuals in public?

Let us hope that, through our mutual outrage – in this House and in many other parliaments throughout the world – at this piece of brutal legislation, we can convince the Ugandan President to veto it.

Ulrike Lunacek, author. – (DE) Mr President, some of the previous speakers have given details of this legislation which is now before the Ugandan Parliament. I would like to tell you a brief story. Around four to five years ago, I was in Kampala and one evening I met a group of lesbians, gay men and transgender people in a pizza restaurant, where the owner allowed the meeting to take place. On the same evening, a government minister said that raids would, in future, take place on any places where lesbians, gay men and transgender people met. I was rather worried that evening, as were the Ugandan lesbians and gay men. Luckily nothing happened, but it marked the beginning of increasing homophobia in Uganda. Now proposed legislation has been introduced which will not only make homosexuality a crime, as is already the case, but will also make it subject to the death penalty.

So many African Heads of State, including Museveni, have done a lot for their countries, but to say on this basis that homosexuality is un-African is simply wrong. Homosexuality has existed in all cultures on all continents throughout all periods of history and it will continue to exist, regardless of what legislation is passed. I am pleased that we have succeeded in introducing a joint resolution supported by almost all the groups, because it is important to express our opposition to the legislation and to support lesbians, gay men and transgender people in Uganda. We must not allow them to be subjected to hate laws and stand by and say nothing.

We in the European Union have an obligation to uphold human rights all over the world and to remind the members of the Ugandan Parliament that the Cotonou Agreement, for example, states that human dignity and human rights apply to everyone and must be defended by everyone. I also hope that the resolution that we have presented will be adopted in its entirety, because it is important for organisations which defend the rights of lesbians, gay men and transgender people in Uganda to be supported, including by the European Union.

Michèle Striffler, author. – (FR) Mr President, Commissioner, ladies and gentlemen, to answer the question, ‘Why should the European Parliament concern itself with this issue?’, I would say that the anti-homosexual legislation submitted to the Ugandan Parliament shows complete disregard for fundamental freedoms and absolutely must not be adopted.

The Ugandan legislation in force already criminalises homosexuality. For years, NGOs have been sounding the alarm about the violence committed against these groups. The fact is, if the new law is adopted in

January 2010, it will exacerbate the situation and make homosexual acts punishable by life imprisonment or by the death penalty for homosexuals who are HIV positive.

This law would also be a major obstacle to the fight against AIDS. There are other laws against homosexuals in Africa. However, this one is exceptional because, as Mr Cashman was saying, it forces citizens to report homosexual acts within 24 hours. If you are the doctor, parent or teacher of a homosexual, you have to report him or her to the police, or face a prison term.

Furthermore, this bill criminalises the legitimate work of non-governmental organisations, international donors and humanitarian associations which strive to defend and promote human rights in Uganda.

As soon as it was presented to the government in Kampala, this bill was strongly condemned by human rights defenders throughout the world, by several states, including France, the United States ...

(The President interrupted the speaker)

and by the European Commissioner for Development, Mr De Gucht. Uganda must respect its obligations in accordance with international humanitarian law and with the Cotonou Agreement.

Should the situation continue, the European Union must, as a matter of urgency, make representations to the Ugandan authorities and rethink its involvement with Uganda.

President. – Mrs Striffler, you had a further 12 seconds. You could have read slightly more slowly and then more of your fellow Members would have benefited from an even better translation. I advise Members who read their speeches to give them to the interpreters in advance, as this helps to improve the quality of the interpreting.

Filip Kaczmarek, on behalf of the PPE Group. – (PL) Mr President, some people think we should not get involved with this, because defence of the rights of homosexuals is an unjustified extension of human rights. This is a misunderstanding.

The Universal Declaration of Human Rights recognised that human rights include every person and no one must be excluded. A ban on discrimination because of sexual orientation is nothing new. The problem is that not everyone wants to recognise this kind of discrimination as a violation of human rights.

In Uganda and some other African countries, there are voices saying that our interest in this subject is an expression of neo-colonialism, or that we are interfering in matters which are none of our concern. This, too, is a misunderstanding. For we are talking about general, universal rights. This is not just a whim. We respect the independence of Uganda and other states, but we cannot remain silent, when, instead of restricting discrimination, an attempt is being made to extend it.

Kader Arif, on behalf of the S&D Group. – (FR) Mr President, ladies and gentlemen, I am pleased that we have an opportunity today to talk about the anti-homosexual draft legislation submitted to the Ugandan Parliament on 25 September.

At a time when we are seeing an increasing number of human rights violations, I feel it is crucial, in the light of this anti-freedom law, for the European Parliament to look beyond the divisions that separate its political families and be able to condemn this bill in the strongest possible terms and to call on the Ugandan Parliament to reject the bill and to review its national legislation in order to decriminalise homosexuality.

As Mr Cashman pointed out just now, every single NGO has spoken out against this bill, regarding it, moreover, as a serious obstacle to the fight against AIDS. The Commission, through Commissioner De Gucht, and a large majority of the Member States – adding their voice to the statements made by President Obama – have already condemned this initiative.

I therefore call on the Commission to rethink our involvement with Uganda if this bill is adopted. A country that, at that point, would be in violation not only of international law but also of the fundamental principles of the Cotonou agreements could not continue to benefit from the support of the European Union.

To conclude, ladies and gentlemen, I wish to point out that everyone must have the right to freedom of sexual orientation, without fear of imprisonment or death. This principle is not open to debate.

Raül Romeva i Rueda, on behalf of the Verts/ALE Group. – Mr President, I would have liked to start this debate by talking about the case of Aminatou Haidar. However, due to the reasons we already know, I cannot. In

any case, the question of the eligibility rights in Uganda also deserves our attention, and this reminds us that once again, we are forced to adopt a new text condemning homophobia.

In the past, we have adopted several resolutions on that problem, including protection of minorities and anti-discrimination policies. Today, we need to add the new text to those already adopted. The only attempt by a Ugandan MP to table the anti-homosexuality bill deserves a political response.

This proposed law includes provisions to punish those alleged to be lesbian, gay or bisexual with life imprisonment and even the death penalty. The draft also includes a provision that could lead to the imprisonment for up to three years of anyone, including heterosexual people, who fail to report within 24 hours the identities of everyone they know who is lesbian, gay, bisexual or transgender, or who supports human rights for people who are. That means that any of us would also be susceptible to be taken to court for these reasons as well.

We have to remind the European Union and the international organisation that sexual orientation is a matter falling within the remit of the individual right to privacy guaranteed by international human rights law, according to which equality and non-discrimination should be promoted, whilst freedom of expression should be guaranteed. We ask international donors, both governmental and non-governmental, to cease their activities in certain fields should the bill pass.

I strongly reject any move to introduce the use of the death penalty. If those requests are not met by the Ugandan authorities, then we should call on the Council and Commission to reconsider their engagement with Uganda, should the bill pass into law and breaches of international human rights law take place. For that reason, I wish to remind the Ugandan Government of its obligations under international law and under the Cotonou Agreement, which call for universal rights to be respected.

Ana Gomes (S&D). – (PT) Europe must intervene on this matter with all the tools it has available, particularly within the scope of the Cotonou Agreement. We must demand the immediate withdrawal of this draconian bill; otherwise there will be consequences for economic and political cooperation with Uganda.

When I learnt about the content of this proposed legislation and when I heard reports about the sad fate of homosexuals in Uganda, Sudan, Iran and Nigeria, to mention just a few examples, I realised how deplorably deep-rooted homophobia still is in many cultures, in blatant violation of those countries' human rights obligations. The role played by far-right evangelical Christians in the United States in mobilising and financing several initiatives of this kind in Africa is shocking.

Europe and its institutions must do all they can on the ground in the countries in question to neutralise and fight the evil, obscurantist influence of these agents of intolerance, who are instigating a new wave of hate crimes in Africa.

Luis Yáñez-Barnuevo García (S&D). – (ES) Mr President, concerning the Ugandan bill which has provoked such indignation amongst us, I very much welcome the fact that the Members of the different parliamentary groups in the House who have taken the floor on this subject have spoken with one voice. I believe this is indicative of unanimity across the Chamber. I have asked for the floor simply to add my voice to theirs before voting accordingly later.

I support Mr Cashman, the authors and group spokespersons. My reasons are that the fight against intolerance, discrimination and, in this case, also homophobia and the death penalty, requires us to be very firm and call upon the Commission and the Council to be firm too. We must persevere until we succeed in bringing about the withdrawal of this iniquitous bill. Taking the bill forward would be tantamount to returning Uganda to colonial conditions.

Cristian Dan Preda (PPE). – (RO) I, too, wish to say that I am appalled by the way in which the law we are discussing is presented. It goes without saying that we cannot accept in Europe sanctions being imposed against a person for their sexual orientation and for failing to provide information about a person's sexual orientation.

I would also like to stress that the discussion we are having is taking place in the context where the second review of the Cotonou Agreement is being discussed. Uganda is a party to this, and this agreement very clearly sets out the need to respect human rights. I also voted on Monday this week, as part of the Committee on Development, for a report by Mrs Jolie on this topic of the Cotonou Agreement.

I believe that today's discussion, although it could have taken place earlier last month, puts us in this position where we obviously cannot but reject what is happening in Uganda.

Heidi Hautala (Verts/ALE). – (FI) Mr President, I would like to contribute to this debate by reminding everyone that a Review Conference of the International Criminal Court Statute is to be held in Kampala, Uganda, next May. It is now actually 10 years since this important criminal court was founded, and I would hope that the Ugandan Government will examine its own legislation from every angle to ensure that it is in line with international agreements and will comply with the principle of non-discrimination.

Paweł Samecki, Member of the Commission. – Mr President, the Commission is deeply concerned over the draft anti-homosexuality bill introduced recently in the Ugandan Parliament. The bill, if adopted, raises serious human rights issues which are of great importance to the Commission.

The Commission considers that the penalisation of homosexuality, as foreseen in the bill, would go against the UN human rights conventions. Uganda has ratified these conventions. Thereby it has the legal obligation to respect them, without distinction or discrimination. Domestic legislation must be consistent with international human rights obligations. The bill would also go against the EU-supported UN declaration on sexual orientation and gender identity of 18 December 2008 regarding the decriminalisation of homosexuality.

Commissioner De Gucht personally raised these concerns in a letter to President Museveni last November. He emphasised that respect for human rights is of the greatest importance to the Commission and to the European Parliament. However, he expressed his confidence to the President that, under his guidance, such retrogressive legislation will not be allowed.

The Presidency and the Heads of Mission in Uganda also raised this issue with the Ugandan Government on several occasions, during meetings with the Prime Minister and the Minister of Justice, in Article 8 meetings, and with the Uganda Human Rights Commission. In its latest démarche on 3 December, the EU Presidency and the local troika met the acting Foreign Minister, to whom they again expressed these serious concerns, confirmed their support for fundamental freedoms and reminded Uganda of its international obligations. The Minister, while mentioning traditional values and cultural traditions that take time to change and alleging evidence of orchestrated campaigns to take advantage of poor people and recruit them into homosexuality, took note of the EU positions and committed himself to reporting them personally to the Cabinet and to Parliament in order to enable them to take an informed decision.

The Commission hopes that, in the vein and in the spirit of the ongoing EU-Uganda partnership, these démarches, together with those of others, will lead to a review of the proposed legislation to make it compatible with international principles of non-discrimination on the basis of sexual orientation.

President. – The debate is closed.

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

12.2. Azerbaijan: freedom of expression

President. – The next item is the debate on seven motions for a resolution on freedom of expression in Azerbaijan.

Fiorello Provera, author. – (IT) Mr President, ladies and gentlemen, Europe has embarked on an interesting Eastern Partnership project, which has met with support and encouraging collaboration from six countries: Armenia, Belarus, Georgia, Moldova, Ukraine and Azerbaijan.

This operation is improving the relationship between the European Union and these countries and may lead to democratic and economic development of the area, albeit to a varying extent depending on the history of each country. Given this intelligent political strategy, in my view, it is inappropriate to hold this urgent debate on two young bloggers sentenced following events for which proceedings are still ongoing while we overlook other situations that are truly tragic, such as the recent massacre of 57 people who had come together to support a presidential election candidate in the Philippines.

All parliamentary groups, with the exception of ours, support a motion for a resolution on Azerbaijan that is harsh and out of step with the partnership initiatives that we have undertaken. I am convinced that the strong views contained in the resolution put to the vote today may not only lead to the Azerbaijani

Government stiffening relations with Europe, but may also have a counterproductive effect on the case of these two young people, in that this resolution could jeopardise the granting of a pardon.

In this regard, I would like to remind you of the decision, adopted yesterday in plenary, whereby we rejected a resolution on the Aminatou Haidar case so as not to compromise the ongoing diplomatic negotiations. I feel that it is also contradictory that in the same session, two resolutions are being put to the vote, one on Belarus and the other on Azerbaijan, both very different in tone, when these two countries are part of the same Eastern Partnership.

Lidia Joanna Geringer de Oedenberg, *author.* – (PL) When, on 11 November this year, Europe marked the anniversary of the end of the First World War, in Azerbaijan, a sentence of several years' imprisonment was passed on some journalists who had dared to write about the country's widespread corruption and unemployment. The journalists were officially charged with spreading hooliganism and terrorism.

In the ranking produced by Freedom House, Azerbaijan has the status of 'Not Free'. Reporters Without Borders say Azerbaijan is in 146th place out of 175 countries surveyed in terms of freedom of speech. Disturbing signals are also coming from analyses conducted by the Economist Intelligence Unit, which has evaluated Azerbaijan on the question of political freedoms. In this context, last year's refusal by the authorities in Azerbaijan to grant concessions to foreign media, such as the BBC and Radio Free Europe, should not surprise anyone.

I think the time has come for the European Union to review its approach to Azerbaijan and, taking advantage of the participation of Baku in the European Neighbourhood and Partnership Policy, to begin to exert greater pressure on the authorities there. In addition, I would like to add my voice to the appeal of my political group for the unconditional release of the imprisoned journalists and adequate revision of Azerbaijani law.

Marietje Schaake, *author.* – Mr President, Azerbaijan is signatory to a number of partnerships with the EU. It is active in the neighbourhood policy as well as in the Eastern Partnership. This does not only relate to trade. Azerbaijan has also signed up to respect democracy, human rights and the rule of law. However, currently, these are all under serious threat with the present regime.

Today we highlight the case of Emin Milli and Adnan Hajizade, which represents a crackdown on free media, free expression and civil society that is much deeper and wider than the case of merely two bloggers, as they have been called. They did indeed use new media like Facebook and Twitter for their youth organisation's work, but the fact is that we do not even know why they are imprisoned as evidence to defend their case has not been admitted in the trial, and the trial did not meet international standards – and, indeed, looks fabricated.

If we cannot rely on the Azerbaijani Government to stay true to its commitment to democracy, human rights and the rule of the law through the various agreements it has itself signed with the EU, then Europe cannot consider Azerbaijan to be a credible partner at all; this is also true of trade relations.

This resolution urges the Azerbaijani Government to adhere to its own promises and to start building its legitimacy in the international community by respecting its own citizens, granting them democratic and human rights and allowing for respect of the rule of law.

Yesterday, we awarded the Sakharov Prize in this House of the European people, and we saw a very impressive speech by the laureate, Mr Kovalev, who said that fear can only be met by freedom of thought, and freedom of thought can only be expressed when freedom of expression is actually guaranteed and when we listen to those people who are simply addressing issues such as opposition to their government, which we, as Europeans, have to guarantee in partnership with Azerbaijan in all areas.

Ulrike Lunacek, *author.* – (DE) Mr President, the previous speaker has already mentioned some of the details of this resolution. The resolution was prompted among other things by an incident in July 2009 in which two young bloggers, Emin Milli and Adnan Hajizade, were attacked in a restaurant, went to the police to report the incident and were then arrested themselves.

They were prosecuted and, according to all the international observers, including Amnesty International, the court proceedings were far from fair. For example, the video which was apparently taken in the restaurant, which clearly showed who had been attacked and that the attackers were other people and not these two bloggers, was not played.

It is therefore clear that the judgment does not meet the criteria required by a state under the rule of law. I very much hope that all the evidence will have to be presented in the second trial when it takes place.

I am pleased that we have succeeded in introducing a resolution which is supported by almost all the groups. I regret that Mr Provera's group is not joining us and instead is emphasising that we should wait for the case to resolve itself and to make use of the diplomatic channels.

Mr Provera, I believe that it is necessary for Parliament, which is in partnership with the Parliament of Azerbaijan, to express itself clearly. Human rights represent a fundamental issue. Mrs Schaake referred yesterday to the Sakharov Prize. We must speak out in support of freedom of thought in all parts of the world and ensure that it is protected.

President Aliyev has often said how important the rights of every journalist are and that they must be defended by the state. It is our job to remind everyone of this and I very much hope that in future, there will be another resolution on partnership between the Parliament of Azerbaijan and the European Parliament, as unfortunately this was unsuccessful two weeks ago.

Joe Higgins, *author*. – Mr President, I welcome the attention drawn to the appalling and consistent crushing of human rights in Azerbaijan: no freedom for the media, dozens of journalists jailed, some beaten, some even killed in recent years. But we must ask why the regime of Mr Aliyev is implementing such horrific repression. The reason of course is to try and cover up the regime of enormous corruption which exists in that country. The ruling elite has enriched itself fabulously, especially in the oil and gas industry, while 90% of the population of Azerbaijan live in acute poverty and have seen no benefit from the natural resources of their country.

Western governments and multinational corporations act, as usual, with great hypocrisy in this regard. They routinely deal with the regime to facilitate doing business, and the corporations make massive profits from the exploitation of the natural resources properly belonging to the people of Azerbaijan. Western governments should be asked why they do not demand that the oil-well be used to transform the lives of the people, instead of propping up this regime.

Members of the European Parliament, quite correctly, are harsh in their condemnation of the crushing of the right to dissent and to demonstrate freely in Azerbaijan, and I cannot let this opportunity pass to also condemn the disgraceful repression of protests by the Danish police in Copenhagen in recent days, who arrested up to 1 000 entirely peaceful protestors, handcuffed them and left them lying for hours in the cold.

When I protested and demanded the release of some CWI colleagues, the police themselves told me that it was preventive arrest, preventive detention. What goes for Azerbaijan should certainly go for a Member State of the European Union as well.

Ryszard Antoni Legutko, *author*. – (PL) Mr President, in Azerbaijan, for fairly mild and delicate criticism of the government, two people have gone to prison after being given stiff sentences. What does this mean?

Firstly, that the country does not have good legal institutions, and it does not look like such institutions are going to arise. Secondly, that Azerbaijan has an authoritarian system which is taking control of more and more areas of political life. Every concession is punished. What can we do in this situation?

We should certainly intervene in every specific case of the violation of justice, as we are doing in this debate. Such interventions have quite often been successful. It is significantly more difficult to force institutional change. To date, the efforts of the EU in this area have been unsatisfactory, partly because we are still lenient towards some tyrants and vociferous in our criticism of others. The representatives of Memorial mentioned this several times in this House.

We also have problems in part because the process of coming out of authoritarianism is very difficult, arduous and prolonged. It is a very pessimistic conclusion, but I close with this thought: in spite of everything, we should not cease in our efforts, and should be consistent in exerting pressure.

Tunne Kelam, *author*. – Mr President, at the beginning of this year, the European Union made a statement on freedom and media in Azerbaijan. I regret the fact that, after concern on media freedom was expressed during the regular meeting with Azerbaijani parliamentarians, there has been no feedback. The European Parliament therefore has to take a stand. This is, by the way, going to be our last resolution adopted in 2009.

The main concern of the EPP Group, and I am happy that all factions share the same concern, is the deterioration of media freedom in that country. The widespread practice of harassment, persecution and conviction of opposition journalists is alarming. We call on Azerbaijani authorities to release the journalists in jail without further delay. This also concerns two young bloggers.

The second problem is a recent decision by Azerbaijani authorities to cancel the FM radio licences of several international radio stations like Radio Free Europe, Voice of America, BBC World Service and others, depriving listeners in this country of valuable and independent sources of information. Here I ask colleagues to agree to an oral amendment to paragraph 7 of the resolution: namely, not only to voice regret at the situation, but also to urge the Azerbaijani Government to cancel its decision and renew FM licences for the radio stations mentioned.

Variety, freedom and independence of information are key to a robust civil society, as Sergei Kovalev told us yesterday in this Chamber. This applies fully to the EU's relations with Azerbaijan too.

Laima Liucija Andrikiienė, *on behalf of the PPE Group*. – Mr President, Azerbaijan is an important partner of the European Union. It is certainly an essential partner in efforts to ensure European energy security.

However, no matter how important oil and gas are, they are not everything. Azerbaijan has made commitments to work for a democratic and pluralistic society, as enshrined in the Partnership and Cooperation Agreement and the Eastern Partnership policy, in which Azerbaijan intends to participate fully. We should applaud steps in the right direction taken by President Aliyev, for example, to free 119 prisoners, including five journalists, at the end of 2007.

However, the situation of media freedom is only getting worse. We have a number of cases to support this claim, such as the situation of bloggers, the licences of the BBC, Radio Free Europe, etc. We must not shy away from reminding Azerbaijan that people must have the right to speak out freely, even if this means having critical views towards their governments. That is the basic principle of a democratic society, and a democratic Azerbaijan has to be an aim just as important as...

(The President cut off the speaker)

Vilija Blinkevičiūtė, *on behalf of the S&D Group*. – (LT) Freedom of expression is a fundamental human right and a cornerstone of democracy. Azerbaijan ratified the European Convention on Human Rights and has undertaken to observe the provisions of Article 10 of this convention, which is devoted to freedom of expression and information. This Article establishes every person's right to freely express their opinion, receive and share information, without let or hindrance from governing institutions. Azerbaijan also has made a commitment not to flout human rights and not to impinge on individual freedoms and to safeguard the principles of democracy in its country by participating in the implementation of the European Neighbourhood Policy and the Eastern Partnership initiative. However, recently in Azerbaijan, the right to freedom of expression and freedom of association has increasingly come under threat and media activities are restricted. There is growing violence against journalists and civil society activists. I would like to urge Azerbaijan to take into account the European Parliament's proposals and encouragement to improve the human rights protection system and to ensure respect for media freedoms.

Ryszard Czarnecki, *on behalf of the ECR Group*. – (PL) Mr President, Azerbaijan has appeared once again on the agenda of the European Parliament. We spoke about Azerbaijan in the last parliamentary term, when we adopted three resolutions, including one about freedom of the media there. We also spoke about the Southern Caucasus, again including Azerbaijan.

We are interested in Azerbaijan and have a great deal of goodwill for the country. It is trying to find its way step-by-step, and, indeed, is moving ever nearer to the western world, and not to the east. We should appreciate this. I think that we look upon Azerbaijan with a great deal of goodwill, and also on the authorities there. However, that goodwill must not order us not to speak out about things we do not like. Certainly, a situation in which two bloggers are locked up because they say what they think about the authorities is something which should not take place.

We should support the pro-European tendencies of the Azerbaijani authorities, because all the time, a political discussion is going on there about whether to be closer to the European Union or to Russia. In so doing, we should support all those who want to be closer to the western world. However, when supporting them, we must talk about the values which make up that world – freedom of the press and freedom of expression are a fundamental value, and we should make this very plain.

Azerbaijan is certainly not in an easy position, because Russia is trying to rebuild its area of political and economic influence, but when helping the Azerbaijani authorities to draw nearer to the EU, we must speak out about the country's deficiencies.

Jaroslav Paška, *on behalf of the EFD Group*. – (SK) Freedom of expression is a very important feature of a democratic society. It is therefore correct that the EU monitors very carefully any actions aimed at intimidating those who openly criticise the mistakes of government officials.

From this perspective, I understand the challenge of the European Parliament to the Azerbaijan office expressing disquiet over the results of a police investigation mounted against young people who make satirical references to visible shortcomings in the political life of the country. I agree that we cannot ignore the clearly unfavourable signals coming from Azerbaijan and I do not doubt the criticism of the political environment in Azerbaijan, but I also feel that there has been no emphatic criticism from the European Parliament concerning the current events in the Philippines, where 57 political hostages have been murdered. In my opinion, we should address all issues that shake the democratic world.

Bernd Posselt (PPE). – (DE) Mr President, following the first European elections in 1979, I had the honour of working with Otto von Habsburg, who is now seriously ill, to establish the human rights tradition of the European Parliament, including these topical and urgent debates on a Thursday afternoon. I was elected to the European Parliament in 1994 and I had the honour of working with Mr Schulz and others to further develop this human rights tradition, which we are rightly proud of. For this reason I was shocked when Mr Provera said with reference to Mr Schulz, who did not deserve this, that the case should not be taken up and almost repeated the threats made by the regime in Azerbaijan to civil rights activists in the country by saying that they will have to put up with it.

The human rights prize has already been mentioned today. I remember well that when we expressed our support for Andrei Sakharov, Vytautas Landsbergis and other campaigners for civil rights, people said at the time: Please do not get involved. We will make use of the diplomatic channels and you are causing more harm than good. Now we know that it was decisive for these people that Parliament spoke out clearly on their behalf. Therefore, Mr Schulz, ladies and gentlemen, let us continue our tradition of independence on a Thursday afternoon. I would like to ask the group chairs to give us some freedom to act.

This has nothing to do with party politics. During the last session, one Member said that as we were just about to hold meetings with China, we could not talk about China. Today it was a different subject, the Western Sahara. Perhaps this is justified in individual cases, but I am seriously concerned about our human rights work. Ladies and gentlemen, the case of Azerbaijan demonstrates how important it is to be discerning here. The country was a Soviet satellite state. Monocultures were established, the country was destroyed and subjected to a brutal regime. Now it is slowly beginning to become more democratic. As a member of the Council of Europe, it has committed to human rights and we must help it to continue along this route.

(Applause)

Cristian Dan Preda (PPE). – (RO) I, too, support what Mr Posselt said earlier. At the same time, I would ask for the Azerbaijani Government to respect the right of freedom of expression of every citizen and to immediately drop the charges against the two young men, accused on the basis of fabricated evidence, as Mrs Lunacek mentioned earlier. I believe that this action must be taken urgently because the situation with regard to press freedom in this country has deteriorated sharply, as is also indicated by the latest reports from the Council of Europe and OSCE.

I also think that the Azerbaijani Government must take this action urgently because it must respect the commitments arising from both the European Neighbourhood Policy and the Eastern Partnership.

I will conclude by saying that I, too, was shocked by the turn of events today with regard to Mrs Haidar, all the more so as the suffering she is going through could be avoided through good cooperation between the Moroccan and Spanish authorities.

I believe that our resolution would not have done any harm, but actually a lot of good.

Tadeusz Zwiefka (PPE). – (PL) Mr President, I would like to quote from Article 47 of the Constitution of Azerbaijan: 'Everyone may enjoy freedom of thought and speech.' Unfortunately, they are only empty words, for the constitution is not respected.

For over five years, I have been a member of the EU-Southern Caucasus Parliamentary Cooperation Committees. I visited Azerbaijan during every joint parliamentary session. In one of the documents, there is a point about the violation of the principles of freedom of speech, and about how journalists and publishers end up in prison, often on fabricated charges, and that they are not given medical help when they are ill. We have a case of a journalist who died because he did not receive medical assistance.

I had the opportunity to visit Azeri prisons. The standards which are found there are far different from those to which we are accustomed in Europe. It is good, therefore, that we keep on saying that in Azerbaijan, the principles enshrined in the constitution should be respected.

Paweł Samecki, *Member of the Commission*. – Mr President, Azerbaijan is important to the European Union as an energy producer and transit country, and also as a contributor to regional stability in the Southern Caucasus. Azerbaijan is one of the six partner countries under the Eastern Partnership, and we attach great importance to respect for the common values underpinning this relationship.

A partnership and cooperation agreement has been in place for 10 years. However, Azerbaijan has expressed its interest in building closer relations with the European Union by concluding an association agreement to replace it.

Following the decision of the EU Foreign Affairs Ministers in September to start preparations for concluding such agreements with the Southern Caucasus countries, discussions on the negotiation directives, including for Azerbaijan, are now ongoing.

In line with the Council's decision, the start of negotiations for all the Southern Caucasus countries will be conditional on sufficient progress in meeting the necessary political conditions, namely the rule of law and respect for human rights, the principles of the market economy, as well as sustainable development and good governance.

Each year, we draw an in-depth and balanced assessment setting out progress made by each partner country to implement their action plans under the European Neighbourhood Policy. We have just started the preparatory work for the 2009 report.

I do not want to pre-empt our report but would like to make a few remarks, particularly on the situation regarding fundamental freedoms and human rights. In our 2008 report, we stated that 'Azerbaijan has made good progress in economic development, but continues to show a poor record of respect for human rights and fundamental freedoms, democracy and the rule of law'.

Since then, we have unfortunately seen some negative developments, including changes to the Constitution, the abolition of limits on the mandate of the Head of State, as well as the detention and subsequent condemnation of two bloggers.

Negative developments also include the continued persecution of human rights defenders, opposition activists and journalists, in addition to further deterioration of media freedom.

The European Union has, in its various contacts, taken up these issues at all levels with the authorities and will continue to do so. At the same time, the Commission is mobilising a wide range of tools to assist Azerbaijan to meet the challenges of a new agreement.

We are using assistance under the ENPI instrument. We provide targeted support under the comprehensive institution-building programme. This will have important elements related to the rule of law and independence of the judiciary.

Azerbaijan will also benefit from assistance under the European initiative for democracy and human rights.

Lastly, under the existing partnership and cooperation agreement, we are proposing to set up a subcommittee dedicated to justice, freedom and security, and human rights and democracy. This will constitute an important and additional forum for communicating our messages.

President. – The debate is closed.

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

13. Voting time

President. – The next item is voting time.

13.1. Uganda: anti-homosexual draft legislation (vote)

13.2. Azerbaijan: freedom of expression (vote)

- Before the vote on paragraph 7:

Laima Liucija Andrikiienė, *on behalf of the PPE Group*. – Mr President, on behalf of the PPE Group, I propose the following oral amendment to paragraph 7: the words ‘deplores the Azerbaijani authorities’ decision not’ should be replaced with the words ‘urges the Azerbaijani authorities’. The text should read as follows: ‘Urges the Azerbaijani authorities to renew the FM radio licences of a number of international broadcasters...’ and so on.

(The oral amendment was accepted)

14. Corrections to votes and voting intentions: see Minutes

15. Request for waiver of parliamentary immunity: see Minutes

16. Verification of credentials: see Minutes

17. Composition of committees and delegations: see Minutes

18. Implementing measures (Rule 88): see Minutes

19. Decisions concerning certain documents: see Minutes

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

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

22. Dates of forthcoming sittings: see Minutes

23. Adjournment of the session

President. – Ladies and gentlemen, we have reached the end of the last sitting of this year. I am pleased that the new Members have settled in so well over the last few months. I wish you all a Happy Christmas and a successful start to 2010. I hope that you will all be able to say at the end of 2010 that it was a good year.

I declare the session of the European Parliament adjourned.

(The sitting was closed at 16.10)

ANNEX (Written answers)

QUESTIONS TO THE COMMISSION

Question no 20 by Nikolaos Chountis (H-0432/09)

Subject: Review of the National Strategic Reference Framework to adjust to crisis conditions

The global crisis has created new needs and new priorities, both in budgetary policy and in planning the growth policies of Member States.

A fair number of Member States therefore need to replan programmes and actions and also the system for funding their National Strategic Reference Frameworks (NSFRs).

Will the Commission say:

What proposals is it considering in order to make it easier for Member States that wish to update programmes cofunded by the European Union? Is it contemplating changes in the financial framework of NSRFs in order to ease the burden on Member States, most of which are facing huge budgetary problems owing to the crisis?

Answer

To respond to the economic crisis, the Commission adopted in November 2008 a global strategy⁽²⁾ which reiterates the importance of focusing recovery actions on certain pre-defined priorities stimulating growth and job-related objectives. These objectives to invest in people, business, research and infrastructure are largely common to the priorities of cohesion policy and the resulting development programmes of individual Member States.

Therefore with the overriding aim to speed up implementation of these programmes, accelerate financing to beneficiaries and simplify the application of the rules, cohesion policy's response to the new needs and priorities of the crisis has been based on two pillars.

Firstly, changes were introduced to the legislative framework on Structural Funds to accelerate investments and simplify implementation. These changes enabled over €6 billion of additional advances to Member States in 2009 and thus significantly addressed their budgetary constraints caused by the crisis. They also largely simplified the applicable rules, facilitated access to Structural Funds and enabled newly targeted investments. Additional Commission proposals to further adapt the rules to the impact of the crisis and Member States' financial needs are currently in the legislative process with a view of adoption in early 2010.

Secondly, non-legislative proposals and recommendations to Member States to accelerate implementation were undertaken by the Commission. The in-built features of the legislative framework applicable to Structural Funds allow for the adaptations of the development (operational) programmes or formal modifications thereof to reflect and react to the changed circumstances.

In this context, the Commission invited Member States to explore possible changes in priorities and objectives in order to focus spending on growth areas as identified by the European recovery strategy. The strategic approach and broad scope of existing programmes already provide for much flexibility to adapt existing Operational Programmes (OP) to address specific needs. The Member States' Operational Programmes under Structural Funds already focus to a large extent on the priority areas of the Union's renewed Lisbon growth and jobs strategy: people; business; research and innovation; greener economy. Far from disappearing during the financial crisis, the objectives that these priorities are designed to address have now become even more pressing. By maintaining a strategic focus on agreed priorities, Member States will be better positioned to emerge from the current crisis even stronger.

Cohesion policy can provide vital support and stable funding to public institutions and local and regional recovery strategies. In principle, programme managers can adjust the relative pace of spending and implementation across the different priorities and categories of beneficiaries or replace schemes with complementary measures, tailored to meet the immediate needs. Full use should be made of the scope for flexibility in the legal framework to ensure that all cohesion policy resources are fully mobilised to support Member State and regional recovery efforts.

⁽²⁾ A European Economic Recovery Plan, COM (2008) 800 final

Furthermore, the current economic context could be used as an argument to modify Operational Programmes. The Commission works with Member States to examine any early changes to the Operational Programmes needed to meet new needs, simplify delivery and speed up implementation of established priorities. In such a case, the existing legislation requires a formal programme revision under Article 33 of Regulation (EC) No 1083/2006. Therefore, in accordance with that provision, any change in the text of the Operational Programme or in the Commission decision on the OP requires a formal modifying decision which comes into force upon its adoption. However, when the modification concerns new expenditure, it applies with retroactive effect from the date of the submission to the Commission of the request for revision of the Operational Programme.

In addition, in line with the current Article 48 of Regulation (EC) No 1083/2006, a modification of an OP must be preceded by an evaluation which will provide evidence on the need to revise the OP. However, this element is subject to the Commission proposal for the amendment to the Regulation (EC) No 1083/2006. The proposed modification of Article 48 clarifies that instead of an evaluation other sources of information would be sufficient to justify a revision of an OP. For the revision, the Regulation establishes a three month deadline for the Commission to decide.

Finally, as the revision of operational programmes shall not require revision of the decision of the Commission on national strategic reference frameworks (NSRF) under provisions of Article 33 (3) of Regulation (EC) No 1083/2006, there is no need to modify these strategies. .

However any major changes in the strategy followed by Member States shall be included in their strategic reporting following provisions of Article 29 of Regulation (EC) No 1083/2006.

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Question no 21 by Georgios Papanikolaou (H-0429/09)

Subject: Treaty of Lisbon and EU communication policy

The Lisbon Treaty will radically change not only the structure of the EU and the way in which it operates, but also the lives of its citizens. It is undoubtedly a difficult matter to ensure that citizens are properly informed. It is easy to understand the value of so doing, given that concern is frequently expressed that citizens are insufficiently informed about European affairs. Thus, in the absence of adequate information, EU citizens appear to be ignorant of the provisions of the new Treaty and not to fully grasp the consequences it will have for their daily lives.

Will the Commission say whether, as far as communication is concerned, we have succeeded to a satisfactory extent in involving EU citizens in the change which will take place in the structure of the EU? Finally, does it believe that EU citizens are sufficiently informed about this issue and what quantitative data bear this out? If not, are further measures needed and what kind of measures should be envisaged?

Answer

The Commission agrees with the Honourable Member on the wide impact of the Lisbon Treaty. In order to provide factual and clear information about the new Treaty, the Commission made available on the Europa web-site⁽³⁾ questions and answers as well as the consolidated text of the new Treaty. In addition, the Commission produced a Citizens' summary of the new Treaty entitled "Your Guide to the Lisbon Treaty", which sets out in simple, factual terms what changes under the new Treaty. The Guide is available in all 23 official languages of the European Union and it has been distributed in all Member States. Moreover, EUROPE DIRECT Contact Centre answers daily to citizens' questions about the implications of the Lisbon Treaty and the ways citizens can get involved in the process. For example, 2814 citizens questions related to the Lisbon Treaty were answered since its signature in December 2007.

With the Lisbon Treaty into force, our focus now is to make the Lisbon Treaty work for citizens. And this is exactly one of the inter-institutional communication priorities for 2010, discussed and broadly agreed by the Inter-institutional group on Information (on 24 November 2009). Apart from the above mentioned communication material, the Commission is preparing a new package of multimedia products including a modular audiovisual documentary, didactic materials for teachers and students, as well as a toolkit for

⁽³⁾ http://europa.eu/lisbon_treaty/index_en.htm

communicators, and an accompanying new media campaign. The EU basic communication products on the working of the EU and its policies will also be updated to reflect the changes brought by the Lisbon Treaty.

The Commission continues its efforts to effectively involve citizens in the Treaty implementation. One of concrete opportunities is the public consultation on the Citizens' Initiative, which will enable one million citizens to request the Commission to bring forward a particular policy proposal. Currently, citizens have the opportunity to give their views on how the Citizens' Initiative should work in practice. The Commission will take into account these suggestions when proposing a Regulation on the Citizens' Initiative to be adopted by the European Parliament and Council.

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Question no 22 by Gay Mitchell (H-0437/09)

Subject: Information for citizens on European Commission support

I am often asked by constituents whether the European Commission can support them or a project they are involved in, either financially or logistically. While there is a lot of good information for citizens on the Commission website, it is difficult to find out exactly what the Commission can or cannot do in terms of supporting citizens in this way.

What steps can the Commissioner take to improve communication with the people of Europe in this area? Is there scope for a website and staff dedicated to such inquiries and designed to make seeking Commission support as simple and straightforward as possible?

Answer

The European Union provides funding and grants for a broad range of projects and programmes. Questions and answers on how to request a grant as well as the information on EU funding opportunities are publicly available on Europa webpage:

http://europa.eu/policies-activities/funding-grants/index_en.htm"

The EU citizens can request grants according to the official procedure for which they might want to seek help in the Commission's Representation in their respective country. The information on currently available grants is also published on the website of the Commission's Representations in the Member States:

http://ec.europa.eu/represent_en.htm"

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Question no 23 by Hans-Peter Martin (H-0456/09)

Subject: Information campaigns and public relations work

EU Commissioner Margot Wallström will shortly be leaving office. In the light of her very considerable experience, will she answer the following questions:

Which mistakes would she warn her successor about making?

In which areas does she consider action is mostly urgently needed in the years ahead?

In which area would she do things differently today, and was the Lisbon campaign in Ireland her greatest success?

Answer

The Honourable Member is kindly invited to find the answers to the questions in the recent publication "Engaging citizens - Five years as European Commissioner for Institutional Relations and Communication Strategy" in which the main actions can be summarized as follows: to listen better to the citizens' views and concerns, to explain better how the decisions and initiatives taken affect their daily lives and to go local and connect better with people by addressing them in their local settings.

http://ec.europa.eu/commission_barroso/wallstrom/pdf/engaging-citizens_en.pdf"

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Question No 24 by Bernd Posselt (H-0426/09)**Subject: Energy dependence on Russia**

How would the Commission assess the efforts of the EU to reduce its energy dependence on Russia, and what is the specific outlook for the near future?

Answer

The gas crisis caused by the interruption of flows from Russia via Ukraine in January 2009 showed the extent of the vulnerability of the European Union in general, and some Member States in particular, with regard to energy security and external energy dependence. Since then, progress has been made with regard to the development of energy infrastructures and interconnections as well as crisis mechanisms. The Commission has called on the actors concerned to implement the necessary next steps as a matter of urgency.

On 16 November 2009, the European Union and Russia signed a memorandum on an early warning mechanism in the energy sector, which foresees an early evaluation of potential risks and problems related to the supply and demand of natural gas, oil and electricity, and the prevention and rapid reaction in case of an emergency situation or a threat of an emergency situation. In this respect, the early warning mechanism should seek to avoid a repetition of the gas crisis that occurred in January 2009 by working on prevention and on solving emergency situations, together with possible participation of third parties. Furthermore, the Commission considers it very important to have a transparent and predictable legal bilateral framework for EU – Russian relations in the field of energy, and therefore aims at including solid provisions in this regard in the new agreement that is under negotiation.

The Commission continues to monitor the development of relations between Russia and Ukraine on gas payments very closely. Concerning infrastructure, the Commission notes some progress on the implementation of the joint declaration that was adopted at the international investment conference on the modernisation of Ukraine's gas transit system in March 2009. The Commission has had a series of meetings with the Ukrainian authorities and the international financial institutions are currently considering the details of the priority projects identified in Ukraine's gas transit system master plan. At the same time, the Commission is working closely with the Ukrainian authorities to ensure that the necessary reforms highlighted in the joint declaration from the conference are undertaken to enable the international financial institutions to provide the required financial support.

Regarding infrastructure, important developments in recent months include:

The signature of the Memorandum of Understanding on the Baltic Energy Market Interconnection Plan (BEMIP) in June 2009 by the Commission and 8 Baltic Member States, which is a major step to improve connections between the Baltic area and the rest of the EU.

The signature of the Nabucco Intergovernmental Agreement in July 2009, which is an important step towards more diverse gas supplies from the Caspian region via the Southern Corridor

The ongoing implementation of the Regulation establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy, which allocates almost € 4 billion to specific projects in the sectors of gas and electricity interconnections, offshore wind energy and carbon capture and storage. The Commission hopes to be able to sign the first grant agreements by the end of 2010.

Work on the Mediterranean gas and electricity interconnections has advanced, with a view to taking concrete initiatives in 2010.

In July 2009, the Commission submitted a proposal for a Regulation on Security of Gas Supply, which seeks to provide an effective legislative framework for crisis situations. This proposal was discussed at the recent meeting of the energy Council and the Commission hopes to reach a political agreement on the proposal under the forthcoming Spanish EU Presidency.

The European Union is intensifying relations with key energy partners. For instance, an EU-US Energy Council was recently established at ministerial level, and the Commission hopes to sign the Memorandum of Understanding on energy with Iraq before the end of this year, which should include important infrastructure elements.

Clearly, energy security will remain high on the agenda and remain a key challenge for the next Commission.

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Question no 25 by Marian Harkin (H-0428/09)

Subject: EU targets for renewable energy

European legislation on the use of energy from renewable sources is an important measure introduced by the EU to ensure that Member States take action to provide a stable policy framework for the use of renewable energy. However, recent progress reports by the Commission indicate that some Member States are struggling to meet the target of a 5.75% share of renewable energy in the transport sector by 2010. Can the Commission comment on the measures it has taken to increase the production of sustainable biofuels within the EU? In particular, what steps will the Commission take to ensure that countries like Ireland, which are currently lagging behind in meeting the target of 5.75%, introduce new incentives to encourage the production of biofuels, which would make it economically attractive for small businesses and the agricultural sector to get involved?

Answer

The Commission can confirm that the 5.75% indicative target for the share of renewable energy in the transport sector set up by Directive 2003/30/EC on the promotion of the use of biofuels or other renewable fuels for transport is not likely to be reached at EU level. This in spite of the fact that biofuel consumption in the EU is growing rapidly and reached about 3.3% in 2008 compared to 0.5% in 2003. However the current legal framework does not give the European Commission strong tools to ensure that Member States reach their target. The Commission has launched 62 infringement procedures since 2005, against Member States for non-compliance with the Directive, but the majority of these were for failure to comply with reporting obligations or failure to set national objectives in compliance with the reference values of the Directive.

This was one of the reasons why the Commission proposed to the Council and the Parliament to adopt a new Directive on the promotion of renewable energy sources, setting legally binding target for renewable energy and for renewable energy in the transport sector. This new Directive 2009/28/EC is thus providing a stronger legal framework for promoting the use of renewable sources in transport by changing the character of the target from an indicative to a binding target, by expanding its scope from biofuels to all renewable energy, including electricity, and by increasing the level of the target to 10% by 2020.

Also, the Directive establishes sustainability criteria for the biofuels. These must be fulfilled in order for biofuels to be counted towards the mandatory target and to qualify for support schemes. The sustainability criteria are referring to: a minimum mandatory level of greenhouse gas emissions savings to be attained by biofuels; protecting land with high biodiversity value; preventing deforestation, etc.

The Commission is aware of the fact that many Member States are lagging behind in meeting the 5.75% target. However it remains the Member States' responsibility to put in place the necessary incentives to encourage the production or use of renewable energy. It is in Member States' interest to put in place the appropriate support measures at national level in order to pave the way towards reaching the 10% target for renewable energy in transport by 2020.

The new Directive for renewable energy will have to be transposed by Member States by December 2010. But already by 30 June next year, Member States will have to submit to the Commission their National Renewable Energy Action Plans, which will explain in detail how Member States intend to meet their target, including the 10% target for renewable energy in transport. The Commission will evaluate these plans and take appropriate action, including the launching of infringement procedures against Member States which fail to submit plans in accordance with the requirements of the Directive.

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Question no 26 by Silvia-Adriana Țicău (H-0441/09)**Subject: Study of implementation of and proposed measures under the 'energy-climate change' package**

The 'energy-climate change' package adopted in December 2008 calls on the Member States to reduce their polluting emissions by 20% by 2020, and by 30% if a post-Kyoto agreement is concluded. By 2020, 20% of energy consumption should be from renewable sources. These objectives necessitate the reduction of polluting emissions in energy-intensive industries, as well as in areas such as transport and buildings. The objectives established in the 'energy-climate change' package require the modernisation of European businesses and increased energy efficiency in transport and buildings, as well as geological carbon storage.

Can the Commission provide information on the state of play as regards the implementation of the 'energy-climate change' package and the measures proposed under it, and state whether there have been any variations from the calendar as initially established?

Answer

The Renewable Energy Directive⁽⁴⁾ that is part of the energy-climate package has to be transposed by 5 December 2010. Article 4 requires each Member State to adopt a national renewable energy action plan and to notify it to the Commission by 30 June 2010. These National Renewable Energy Action Plans must be prepared using the template adopted by the Commission on 30 June 2009 as foreseen by Article 4(1) and Annex VI of the Directive. In order to help Member States to prepare their National Renewable Energy Action Plans, the Directive also requires each Member State to publish and notify to the Commission a document on the intended use of the Directive's cooperation mechanisms by 31 December 2009. No deviation from this calendar is foreseen by the Commission. In addition, a number of implementing measures on the biofuels sustainability scheme are under preparation.

The revised Emissions Trading Directive⁽⁵⁾ foresees the adoption of a large number of implementing measures, many of which are subject to the regulatory procedure with scrutiny. The Commission started working on the implementation immediately after the adoption of the climate and energy package in December 2008. The first measure, namely the decision on the list of sectors and sub-sectors deemed to be exposed to a significant risk of carbon leakage will be adopted on schedule by the end of December 2009. The preparatory work for other Commission delegated decisions is on track.

The Effort Sharing Decision⁽⁶⁾ foresees the adoption of four implementing measures, all of which are subject to the regulatory procedure with scrutiny. The Commission started working on the implementation immediately after the adoption of the climate and energy package in December 2008 and the preparatory work is on track.

The CCS Directive⁽⁷⁾ does not contain any implementing measures, but invites the Commission to produce guidance on three issues. Work on the guidance is on track.

As regards the energy efficiency target of the 'energy-climate change' package, the Buildings Directive⁽⁸⁾, the Energy Services Directive⁽⁹⁾, the CHP Directive⁽¹⁰⁾ and (the implementing measures for) the EcoDesign

(4) Directive 2009/28/EC on the promotion of the use of energy from renewable sources OJ L 140/16 of 5.6.2009

(5) Directive 2009/29/EC amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community, OJ L 140, 5.6.2009.

(6) Decision No 406/2009/EC on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020, OJ L 140, 5.6.2009

(7) Directive 2009/31/EC on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, the European Parliament and Council Directives 2001/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006, OJ L 140, 5.6.2009

(8) Directive 2002/91/EC on the energy performance of buildings, OJ L 1 of 4.1.2003

(9) Directive 2006/32/EC on energy end-use efficiency and energy services, OJ L 114 of 27.4.2006

(10) Directive 2004/8/EC on the promotion of cogeneration based on a useful heat demand in the internal energy market, OJ L 52 of 21.2.2004

Directive⁽¹¹⁾ and the Energy Labelling Directive⁽¹²⁾ have either been implemented or are being implemented. All these Directives require Member States to publish and notify to the Commission their relevant legislation according to the transposition dates set. No deviation from this calendar is foreseen by the Commission. Furthermore, as a follow-up to the 20/20/20 integrated energy and climate change policy⁽¹³⁾, the Second Strategic Energy Review⁽¹⁴⁾ presented a set of new Commission initiatives on energy efficiency, such as the proposed recast of the Energy Labelling and Buildings Directives and a proposal on Labelling of Tyres. The proposal for a recast of the Buildings Directive was brought forward by one year compared to the Commission announcement in the Energy Efficiency Action Plan of 2006⁽¹⁵⁾, in order to ensure the timely achievement of the target of the 'energy-climate change' package. The recent political agreements on the two recast Directives and the adoption of the Regulation on Labelling of Tyres is a real achievement and shows that there is a strong political will for an ambitious energy efficiency policy.

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Question no 27 by Brian Crowley (H-0464/09)

Subject: Renewable energy

What initiatives is the Commission pursuing in the field of renewable energies so that Europe's climate change targets are met and more jobs are created in the smarter and greener economy?

Answer

The Directive on the promotion of the use of energy from renewable sources⁽¹⁶⁾, which is part of the energy-climate package adopted earlier in 2009, has to be transposed by Member States by 5 December 2010. Following the adoption of the Directive, emphasis is now on full and proper implementation by Member States. To that end, Article 4(1) of the Directive requires each Member State to submit a National Renewable Energy Action Plan to the Commission by 30 June 2010. On 30 June 2009, the Commission adopted a binding template⁽¹⁷⁾ which Member States must follow when preparing their plan. Once the National Action Plans are submitted, the Commission will evaluate them and check their consistency with national and European targets set by the Directive.

To support the energy technological advances that are necessary to achieve the 2020 targets and focus the overall European effort, the same energy-climate package called for the implementation of the Strategic Energy Technology (SET) Plan⁽¹⁸⁾. One of the main accomplishments of this action has been the preparation together with industry and Member states of European Industrial Initiatives for low-carbon technologies (including wind, solar, bio-energy and smart grid) with identified objectives, actions, necessary resources, precise time frame, until the year 2020 in the form of technology roadmaps. During 2010 this initiatives will be launched and start its practical implementation. In its proposal on "Investing in the development of low-carbon energy technologies"⁽¹⁹⁾, the Commission estimates that an additional investment of €50 billion

(11) Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products, OJ L 285 of 31.10.2009

(12) Directive 92/75/EEC on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances, OJ L 297 of 13.10.1992, p. 16–19

(13) Communication from the Commission – An energy policy for Europe COM(2007) 1 final, published on 10.1.2007

(14) Communication from the Commission - Second Strategic Energy Review: an EU energy security and solidarity action plan SEC(2008) 2870, SEC(2008) 2871, SEC(2008) 2872 and COM/2008/0781 final, published on 13.11.2008

(15) Communication from the Commission - Action Plan for Energy Efficiency: Realising the Potential SEC(2006) 1173, SEC(2006)1174, SEC(2006)1175 and COM/2006/0545 final, published on 19.10.2006

(16) Directive 2009/28/EC – OJ L 140/16 of 5.6.2009

(17) Décision de la Commission du 30 juin 2009 établissant un modèle pour les plans d'action nationaux en matière d'énergies renouvelables conformément à la directive 2009/28/CE du Parlement européen et du Conseil [notifiée sous le numéro C(2009) 5174]- OJ L182 of 15.7.2009

(18) A European Strategic Energy Technology Plan – towards a low carbon future COM (2007) 723

(19) COM(2009) 519 final

in energy technology research will be needed over the next ten years. This means almost tripling the annual investment in the European Union, from €3 to €8 billion.

The priorities of the Research Theme funded under the 7th Framework Program (2007-2013), with a total budget of €2.350 million, are being aligned to the objectives and roadmaps of the SET Plan Industrial Initiatives.

The Intelligent Energy Europe programme⁽²⁰⁾ supports deployment of sustainable energy and focuses on the removal of market barriers and creating a more favourable business environment for renewable energy markets. The programme covers wide range of actions, including promotion and dissemination projects. In this framework the Covenant of Mayors is an ambitious European Commission initiative to mobilise local authorities and their citizens to take action in the fight against the global warming.

Moreover, the Commission would like to refer the Honourable Member to its previous answer to question H-0208/09⁽²¹⁾ on green jobs.

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Question no 28 by Pat the Cope Gallagher (H-0465/09)

Subject: The impact of UK transmission charges on Ireland

The UK transmission charging regime distorts power trading, specifically between the UK and Ireland, by increasing both the transport cost of exports from Ireland and the price risk of importing lower-cost energy in winter. This charging methodology acts as a barrier to maximising the economic potential of Ireland's renewable energy resources, can cause low-price renewable generators to be switched off more frequently and thereby increases dependence on consumer funded support mechanisms.

Does the Commission agree that the UK transmission charging methodology causes significant trade distortion between Ireland and the UK? Does the Commission consider that the UK transmission charging methodology adheres to the provisions of the Electricity Regulation (EC) No 714/2009⁽²²⁾? What concrete measures can the Commission take to prevent such trade barriers?

Answer

Regulation 714/2009 was adopted as part of the Third Energy Market Package and will apply from 3 March 2011. Until then the Regulation 1228/2003⁽²³⁾ continues to apply. However, there are no substantive differences between the two regulations relevant to this question.

Each network user has to pay the transmission system operators (TSOs) to whose system it is connected. These charges are approved in advance by national regulatory authorities and reflect the costs of operating the transmission system. It is not allowed to charge users who import or export electricity more (or less) than users who buy electricity from producers located within the Member State.

Within Member States network charges can be set to encourage generators to locate where the costs imposed on the overall transmission network are lower. Such so called locational charges are specifically allowed in the Electricity Regulation. The United Kingdom (UK) applies such a scheme. The Commission does not have reason to believe that the resulting charges are not cost-reflective.

Regulation 1228/2003 (and 714/2009) also provide for the establishment of an inter TSO compensation (ITC) mechanism for costs incurred as a result of hosting cross border flows of electricity. All ITC payments are to and from TSOs, and are then included in transmission tariffs for system users in Member States.

⁽²⁰⁾ Decision No 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007 to 2013)

⁽²¹⁾ Available at <http://www.europarl.europa.eu/QP-WEB>

⁽²²⁾ OJ L 211, 14.8.2009, p. 15.

⁽²³⁾ Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity, OJ L 176, 15.7.2003.

Until now, the ITC mechanism has been operated on a voluntary basis. The Commission intends to make proposals for binding guidelines on ITC to be adopted under the Comitology procedure. The proposals will also include guidelines to harmonise transmission charges for producers of electricity. This will be based on the draft guidelines developed by the European Regulators Group for Electricity and Gas in 2005.

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Question no 29 by Cristina Gutiérrez-Cortines (H-0430/09):

Subject: Closure of file on complaint concerning the basic plan for a supply system from the Cenajo reservoir to the Canales del Taibilla water management body

On what legal grounds and what criteria has the Commission closed the file on complaint No SG/CDC(2008)A/822, lodged by Mr Isidoro Ruiz Gabaldón on behalf of the Juntas Centrales de Usuarios, Regantes del Segura y Norte de la Vega del Río Segura? The complaint concerned the basic plan for a system to supply the Canales del Taibilla water management body with water from the Cenajo reservoir and was supported by the town councils of Cieza, Blanca and Abarán, as well as by the irrigation cooperatives and a petition signed by 11 000 citizens.

As explained in the complaint, the excavation of the river entails destroying the river and its banks and will damage the quality of the water body, in contravention of Directive 2000/60/EC. No alternative options have been included in the plan, the effect on the environment will be complex and no compensatory measures have been proposed to offset the plan's impact. The tender process began before any such solutions were included. Furthermore, the plan threatens protected animals, such as the otter (*Lutra lutra*).

Answer

The objective of this project is to ensure water supply to a population of over 700 000 inhabitants (that can increase to over one million in the summer season) in the Murcia region of Spain. Current supply does not meet some of the requirements in the Drinking Water Directive⁽²⁴⁾ due to high levels of sulphates and magnesium. The project, co-financed by the EU via the Cohesion Funds, replaces a previous one ("Conexión Embalse de la Fuensanta-río Taibilla") that was discarded due to its high environmental impact.

The Commission received in 2005 a complaint on this project, raising several issues concerning likely breaches of EC environmental Law, in particular of Directives on environmental impact assessment⁽²⁵⁾ and nature protection⁽²⁶⁾⁽²⁷⁾. This complaint was closed in October 2005 since a thorough examination of the case did not reveal any infringement of EU environmental Law.

On 8 January 2008, a new complaint – from a different complainant – was submitted to the Commission and registered in EU PILOT. The case was subject to a full assessment and an exchange of information on the project between the Spanish authorities and the services of the Commission took place.

The Commission services informed the complainant of their conclusions, excluding an infringement, by letter of 29 June 2009 (and a further confirmatory letter of 13 October 2009).

In summary, the closure of the file was based on the following reasons:

Many of the issues raised concerned potential breaches of national procedures where the Commission has no powers to intervene.

The project was at the time undergoing an environmental impact assessment, conducted by the competent Environmental authority. Reference *inter alia* to alternatives considered and nature and water protection issues is made in the body of the assessment.

⁽²⁴⁾ Council Directive 98/83/EC on the quality of water intended for human consumption, OJ L 330, 5.12.1998

⁽²⁵⁾ Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, as modified; OJ L 175, 5.7.1985

⁽²⁶⁾ Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds; OJ L 103, 25.4.1979

⁽²⁷⁾ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora; OJ L 206, 22.7.1992

Since the above procedure is the most appropriate instrument to identify likely effects on the environment, and the project had not been approved, no infringement of EU environmental Law could be identified.

While launching the tendering procedure before the environmental impact assessment procedure was completed is not an example of best practice, the EIA directive does not include specific requirements on this issue. The only obligation imposed by the Directive is that the authorisation of the project cannot be granted before the assessment procedure is finished.

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Question no 30 by Frank Vanhecke (H-0433/09)

Subject: Turkey and Sudan

The President of Sudan, Omar al-Bashir, is said to have attended a meeting of the Organisation of the Islamic Conference (OIC) in Istanbul starting on 9 November 2009. The International Criminal Court has issued an international arrest warrant against al-Bashir on charges of war crimes and crimes against humanity committed in Darfur.

In Resolution 1593, the UN Security Council, whose non-permanent members for the period 2009-2011 include Turkey, called on all States to cooperate with the International Criminal Court. Turkey is not a contracting party to the Rome Statute of the ICC, but all the EU Member States are.

If Omar al-Bashir was in Istanbul but was not arrested, what view does the Commission take of Turkey's policy in this regard, in the light of the aims of the EU's common foreign policy in the field of human rights? What consequences will this have for the accession negotiations?

Answer

President Omar Al-Bashir of Sudan did not come to Turkey to attend the meeting of The Standing Committee for Economic and Commercial Cooperation of the Organisation of the Islamic Conference.

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Question no 31 by Seán Kelly (H-0435/09)

Subject: Trade Marks Directive (2008/95/EC) and Google AdWords

The recent opinion by Advocate General Póitares Pessoa Maduro for the European Court of Justice on the issue of Google AdWords cases favoured permitting one company to purchase an AdWord which is trademarked by another company, based on Article 5 of the Trade Marks Directive (2008/95/EC⁽²⁸⁾).

Trademarks are central to the defence of intellectual property rights. It can take many years for a company to build up the reputation on which a trademark is based. This applies as much to small and medium enterprises as to larger enterprises. The purchasing by one company of another company's trademark is patently unfair.

Can the Commission therefore state whether it is prepared to put forward amending proposals in order to update the Trade Marks Directive should the ECJ rule in favour of Google in due course?

Answer

The Commission understands the importance of protection of rights conferred by a trade mark, and differing interpretations of Article 5 of Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks, which replaces the previous First Council Directive 89/104/EEC⁽²⁹⁾ of 21 December 1988. The Opinion by Advocate General Póitares Maduro delivered on 22 September 2009 relates to Joined Cases C-236/08, C-237/08 and C-238/08 all involving Google. Until the European Court of Justice issues its judgment in these cases it would be premature for the Commission to consider taking steps to amend the Directive.

⁽²⁸⁾ OJ L 299, 8.11.2008, p. 25.

⁽²⁹⁾ OJ L 40, 11.2.1989

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Question no 32 by Eleni Theodorou (H-0438/09)

Subject: Destruction of the cultural heritage

The issue of the destruction of the cultural heritage in the northern, occupied part of Cyprus is of capital importance for Europe as a whole. It is a positive step that EUR 2 million - out of the total of EUR 259 million allocated as aid to the occupied territories - have been set aside for the Church of Panagia Odigitria (Bekestan). Since there are a large number of Orthodox and other Christian churches and other monuments in the occupied part of Cyprus, which unless immediately restored will collapse and be lost for ever, will the Commission say whether it intends to continue making available appropriations from the EUR 259 million and to speed up the procedure, since it is the cultural heritage of Europe and the world that is at stake?

Answer

The Commission fully agrees with the Honourable Member regarding the importance of the preservation of cultural heritage in Cyprus as a whole. EU funding has been earmarked for this purpose since 2001, in particular for flagship projects in the walled city of Nicosia under the framework of the bi-communal Nicosia Master Plan. Two major EU-funded projects, the restoration of the Ömeriye Baths and of the Bedestan, have both received the Europa Nostra prize. Other EU-sponsored projects have been completed in the walled city of Famagusta.

Additionally, on request by the Parliament, a cultural heritage study worth € 800 000 is planned to be carried out in 2010. This study will provide, inter alia, a detailed description of each monument of significant cultural value (complemented by photographs and sketches), a record of the damage that has occurred, and a list of repairs that are necessary in order to preserve the original status of the cultural monuments affected. Once ready, the study will serve as a basis for channelling further EU funds to restoration projects.

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Question no 33 by Ernst Strasser (H-0439/09)

Subject: Perceived increase in economic crime due to the eastward expansion of the European Union

According to the latest edition of the annual Top Manager Index (TMI), a study conducted jointly by the consulting company A.T. Kearney and Vienna University of Economics and Business Administration, 88 % of the Austrian companies interviewed considered an increase in economic crime due to the eastward expansion of the European Union highly probable.

The percentage of companies perceiving this risk has remained stable since 2003 (in 2008: 87%).

Does the above mentioned perception of Austrian companies correspond with the Commission's perception/knowledge of this phenomenon, and if so, will the Commission work on a proposal on how to combat this phenomenon and its root causes?

Answer

The Commission does not have information which would confirm or refute the views expressed by top managers of Austrian companies in the survey mentioned by the Honourable Member. The Commission is also not aware of the methodology used to measure perception in this survey.

Europol's Organised Crime Threat Assessment (OCTA) Report and other law enforcement sources highlight the increasing activities of organised criminal groups in Eastern Europe, including on economic crime. However, the little statistical data available are insufficient to establish any link between the enlargement of the Union and the increase of economic crime activities. The very same survey quoted by the Honourable Member indicates that the Austrian managers' perception has remained stable since 2003 (i.e. before countries from Eastern Europe joined the Union).

The Commission is already very active in preventing and fighting economic and financial crimes in the Union and proposed to further strengthen the existing actions in the Stockholm Programme, which will set the Union's priorities for the next five years. The most relevant actions envisaged aim at proposing criminal measures on counterfeiting on intellectual property rights, expanding the possibilities to confiscate the

proceeds of organised crime by amending the existing legal framework and enhancing the tools to trace criminal assets, better preventing and fighting corruption and strengthening the Member States' capacity to conduct financial investigations.

With respect to non-EU countries, strengthening the capacities of law enforcement authorities is an important part of the pre-accession preparations of the enlargement countries. Organised crime groups have taken advantage of insufficient capacities of the state institutions in these countries to counter criminal activities, to control their borders and to cooperate with their counterparts in other countries in the region and in the EU. An Organised Crime Threat Assessment has been carried out for the Southeast European region by the South-East European Cooperative Initiative (S.E.C.I.) Regional Centre for Combating Trans-border Crime in collaboration with Europol. Some of the countries have concluded cooperation agreements with Europol and such agreements are under preparation for other countries. The Commission supports with its financial assistance both at regional and national levels the improvement of the capacities of the law enforcement authorities in the enlargement countries to fight organised crime more efficiently.

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Question no 34 by Jürgen Klute (H-0442/09)

Subject: Suspension of EC cooperation with Nicaragua

Although Nicaragua is one of the poorest countries in the world, the European Commission decided to suspend payment of EUR 60 million for the period 2008-2009 because of alleged irregularities in local elections. This amount was earmarked for education and health programmes, diversification of production and other purposes. This measure taken by the Commission has therefore seriously penalised the poorest population groups in Nicaragua.

Recently the Commission was ready to lift this suspension, releasing EUR 10 million, but now it has decided to continue exercising sanctions against Nicaragua because of the decision of the Nicaraguan Supreme Court on the re-election of the president and the mayors.

Why did the Commission adopt such measures against Nicaragua, and not against the Governments of Colombia or Costa Rica, where similar decisions were taken?

Does the Commission intend to lift the sanctions imposed against Nicaragua and its democratically elected government?

Has the Commission carried out an evaluation of the consequences of these measures for the poorest population groups in Nicaragua?

Answer

The Commission has been actively engaged in Nicaragua for many years. There are no strings attached to the EC's development cooperation. However, respect for democracy, the rule of law and good governance are basic conditions, which are included in all financing conventions signed with the authorities of this country.

Following the fraudulent municipal elections of November 2008, the Commission decided, having consulted the Council, that budgetary support was not an appropriate modality for development cooperation with Nicaragua.

Since then, the Commission has been engaged in a dialogue with Nicaragua on electoral and governance issues, which has led to a partial resumption of budget support in favour of education.

The Commission will continue this critical dialogue and hopes to be able to make further disbursements once the necessary conditions are met.

The Commission is closely coordinating its engagement with the EU Member States as well as other donors and has taken due note of the resolutions passed by the European Parliament on 18 December 2008 and most recently on 26 November 2009.

The Commission is committed to maintaining in overall terms the level of aid to Nicaragua, if need be through the reorientation of cooperation programmes.

Finally, it is worth mentioning that all other aid delivery modalities, except for budget support, have been maintained, and cooperation, including the approval of new projects and the mid term review of assistance to the country, has progressed normally in the course of 2009.

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Question no 35 by Anna Hedh (H-0443/09)

Subject: Alcohol advertising

Last spring, a report was presented by the Science Group at the request of the Alcohol and Health Forum entitled 'The impact of marketing communication on the volume and patterns of consumption of alcoholic beverages, especially by young people'.

The report reveals that twelve of thirteen studies examined show that alcohol advertising affects the point at which young people start drinking alcohol and persuades those who already drink to increase their consumption. The studies also show that there is a direct link between how much advertising young people are exposed to and how much they increase their consumption. Moreover, a report produced by the Commission shows that self-regulation on alcohol advertising, as advocated by the alcohol industry, does not produce particularly good results. Strict regulations are more effective.

The rules already in existence stipulating that alcohol advertising must not be aimed directly at young people are, in practice, ineffective. A total ban on alcohol advertising is the best way of reducing drinking among young people, as also shown by a study published in the scientific journal 'The Lancet'.

In the light of the above, would the Commission consider banning alcohol advertising, in the same way as tobacco advertising, on health grounds?

Answer

The Honourable Member raises an important and relevant issue.

The current Swedish Presidency has done a great deal to keep alcohol related issues high on the European agenda. The Council Conclusions, adopted earlier this month, called on both the Member States and the Commission to do more to protect children against advertising and marketing influences.

As the first EU Alcohol Strategy sets out, the Commission supports the better regulation of alcoholic beverages in two key ways. Firstly, through the Audiovisual Media Services Directive⁽³⁰⁾ which provides a framework for minimum standards for audiovisual commercial communications for alcoholic beverages present in television broadcasts and on-demand audiovisual media services. It states that audiovisual commercial communications for alcoholic beverages shall not be aimed specifically at minors and television advertising shall not depict minors consuming these beverages.

Secondly through two new structures set up to support the implementation of the EU Alcohol Strategy. The first of these is the Committee for National Alcohol Policy and Action, where Member States can share and compare approaches at national level.

The second is the European Alcohol and Health Forum which brings together diverse stakeholders from across society who commit to developing voluntary approaches to reduce alcohol related harm. All parts of the alcohol value chain are represented in this Forum (from the producers, but also to the retailers and the hospitality sector.)

The topic of alcohol advertising is an important one for the Forum, and a specific Taskforce on Marketing Communication was set up to explore the various issues and to support the development of a common understanding.

It will be important, in the coming years, to take stock of these actions and assess whether, taken together, they are enough to protect children and young people. In particular whether the existing statutory frameworks

⁽³⁰⁾ Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities Text with EEA relevance, OJ L 332, 18/12/2007

at EU and national level, combined with the voluntary actions of stakeholders, are working or whether this "mix" needs to be rebalanced. Only at that point will it be possible to consider whether stronger action at EU level on alcohol advertising is necessary.

However, the Commission's view is that for now, it is important to continue with the course that was set with the adoption of the EU Alcohol Strategy, and for which a wide consensus exists.

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Question no 36 by Jim Higgins (H-0444/09)

Subject: Turf cutting and fossil fuel energy production

In the light of Article 6(3) and (4) of the Habitats Directive ('Assessment of Plans and Projects significantly affecting Natura 2000 sites') would the Commission be prepared to consider allowing further cutting of peat on raised bogs in Ireland for which such permission expires on 31 December 2009?

In the light of the prohibitive price of carbon-emitting fossil fuels, on which the Irish economy is almost totally dependent, would the Commission be willing to consider an exemption for another limited period, particularly in light of the fact that there has been no ban on peat production for the state-owned company Bord Na Mona nor on the usage of peat for electricity production in two large peat-burning power stations – sanctioned by the EU – in the Irish Midlands?

Answer

By way of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora⁽³¹⁾, Member States are legally committed to protecting habitat types of Community interest, including raised and blanket bogs for which the active forms are of priority interest under the Directive. This is principally to be achieved by the establishment, protection and management of Special Areas of Conservation. Ireland has particular responsibility within the EU for the protection of these habitat types.

It is the responsibility of the relevant authorities in Ireland to put in place the necessary protection measures. Any plan or project that may negatively affect a Natura 2000 site may only proceed if it is fully in accordance with the conditions set out in Article 6(3) and (4) of the Habitats Directive. This requires an appropriate assessment of the activity to be authorized in light of the site's conservation objectives. If it is concluded that this will adversely affect the integrity of the site, then the plan or project may only proceed in the absence of alternative solutions if it is of overriding public interest and where the damage to the site is fully offset by compensatory measures. As active raised and blanket bogs are priority habitats types, this would also require a formal opinion of the Commission in relation to the imperative reasons of overriding public interest.

Natura 2000 covers only a proportion of Ireland's peatlands. Ireland also protects some peatlands as Natural Heritage Areas under national legislation. There are still large areas of peatland outside of these areas where peat extraction is unaffected by the protection safeguards applying to these sites. As far as the Commission is aware, Bord na Mona does not extract or source peat from Natura 2000 or other protected sites and, therefore, their continued operation of peat powered stations cannot be a pretext for the failure to take action to protect the designated peatlands.

The latest conservation status assessment published by the Irish authorities is particularly alarming, especially for active raised bogs. Intact raised bog in Ireland is now extremely rare and has decreased in area by over 35% in the last ten years⁽³²⁾. Ongoing deterioration of the hydrological conditions of the habitat at current rates caused by peat cutting, forestry and burning are deemed to severely threaten the viability of the habitat at most locations.

The Commission has already made clear its view to the Honourable Member in its response to written question E-3449/08⁽³³⁾ that there is an urgent need to put in place effective management and protection measures for Ireland's Natura 2000 peatlands, including the prohibition of turf cutting where this is not compatible with the conservation of the sites.

⁽³¹⁾ OJ L 206, 22.7.1992

⁽³²⁾ <http://www.npws.ie/en/PublicationsLiterature/HabitatsDirectiveReport07/>

⁽³³⁾ <http://www.europarl.europa.eu/QP-WEB/home.jsp?language=fr>

The Commission wishes to clarify to the Honourable Member that no "permission" for continued damaging peat extraction within Natura 2000 sites was approved by the Commission for the period mentioned.

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Question no 37 by François Alfonsi (H-0446/09)

Subject: Call for IMO to withdraw classification of Bonifacio Strait as 'straits used for international navigation'

The Bonifacio Strait which separates Corsica from Sardinia is hazardous to shipping.

France and Italy have prohibited vessels sailing under their flag and transporting hazardous or noxious products from passing through these straits since 1993. Nowadays, therefore, there is very little traffic in the Strait, and its economic importance is negligible. But an accident involving a vessel which was neither French nor Italian, but was sailing under another country's flag and transporting hazardous goods, could cause a disaster on the scale of the sinking of the Erika (flying the Maltese flag) or the Prestige (sailing under the flag of the Bahamas).

The Bonifacio Strait is classified as a strait 'used for international shipping' and, as such, is subject to the right of free 'transit passage' by merchant vessels. This means that a potentially dangerous situation continues to exist, despite the absence of any compelling economic arguments for maintaining it. The inappropriate classification of the Strait undermines the objectives of the International Corsican and Sardinian Marine Reserve, a major marine conservation project.

Would the Commission support France and Italy in their efforts to persuade the IMO to downgrade the status of the Bonifacio Strait?

Answer

The Commission has not been informed of any initiative by France and Italy in International Maritime Organization (IMO) aiming to withdraw the classification of Bonifacio Strait as a "strait used for international navigation". Without having the details of the envisaged action by the two Member States, the Commission cannot take a position on this matter.

However, the Commission wishes to underline that the characterisation of straits used for international navigation and the regime applicable in these areas derives from the United Nations Convention on the Law of the Sea (UNCLOS).

Given the concerns expressed by the Honourable Member regarding the prevention of maritime accidents and of pollution caused by ships, the Commission wishes to stress the important effort undertaken by the European Union in matters of maritime safety in the last ten years, including the adoption of three maritime packages the latest of which, agreed by the Parliament and the Council in April 2009, contained eight legislative measures. With this legislative acquis in place, the European Union has undeniably reinforced its capacity to fight substandard shipping, ensure the safety of navigation and prevent pollution caused by ships in European waters.

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Question no 38 by Gesine Meissner (H-0448/09)

Subject: EU-Venezuela trade agreement

The draft of a new Venezuelan "social property" law would enable the government to "decree the forced appropriation, through just compensation" of assets "whose productive activities do not correspond to the national interest and the socio-productive model".

Does the Commission think that the use of this law would hinder EU-Venezuelan relations? If not, why not?

Question no 39 by José Manuel García-Margallo y Marfil (H-0452/09)**Subject: EU-Venezuela Trade Agreement**

Has the Commission studied the provisions of the proposed Venezuelan Social Property Law and determined if they are compatible with the principles of free and fair trade on which any future trade agreement between the EU and Venezuela needs to be based? If not, why not?

Joint answer

The EU does not have any trade agreement with Venezuela and no agreement is currently being proposed. As this law is still a draft and still has not been adopted or implemented, the Commission is therefore not in a position to examine the compatibility of the proposed Venezuelan law with any concrete or proposed legal obligations involving the EU or to assess its precise impact on the EU-Venezuelan relations.

The Commission will however monitor and analyse carefully the impact of this law on EU economic interests in Venezuela once it enters into force and, if opportune, convey to the Venezuelan authorities any concern regarding potential negative impacts.

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Question no 40 by Liam Aylward (H-0450/09)**Subject: Global food security**

Over 40 million people die as a result of hunger and poverty each year, including one child every six seconds. The recent UN Food and Agriculture summit stated that the number of people hungry in the world now exceeds 1 billion. What is more, the global food crisis is one of the major threats to peace and security in the world.

What action can the Commission take to address the problems of hunger and the lack of food security worldwide?

What action can the Commission take to ensure that European policies, in particular its agriculture and development policies, do not contribute to increased hunger and food shortages in the world?

Answer

The Honourable Member will refer to the replies of the Commission to questions n° P-5506/09⁽³⁴⁾ by Mr Guerrero Salom and H-0416/09 by Ms McGuinness⁽³⁵⁾.

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Question no 41 by Ryszard Czarnecki (H-0454/09)**Subject: International Monetary Fund Report**

I would like the Commission to look into the IMF's Global Financial Stability Report. The IMF diplomatically points out, without naming names, that some Italian banks fail to consolidate completely the losses incurred in their foreign branches and subsidiaries. The IMF bases its reservations on the fact that the losses incurred by financial institutions outside the EU are higher than the financial losses of banks operating in the eurozone. The IMF points out that the lower the level of consolidation of accounts, the lower will be the loss rates reported.

Only one Italian bank has expanded abroad, and the IMF's reservations can apply only to this bank. Does this reporting method not pose a threat to the stability of the financial system, given that it makes the President of the IMF uneasy? Unicredit's subsidiaries in Ukraine, Romania, Bulgaria and former Soviet countries need support to maintain liquidity. For example, the Polish bank Pekao S.A. is supporting Unicredit Ukraine by providing cash injections amounting to tens of millions of euros in successive accounting quarters; however, unlike other banks in the region, Pekao is not drawing on any reserves for its Ukrainian investment. Would

⁽³⁴⁾ <http://www.europarl.europa.eu/QP-WEB/home.jsp>

⁽³⁵⁾ Written reply of 24 November 2009

the Commission state if these kinds of accounting procedures and 'creative accounting' are admissible? Do they ensure the liquidity of the banking system in the medium and long term? What financial consequences might they have for the financial systems of Poland, Romania, Bulgaria and the countries of the former USSR?

Answer

With regard to the concerns related to the application of inappropriate accounting procedure by some Italian Banks, it has to be pointed out that Italian banks, like all the other European listed banks, prepare since 2005 their consolidated financial reports according to the International Financial Reporting Standards (IFRS) adopted by the European Union, under Regulation No. 1606/2002.

Under IFRS, banks are required to consolidate all their subsidiaries, independently of where they are located and the intra-group transactions have to be eliminated. Furthermore, according to Directive n. 2006/43/EC financial reports have to be audited by an authorised external auditor.

According to its 2008 Audited Consolidated Financial Statement, Unicredit has applied IFRS as endorsed by the European Union and therefore it has consolidated all its subsidiaries, including those in Romania, Ukraine and Bulgaria. This means that credit losses reported in the financial statements of the Ukrainian, Romanian and Bulgarian subsidiaries of Unicredit are also reported in the consolidated financial statements of Unicredit Group.

Accordingly, the Commission has no particular remarks on the accounting rules/procedures applied by Unicredit Group.

With specific regards to the concerns raised, it is worth noting that IMF Report when it states that "Italy, the Netherlands, and Spain do not report losses on either foreign branches or foreign subsidiaries" seems to describe the data coverage of statistics used by the IMF for the purposes of its report.

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Question no 42 by Kathleen Van Brempt (H-0457/09)

Subject: Safety of cheap toys

Recent research by the product quality certification body TÜV indicates that two thirds of all cheap toys which it has examined do not comply with current quality requirements. One third even contain prohibited softeners (phthalates). As the test was specifically concerned with cheap toys, there is also an important social dimension to this problem.

Is the Commission aware of these problems? How will the Commission enforce the stricter requirements in the new Toys Directive, bearing in mind that even efforts to enforce the previous Directive are evidently not succeeding? And what action will the Commission take to ensure that all children can grow up with safe toys?

Answer

The Commission has knowledge of the press release mentioned by the Honourable Member and is aware of the non compliant toys referred to, in particular non compliances caused by excessive amounts of phthalates, presence of chemical substances or small parts, however has not yet been officially informed by the German Government.

When toys placed on the market can jeopardize the safety of children under the current or new Toy Safety Directive, Member States are obliged to take all appropriate measures to withdraw, prohibit or restrict the placing on the market. The Member States shall inform the Commission immediately of this measure, first of all under the rapid alert system RAPEX and in some instances also in conformity with the so-called safeguard clause procedures. All the Member States are informed and have the obligation to adopt appropriate follow-up measures against the same toy.

The Commission would like to stress that the safety of children is already at the heart of the current Toy Safety Directive 88/378/EEC which contains mandatory safety requirements for toys to be placed on the market. These requirements have been enhanced by the new Toys Safety Directive (TSD) which will enter into force from January 2011 on. These new rules are among the most stringent in the world. They are the result of several studies, an extensive impact assessment and a widespread public consultation as well as an intensive discussion during the legislative process in the European Parliament and in the Council. The new

Toy Safety Directive also states that other acts of Community legislation such as, for example, the rules on general product safety and on the classification, packaging and labelling of dangerous preparations, substances and mixtures, have to be respected. Therefore toys have to comply also with REACH regulation 1907/2006 and, in particular, with its Annex XVII restricting the use of phthalates in toys and childcare articles. By mid January 2010 the European Chemicals Agency (ECHA) will deliver a report on the review of the existing restrictions of phthalates.

Toys are already in the focus of market surveillance by the Member States and the Commission co-finances such activities when they are coordinated among several countries. The Commission is pleased to inform the Honourable Member that for example in 2009, market surveillance authorities have performed a joint action aimed at testing toys placed on the EU market with a focus on small parts, magnets and heavy metals. This joint action, co-financed through the Commission's consumer policy actions, is foreseen to end in mid 2010.

Furthermore, the new Directive will also enhance market surveillance. It is the first sectoral Directive to incorporate and be aligned to the general framework for the marketing of products in the EU, the so called "goods package" (Regulation No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products, and repealing Regulation (EEC) no 339/93 and Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products and repealing decision 93/465/EEC). The strengthened rules on the market surveillance and control at external borders contained in the new horizontal Regulation No 765/2008 shall be applicable to the market surveillance of toys.

The Commission also encourages improved checks at the production line, and work is also underway with the toy sector to develop guidance to parents and others buying toys for children.

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Question no 43 by Proinsias De Rossa (H-0459/09)

Subject: SR Technics workers and European Globalisation Adjustment Fund

Could the Commission indicate whether any application for funding under the European Globalisation Adjustment Fund has been received from the Irish authorities to aid the former workers of SR Technics in Dublin and, if so, indicate what is the current status of this application?

Answer

An application from Ireland to aid the former workers of SR Technics in Dublin was presented to the Commission on 9 October 2009. The application is based on Article 2(a) of Regulation (EC) 1927/2006 (the 'EGF Regulation')⁽³⁶⁾, which requires at least 500 redundancies over a period of four months in an enterprise in a Member State, including workers made redundant in its suppliers and downstream producers.

The application relates to the redundancy of 910 workers in the firm, 800 of whom were made redundant during the four-month reference period and a further 110 workers subsequently. The Irish authorities plan to assist 838 workers through active labour market measures, including guidance, training and assistance for self-employment.

The services of the Commission are currently analysing the application, and have requested additional information from the Irish authorities on certain elements. Upon receipt of the information requested, the Commission will decide whether to approve the application and to recommend it to the Budgetary Authority for a financial contribution.

At this point, the Commission has not yet finalised its assessment and therefore cannot yet comment on the outcome of the application.

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⁽³⁶⁾ Regulation (EC) 1927/2006 of the Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund, OJ L 406, 30.12.2006.

Question No 44 by **Ádám Kósa (H-0460/09)**

Subject: Language and sign-language rights

So far, 9 EU Member States have recognised sign language by law or in their constitutions, including very recently - on 9 November 2009 - Hungary. The European Parliament has twice considered the subject of sign language in its resolutions, which it did in 1988 and 1998, but so far to little practical effect.

In 2007 the High Level Group on Multilingualism made numerous recommendations on multilingualism. It stressed that multilingualism also extended to sign languages.

On 26 November 2009, the General (Foreign) Affairs Council reached agreement on the ratification of the UN Convention on the Rights of Persons with Disabilities, Article 30 of which includes the following provision: 'Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.'

Bearing in mind the Flensburg Recommendations of 2000, which refer inter alia to sign languages, what will the Commission do to promote the recognition of sign languages and their appropriate use in the European Institutions?

Answer

The Commission is aware of the Flensburg Recommendations on the Implementation of Policy Measures for Regional or Minority Languages adopted on 22-25 June 2000 at the International Conference organised by the European Center for Minority Issues (ECMI) requesting due recognition to sign languages. According to Article 165 of the Treaty on the Functioning of the European Union it is the responsibility of the Member States to put into practice at national and regional level concrete measures to promote language policy, and this applies likewise to the recognition of sign languages.

However, if the use of sign language becomes necessary to enable deaf people to access employment, career advancement or training, the issue could possibly fall under the scope of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation⁽³⁷⁾.

Moreover, the Commission had presented on 2 July 2008 a proposal for a Directive (COM(2008) 426 final) which, in a broad perspective, aims at implementing the principle of equal treatment beyond the confines of employment. The discrimination grounds envisaged are religion and belief, disability, age and sexual orientation, i.e. those (together with gender and race, already addressed in previous EU Directives) which Article 19 of the Treaty on the Functioning of the European Union enumerates.

The Commission also develops a policy to promote language learning and linguistic diversity fully inclusive of all languages present in the EU, thus including sign languages. Through its funding programmes the Commission co-funds projects and networks to promote language learning and linguistic diversity. In 2008, the call for proposals under the Lifelong Programme 2007- 2013 gave priority to projects and networks aiming to promote languages of people with special needs. Under the call for proposals 2009, one of the priorities was again "identifying, exchanging and building on good practices in teaching languages to people with special needs"⁽³⁸⁾. In 2008 three projects addressing sign languages were selected and are ongoing.

Furthermore, the Commission draws attention to the fact that all Member States and the European Community signed the United Nations (UN) Convention on the Rights of Persons with Disabilities on 30 March 2007 to the extent of their competences. Various Articles (9, 21, 24 and 30) state obligations for the State Parties to take appropriate measures in relation to sign languages, to provide assistance, to accept and facilitate its use and its learning. In particular Article 21 refers to the recognition and promotion of the use of sign languages as one of such measures.

Finally, the Commission recalls that the linguistic regime of the European institutions is governed by Council Regulation n° 1/1958⁽³⁹⁾. This Regulation lists in its first Article the languages that are the official and working languages of the institutions. It needs unanimity for adoption or modification by the Council and it requires no proposal from the Commission for its amendment. Any inclusion of specific provisions regarding sign

⁽³⁷⁾ OJ L 303, 2.12.2000.

⁽³⁸⁾ http://ec.europa.eu/education/llp/doc/call09/prior_en.pdf

⁽³⁹⁾ OJ 17, 6.1.1958

languages would be subject of the forgoing procedure. As regards its own practice, the Commission provides interpretation in several sign languages and also funded a project training interpreters in sign languages.

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Question no 45 by Charalampos Angourakis (H-0461/09)

Subject: Destruction of social security systems

The EU and the governments of Member States, using ideological terrorism about the external debt and the public deficit, and taking as a pretext the danger that social security systems will collapse owing to the ageing population and unfavourable demographic changes, are joining forces with capital to launch a violent attack on workers' rights. Pensions and health and welfare benefits are being cut back and the retirement age is increasing. A characteristic example is Greece where, with the collusion of the Commission and PASOK and ND governments and the Court of Justice of the European Communities (ECJ), the retirement age for women working in the public sector is being postponed by between 5 and 17 years, and the public and social character of the social security system is being called into question.

Will the Commission say: does it intend to pursue the same policy of destroying social security systems, despite the tragic consequences this will have for workers?

Answer

The Commission is aware of the need to ensure adequate social protection. It points out that, under the Treaty on the Functioning of the EU, social protection falls within the competence of the Member States. This being so, the Commission works with the Member States within the Open Method of Coordination (OMC) on social protection and social inclusion. The common OMC objectives agreed by the Member States in the pension area focus on three main points: first, retirement pensions should be adequate. Second, retirement schemes should be financially sustainable. Third, pension systems should be adapted to the requirements of modern society. A key feature of the work within the Social OMC is a joint Commission and Council analysis and assessment of national strategies for social protection and social inclusion in the form of joint reports.

The 2009 Joint Report focused on promoting working life as an important factor in ensuring that retirement systems remain sustainable and that the financial challenge does not turn into a social challenge, given the ageing of our societies. It underlined the fact that long-term adequacy of pensions depends on continuing efforts to meet the Lisbon target of a 50% employment rate for older workers, notwithstanding the downturn. It also emphasised the importance of monitoring the coverage of vulnerable workers by pension systems⁽⁴⁰⁾.

Furthermore, the Commission and the Member States jointly assess the long-term economic and budgetary challenge posed by pension systems, given the ageing of the population. Updates of that assessment under the Ageing Report and the Sustainability Report were released in 2009⁽⁴¹⁾. The Ageing Report found that, as a result of demographic change, public pension expenditure in the Member States would increase from 10.1% of GDP in 2007 to 18.8% in 2060. However, the Report found that public expenditure would amount to only 12.5% of GDP in 2060 thanks to reforms implemented in the Member States and a projected increase in employment rates. Increasing the length of working life can thus ensure that pension systems are adequate and sustainable.

As regards the situation referred to by the Honourable Member in the Court's judgment of 26 March 2009 in the Commission versus Greece case, the Commission points out that the Court ruled against Greece for failing to fulfil its obligations under Article 141 TEC (Article 157 TFEU), which lays down the principle of equal pay for male and female workers. In the case in question, the Court noted that the pension, paid in accordance with the Greek Code, met the criteria laid down in the case-law of the Court and thus enabled it to be regarded as pay within the meaning of the Treaty.

⁽⁴⁰⁾ <http://ec.europa.eu/social/main.jsp?catId=757&langId=en>.

⁽⁴¹⁾ http://ec.europa.eu/economy_finance/thematic_articles/article14761_en.htm. The Ageing Report and the Sustainability Report are supporting documents for COM(2009) 180 and COM(2009) 545 respectively, both of which are published by the Commission's Economic and Financial Affairs DG, in European Economy Nos 2/2009 and 9/2009 respectively.

The Court's judgment relates only to the issue of differences in retirement age for men and women.

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Question no 46 by Georgios Toussas (H-0467/09)

Subject: Farm subsidies

The digitisation of agricultural plot limits in Greece, which was scheduled for completion in 2008, is still under way and is, for technical reasons, unlikely to be achieved by the end of the year, with the result that farmers are in danger of not receiving the subsidies to which they are entitled. Given the continued slump in prices for almost all crops and livestock products, now in its second consecutive year, a portion of the produce to which time, work and money have already been devoted remains unsold and is being left to rot in the fields, while many farmers have not received the market value of the produce (peaches, wine, cereals etc) sold to traders and cooperatives, with the result that subsidies now make up almost half of farmers' earnings. Now that there is a danger of subsidies not being paid, the survival of farmers, in particular small and struggling medium-scale farmers, who have accumulated heavy debts and are in desperate financial straits, is now in the balance.

Will the Commission immediately pay all subsidies to which the farmers are entitled, irrespective of whether or not digitisation is completed, so as save them from ruin and enable them to continue farming?

Answer

Firstly, the Commission would like to point out to the Honourable Member that the financial management of the Common Agricultural Policy is shared between the Member States and the Commission in accordance with Regulation 1290/2005⁽⁴²⁾.

The payments to the farmers are made by the Paying Agencies accredited by the individual Member States. Member States are subsequently reimbursed by the Commission.

In Greece, the final deadline to lodge the 2009 claims for subsidies was 15 May 2009 (extendible to 9 June 2009, although with penalties). As in the Greek set-up, the digitalised agricultural plots are part of the farmers' claim (beside the alpha-numerical information) this date is also the deadline to finalize digitalisation.

Farmers together with the Farmer Unions were given the responsibility for the digitalisation. However, due to problems in the Farmer Unions, serious delays occurred in the digitalisation process. It should be noted that the presence of the farmers is necessary to do this work.

According to the legislation on direct payments and for evident sound management reasons, the controls must be carried out before the payments are effected by the Paying Agencies. This requires all agricultural plots to be digitalised.

It is up to the Greek authorities to accelerate the digitalisation process and to finalize it to be able to pay farmers as quickly as possible.

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Question no 47 by Iliana Malinova Iotova (H-0468/09)

Subject: Infringement proceedings against Bulgaria in connection with the inadequate implementation of European waste legislation in Sofia

The Commission has come to the conclusion that no appropriate urgent measures are being taken to solve the waste problem that has existed in Sofia, Bulgaria for many years. At the same time, the Bulgarian government and the municipal authorities of the capital city maintain that they have taken a series of measures of which the Commission is aware.

On the basis of what arguments has the Commission decided to institute infringement proceedings against Bulgaria?

⁽⁴²⁾ Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy, OJ L 209, 11.8.2005.

Is the Commission aware of the measures taken by Bulgaria to combat the waste problem in Sofia?

Is the evidence presented to the Commission by the Bulgarian side persuasive?

Are data from Bulgarian experts available, and have they been taken into consideration?

What commitments has the Commission entered into following discussions with the Bulgarian Prime Minister Bojko Borissow on Bulgaria's plans to solve the waste issue?

By what date does the Commission expect to see tangible results on the Bulgarian side?

Answer

The Commission has decided to refer Bulgaria to the Court for its failure to comply with Article 5 of the Directive on waste⁽⁴³⁾ (Waste Framework Directive) obliging the Member States to establish an integrated and adequate network of waste disposal installations.

At the time of the expiry of the two months deadline to reply to the Reasoned Opinion sent on 1 December 2008, the infringement persisted, illustrated among other by several hundred thousand tonnes of household waste from Sofia stored in baled form under conditions contrary to Community legislation, as the capacity of the Suhodol landfill was about to be exhausted, without other existing facilities being capable of absorbing the production of waste.

The Commission has taken into account all information provided by Bulgaria referring to the waste situation around Sofia and concluded on the basis of that information that while progress has been made in the disposal of baled waste as well as initiating the necessary steps for the creation of an integrated system of waste management for Sofia, the so-called "Sofia Waste Project", the problem of a lack of adequate and sustainable waste disposal infrastructure has still not been solved.

The Commission welcomes the steps taken by Bulgaria to create waste disposal infrastructure which it is hoped and expected will provide a long term sustainable solution for the Bulgarian capital Sofia. As the deadline for establishing the necessary infrastructure has already expired, the Commission expects Bulgaria to provide it within the shortest possible time and to ensure that the new facilities are fully in line with all relevant Community legislation, notably with the requirement of using best available technology as stipulated in Article 5 of the Directive on Waste. The Commission would also mention the urgent need for new waste infrastructure outside of Sofia.

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Question no 48 by Ivo Belet (H-0469/09)

Subject: Future of electric cars

One of the tasks to which the next Commission is committed is that of continuing to work hard towards a low-carbon economy, particularly by limiting carbon emissions from electricity generation and transport and by developing clean electric cars.

What measures does the Commission propose in order to live up to these ambitions?

Is the Commission planning any initiatives to accelerate the introduction of electric cars?

What measures is the Commission planning in order to develop quickly a network of charging stations for electric cars?

How does the Commission see the role of electric car batteries in relation to balancing electricity supply and demand?

Does the Commission consider there to be a role for the European Investment Bank in this connection?

Answer

The EU need to develop a vision for a near-zero carbon energy system for the EU by 2050.

⁽⁴³⁾ Directive 2006/12/EC, OJ L 114, 27.4.2006

Low or no carbon technologies for electricity generation, clean vehicle technologies and eco-efficient heating and cooling of buildings must be at the centre of any decarbonisation agenda. This is why the Commission has been in the past few years coming up with a full range of initiatives aimed at increasing the use of renewable energy sources, setting standards for energy efficiency, and promoting technologies for sustainable use of fossil fuels as well as new technologies in renewables and energy efficiency. The full set of measures under adoption and to be adopted in the near future were outlined in full details namely in the Strategic Energy Reviews adopted by the Commission in December 2007 and 2008.

In the Communication "A sustainable future of transport" published in June 2009, the Commission identifies challenges, instruments and priorities for transport with a time horizon of 2050. Next year the Commission will publish a White Paper on Transport Policy which will present policy measures to be adopted in the area transport for the next decade. The new White Paper will focus on combining mobility and decarbonisation to promote economic growth and social progress as well as progress towards a sustainable transport system. In this context, electromobility will no doubt have a major role to play although this should not exclude alternative solutions.

The Commission has supported the development of alternative vehicle and fuel technologies over many years. Biofuel, natural gas, hydrogen, and electrical vehicle projects have received major funding from the Framework Programme for Research and Technological Development. A Joint Technology Initiative for Fuel Cells and Hydrogen, with a Community funding of €470 million has been created in 2008. Targets for biofuels and renewable energies in the motor fuel market have been set, sustainability criteria for biofuels are being developed, and favourable tax treatment for alternative fuels has been enabled. The Clean Vehicle Directive, which has been adopted in March 2009, will require that energy consumption, CO₂ emission and pollutant emissions are taken into account in purchase decisions on vehicles for public transport services. This will promote the market introduction of clean and energy efficient vehicles. Legislation has been introduced to reduce the CO₂ emissions of new passenger cars to 130 grams per kilometre on average (phased in from 2012 to 2015) and further to 95 g/km in 2020 (Regulation (EC) No 443/2009), and similar legislation has been proposed for light commercial vehicles (COM(2009)593).

2. The Recovery Plan, adopted in November 2008, foresees three Public Private Partnerships (PPP). One of them is the Green Car Initiative. The Green Car Initiative (total 5b€, with 1b€ for R&D in FP-7, and 4b€ EIB loans) will support the development of new and sustainable forms of road transport. A priority will be the electrification of road vehicles (electromobility). The European Commission will provide funding for research & development, standardisation and facilitation of market introduction, and in 2010 €108 million will be provided.

In addition to these industry support actions, the Commission is launching a study in order to investigate the environmental and other impacts of a potential widespread market introduction of electric vehicles and plug-in hybrid vehicles.

The Commission will also propose harmonised requirements for the approval of electric vehicles, including pure electric and hybrid vehicles, in 2010. The proposal will introduce specific requirements with regard to electric safety in the European Community vehicle type-approval framework by mandating UNECE Regulation 100.

Furthermore, the European Commission is intending to mandate the European Standardisation bodies to develop or review existing standards so that interoperability between the charging system for batteries used in electric vehicles will be ensured. Thus users will be able to use the same chargers for a range of cars, without having to buy a new charger every time they buy a new car or a new battery. It would also allow consumers to charge their cars easily if they are driving across borders or when travelling within their own Member State. It would also facilitate charging at public access points and would facilitate the roll-out of charging infrastructures. Finally it would dissuade member states from taking action individually because this might lead to overlapping solutions

The adoption of harmonised rules will enable a simple, straightforward and cheap approval process and thus will encourage the quick market introduction of low-carbon vehicles in the European Union. Such a simplified new framework for electric vehicles will in turn enhance the competitiveness of the European industry and will speed up the decarbonisation of road transport.

3. Build up of charging infrastructure networks is a matter under consideration within the Green Car Initiative. A large European electromobility project, for which a call for proposals is open until 14 January 2010, will include vehicles, infrastructure and the development of common codes, standards and regulations. Further

R&D work is foreseen in future calls of the Green Car Initiative to optimize the performance and reduce costs, as well as developing smart grid applications for this purpose (to optimize grid load, to support different business models and payment schemes etc...)

4. The potential of batteries on board of electric vehicles to serve as energy storage for the electricity grid is being investigated in recently selected projects the Commission is already funding through the Framework Programme for Research and Technological Development. Further research and demonstration on the role of the electric car batteries in relation to balancing electricity supply and demand is a matter under consideration within the Green Car Initiative and will benefit from the results of the current projects.

5. The European Investment Bank (EIB) loan mechanisms will provide an important part of financing under the Green Car Initiative. There are two instruments available:

the Risk-Sharing Finance Facility (RSFF); and

the European Clean Transport Facility (ECTF); a facility which has been specifically designed for supporting eco-friendly research, development and innovation in the transport industry.

The RSFF is an innovative scheme to improve access to debt finance for higher risk investments in the field of research, development and innovation while the ECTF has been part of the anti-crisis package that the EIB has set up in autumn of 2008, aimed specifically at research to lower emissions from transport. 4 billion € have been made available within the ECTF for the Green Car Initiative.

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Question no 49 by Mairead McGuinness (H-0471/09)

Subject: Inspections of haulage vehicles at Calais Port

Hauliers passing through Calais Port en route to the UK have for some time experienced problems with regard to the inspection of their vehicles for clandestine entrants by the French and UK authorities. It would appear that the UK authorities adopt stricter checks on vehicles entering their territory than the inspections carried out by their French counterparts. Hauliers are subject to on-the-spot fines when clandestine entrants that are not detected by the French authorities are then found during mandatory inspections by the UK Border Agency.

Can the Commission comment on this ongoing situation? Does the Commission believe there needs to be greater parity between the checks carried out by French authorities (which fall under Schengen border controls) and those by the UK Border Agency? Does the Commission think it is fair that hauliers are held responsible for failures in the inspection process?

Answer

The Commission is aware of the difficult situation in the areas around Calais harbour with regard to the presence of third country nationals attempting to enter the United Kingdom in a clandestine way. The Commission is also aware of the level of checks and vehicle inspections on exit carried out by the French authorities. This level can be considered as high, especially taking into consideration the technical equipment deployed.

The British authorities are conducting entry checks on French territory on the basis of a bilateral agreement between France and the United Kingdom. The Commission cannot express an opinion on the level of border checks conducted by the United Kingdom either on its own territory or in France because the United Kingdom is not bound by the relevant provisions of the Schengen acquis.

Different levels of detection are not necessarily due to different procedures or equipment but to other reasons for example the technical limitations of such equipment or its use: random, based on intelligence or risk analyses. In the Commission's understanding, hauliers are not held responsible for failures in the inspection process; sanctions on hauliers are connected to the care which is expected from them by the UK authorities in relation with their national legislation on carriers' liability in the custody of their vehicles (for example in selecting a place to park or sealing their vehicles).

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