

WEDNESDAY, 22 OCTOBER 2008

IN THE CHAIR: MR MAREK SIWIEC

Vice-President

1. Opening of the sitting

(The sitting was opened at 9 a.m.)

2. Variations to the terms of marketing authorisations for medicinal products - Counterfeiting of medicinal products (debate)

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

- the report of Françoise Grossetête on behalf of the Committee on the Environment, Public Health and Food Safety on the proposal for a directive of the European Parliament and of the Council amending Directive 2001/82/EC and Directive 2001/83/EC as regards variations to the terms of marketing authorisations for medicinal products (COM(2008)0123 - C6-0137/2008 - 2008/0045(COD)) (A6-0346/2008)

- the Commission report on the counterfeiting of medicinal products.

Françoise Grossetête, rapporteur. – (FR) Mr President, Commissioner, ladies and gentlemen, allow me first of all to warmly congratulate the Council, the Commission and the shadow rapporteurs for their cooperation on this dossier of amendments regarding marketing authorisations for medicinal products.

It must be made possible for medicinal products, whatever procedure is applied in authorising their marketing, to be subject to the same evaluation, approval and administrative processing criteria in the event of changes being made to them. These changes, known as 'variations', relate, for example, to the manufacturing process, the introduction of a new therapeutic indication, updating of information leaflets, or administrative changes. These variations must be reported to the competent authorities by the holders of authorisations to market medicinal products.

However, the current way of managing variations is proving increasingly inefficient and is no longer satisfactory either for the authorities or for the pharmaceutical industry as a whole. There is too much red tape, adversely affecting patients, whose access to the best medicinal products is delayed.

The pharmaceutical industry devotes a growing part of its regulatory work to managing these variations. By way of example, in the case of a medium-sized company producing generic medicines and carrying a list of 400 products, the total number of variations submitted would exceed 4 000 per year. In the case of a large company, the number can reach 19 000. Changes to purely national marketing authorisations take place in accordance with provisions specific to each Member State, which are different from the European regulatory requirements.

Given that 80% of all human and veterinary medicinal products are authorised via national procedures, this revision will have a considerable impact on the pharmaceuticals market in the European Union. Any one change to products authorised under national procedures in different Member States is therefore treated in a number of different ways in terms of the dossier to be submitted and the evaluation procedure.

This situation has some undesirable repercussions: namely, it entails an unjustified additional administrative burden for the competent authorities and pharmaceutical businesses; logistical issues for the actual implementation of changes; and widely differing deadlines for introducing changes to the summary of characteristics of the product and the information leaflet for health care personnel and patients, with a knock-on effect on the overall working of the single market in pharmaceutical products. Lastly, it adversely affects patients, since the introduction of some changes that improve the effectiveness of a medicine may be delayed or, worse, never happen at all.

My report therefore has as its main objective the simplification and harmonisation of the rules relating to these variations of marketing authorisations for medicinal products. With this directive, the situation will be more straightforward, clearer and more flexible for all concerned. The rules relating to variations will be

the same everywhere, whatever the type of authorisation, whether it is a national authorisation, mutual recognition procedure or centralised procedure for a medicinal product.

Simplifying these variations will mean they are subject to the same criteria with regard to the authorisation, administrative management and supervision of the changes made, whatever the legal procedure may have been whereby the medicinal products were licensed.

Moreover, I have proposed an additional amendment to the system where a change concerns a number of marketing authorisations. In this event, it must be made possible to submit a single application covering all these marketing authorisations.

I am aware, Mr President, that Mr Verheugen is to speak after me about the counterfeiting of medicinal products. We expect a great deal from his statement since it is important for this package, which includes the counterfeiting of medicinal products, to be presented to us. We have been looking forward to it for a long time. Counterfeiting is a crime which concerns public health. It is important for Mr Verheugen to tell us what stage he is at, as we are anxious to see this text. In any case, we offer him our full support.

Günter Verheugen, *Vice-President of the Commission*. – (DE) Mr President, honourable Members, today's debate takes place in the context of a development in the health sector that changes a great deal.

The development concerned is the ever increasing number of senior citizens in our societies, whose supreme concern will be the issue of health. This must be understood. The more senior citizens in society – and this group will keep on growing – the more important the issue of health, of how to deal with care for these people and with therapies and medicinal products; and, incidentally, the more important the issue of how to ensure that these people obtain the information they need in order to not only stay abreast of their state of health but also to do what is necessary to remain in good health. Such is the background to today's debate.

The issue we are dealing with directly today is the Variations Regulation. I am very pleased that a compromise has been reached on this. The Regulation governs any variations required – be it on public-health or economic grounds – after a medicinal product has already been authorised. We cannot just stand by and watch as variations – of any kind – are made to a medicinal product after its authorisation. It goes without saying that regulation and scrutiny are required. Your decision today, honourable Members, will contribute significantly to ensuring that medicinal products continue to be safe and effective in future.

The existing legislation has brought a number of problems, which we have analysed. For example, the current legislation entails considerable financial and administrative burdens on all parties concerned. This can result in certain variations not being implemented – and we have examples of this – even though, in themselves, they are necessary in the interests of patients.

For example, there have been cases where medicinal products have required further development at a certain point but this has not happened because the costs associated with putting variations through the authorisation procedure are too high. For this reason, it is very important that the proposal to be adopted here today improves the existing legislation in terms of simplicity, precision and flexibility. This will also mean that this solution is in keeping with our better law-making agenda.

I should like to express my sincere thanks to Mrs Grossetête and all those who have contributed to her report for their work on this difficult dossier. I should also like to thank the House for the massive support the European Parliament has already given me on many occasions with regard to the fight against counterfeit medicines. I understand Mrs Grossetête's impatience to see this proposal adopted, which I share, but in this case, too, of course, quality is more important than speed. In a moment I shall be saying a few things about the timetable. The pressure Parliament is exerting in the matter of the fight against counterfeit medicines is helpful and important. Please do not think that this bothers me; quite the reverse, I feel strengthened by it.

How do things stand? We are currently having to contend with an alarming increase in counterfeit medicines discovered in the European Union itself. Previously, we had always assumed that Europe was a transit area for illegal products destined for third countries. I remember that when we discussed the matter here for the first time that I took the view that this was not, in fact, a problem for Europe, but one for Africa and other less developed parts of the world in particular.

This situation has changed: it has now become a problem for us, too. The European market itself is increasingly becoming a destination for counterfeit medicines. This represents a very serious threat to public health. It can cost many lives, and so the Commission is determined to act.

Parliament's very important resolution of 12 July 2007 contained a very significant statement on which I, too, base my deliberations, namely 'that counterfeiting of medicines is not a patent issue as such'. This is a very important point to note. Under discussion here are not intellectual property rights, nor patent rights, but criminal offences. Counterfeiting of medicines constitutes criminal wrongdoing whether or not the medicine concerned is still under patent; that aspect is completely irrelevant in this regard. Counterfeiting is counterfeiting and, in the case of medicines, should always be classed as criminal behaviour.

Parliament then continued: 'measures to tackle counterfeiting need to be taken in the area of criminal enforcement [...] and drug regulation by strengthening the regulatory capacity of the national authorities and not by increasing levels of intellectual property protection'. In its work on its proposal on the fight against counterfeit medicines, the Commission has been guided precisely by the deliberations presented by you, honourable Members.

Over the next few weeks, the Commission will present legislation to strengthen the existing legal framework. This is intended to ensure, with a probability verging on certainty, that is, where humanly possible, that no more counterfeit medicines can be smuggled into the legal supply and distribution chain. As you know, the Commission has not yet dealt with the proposal. I have not even presented it to the Commission as yet, as a large number of very difficult issues has still to be clarified, and I should also like to include the outcome of today's debate in my final decision on the proposal. What I can describe to you already, however, are the most important elements, the foundations.

As has already been mentioned, the distribution chain must be strengthened in the first instance. Therefore, we must ensure that it is possible to verify the authenticity of every single pack at all times on its way from the manufacturer to the consumer – that is, the patient. This requires the origin of the pack and of the medicine to be traceable at all times throughout their journey from the manufacturer to the patient. You can guess what that means. It is a very ambitious demand that will make tough technical demands on all links in the distribution chain, from the manufacturer to the chemist's shop, and will require large-scale investment. I am happy to say, however, that all parties concerned consider it right and necessary, and that the technical solutions concerning the traceability of medicines do exist.

Secondly, the rules for products passing through the hands of importers must be absolutely clear, and all parties concerned must be subject to stricter supervision. In this regard, it must be made quite clear that, naturally, the risk at our borders may be even greater than the risk within the European Union; i.e., that there is the risk of counterfeit medicines being brought into the EU from outside. This is a problem best combated directly at the external borders. The proposal will also therefore contain the relevant improvements.

Finally, a further important point consists in ensuring that the active ingredients, that is, the most important components of the medicine, be produced according to legislation with safety standards corresponding to those within the EU. Honourable Members, why should that be a problem? Incidentally, I was surprised when I saw this: it is a fact that the active ingredients, the most important components of the medicine, very often, indeed even usually, originate from non-European countries, third countries. In this regard, we must ensure that the active ingredients, wherever they may be produced, are manufactured to the same standards as our own. This, in turn, will be a very ambitious, difficult task.

However, I believe that, in our globalised world, Europe needs a dynamic, competitive pharmaceutical industry in order to take advantage of the opportunities presented by globalisation. Yet we must also take up the associated public-health challenges.

The forthcoming Commission proposal will be moderate, sound and balanced, but also determined and clear wherever determination is called for. Our society is entitled to the most effective protection possible against counterfeit medicines. When, very shortly, in just a few weeks' time, we are in a position to discuss the Commission proposal, I would ask that you judge it precisely on the basis of the following principle: are we doing our best here to protect Europeans effectively against counterfeit products?

Petya Stavreva, *draftsman of the opinion of the Committee on Agriculture and Rural Development*. – (BG) Mr President, Commissioner, ladies and gentlemen, the report we are discussing today relates to some very important issues of harmonising the terms of marketing authorisations for medicinal products. As draftsman of the opinion of the European Parliament's Committee on Agriculture, I would like to express my support for the Commission's proposal. To date, only a small proportion of medicinal products falls within the remit of European legislation. Products that have received only national marketing authorisation are not subject to current European legislation on variations, and are therefore subject to various specific national laws. On

the one hand, this is inefficient and costly to the economy while, on the other, it prevents the internal market from functioning smoothly.

Implementing the present directive would provide a legal basis for harmonisation and would bring great benefits to consumers and to the sector. It would also enable faster access to the latest medicinal products in all Member States. The lack of harmonised regulations means that each country applies its own specific national rules. This situation gives rise to red tape, barriers and difficulties in the operation of the internal market while resulting in differing safety criteria. Special attention should be paid to the cost to the Member States of implementing the new legislation. I do not believe that the countries of Europe will be able to amend their internal legislation within the short timescales provided to accommodate the additional changes, and which will entail high costs.

My congratulations to the rapporteur and I ask you to vote in favour of Mrs Grossetête's report.

Cristina Gutiérrez-Cortines, *on behalf of the PPE-DE Group*. – (ES) Mr President, on this subject I want to do two things: firstly, congratulate the Commission and Mrs Grossetête, and, secondly, talk about subsidiarity.

I have frequently criticised the European Union in this respect, as, for example, with the Services Directive and also the current attack on pharmacies in the name of liberalisation. In these examples, the European Commission has entered into areas which properly come under subsidiarity and which have been developed for each individual society and with which this society is content. In other words, the European Union's meddling could damage what is working effectively, as in the case of pharmacies.

However, in the present case, I feel that this report must be clearly welcomed, bearing in mind that it represents the only way of controlling quality and guaranteeing good health. Why? The reason is that, without a single point of control for all medicinal products, there are too many avenues left open and the system is much more vulnerable to infiltration by harmful or unauthorised products. This is also true in the case of active ingredients on which there was a resolution last year, tabled by Mrs Sartori and myself, which I see has been taken up by the Commission.

I therefore feel that this is a good proposal which will cut through a lot of red tape and offer safeguards to society. I also welcome the emphasis placed on information because it is clear that, in a society with patient mobility as it is, where patients can easily travel for treatment and where many elderly people live in countries other than their countries of origin, it is very important that doctors and all health care staff can have access to the same information and criteria in their work.

Dagmar Roth-Behrendt, *on behalf of the PSE Group*. – (DE) Mr President, ladies and gentlemen, I wish to express my sincere thanks to Mrs Grossetête for her work on this report. It has been a pleasure to work with her, and she has undoubtedly achieved two things with the compromise she has reached. Firstly, she has made a procedure simpler and less bureaucratic and, secondly, she has met the needs and requirements of small enterprises in individual Member States with purely national systems and authorisations in a flexible manner, and done them a great favour.

The report by Mrs Grossetête is also connected with patient safety, and this is another issue we are discussing today. We are speaking broadly about the safety of individuals, patient safety. Commissioner Verheugen rightly pointed out that, with the ageing of society, people's health needs and fear of illness have grown ever larger. Fear is something that has already been growing in society for a long time, and it is up to us, where we have competence and where we are able, to keep this fear to a minimum or to tackle or resolve it as far as possible.

A great many of the measures necessary to this end are ones on which we have competence and are able to give advice. One among very many issues is undoubtedly patient information and the safety of medicinal products. Patients are entitled to be fully informed about their illness; and, if they are fully informed and able to act on a par with medical practitioners, they must be entitled to safe medicinal products and safe treatment methods.

This is not the case in the European Union at present, and we are conscious of a growing danger. I am really not one to dramatise; I may sometimes be rather emotional, but I do not dramatise. I am also the last person who would arouse fear. Yet I would caution against overlooking, or closing our eyes to, a problem that exists. The banking crisis is a good current example of what happens if we omit to solve small problems we are capable of solving, if we wait too long: we find ourselves overcome by a giant wave of almost tsunami proportions.

That is why I thank Commissioner Verheugen for his words here today, and also urge him to be true to them and combat counterfeit medicines. There are no simple solutions to this problem, and those who believe that patient safety and the safety of medicinal products are an issue only with regard to parallel trade – I glance up at the gallery, but it is probably a little too early for the representatives of parallel trade – take too narrow a view and insult my intelligence and that of my fellow Members.

What we must endeavour to do here is to protect patients. This can be done by means of various measures, for example, by checking whether the packaging of the medicinal product is intact. What would you say if you were to buy a product in your home country whose packaging was in a language you did not understand, with only a small sticker on it, and small, chopped-up blister packs inside? Would you have confidence in the product? I ended up with a pack such as this, containing an urgently needed medicine, and I can tell you that I did not have confidence in it. This is something we must prohibit, and I am sure that parallel traders – for it is they who evidently believe we wish to threaten their livelihoods, which is not the case – will have enough intelligence to find an alternative. They will come up with new packaging, or will at least stop cutting up blister packs.

As Commissioner Verheugen pointed out, there are technical solutions. The medicinal products industry is prepared for a complete traceability system, with a bar code enabling the tracing of each medicinal product. In addition, there is a pilot project. Switzerland and Belgium have demonstrated that it is possible. It is our task to give patients this security.

I should like to say a final word about ingredients, where the issue is not only with counterfeit medicines. As you know, there was a major scandal involving heparin – a blood-thinner. When people use a counterfeit medicine, they can die; it is extremely dangerous. We obtained these counterfeit preparations from China. It is also our task to ensure that no counterfeit preparations or active ingredients are produced in our third-country trading partners and that our markets are properly protected.

Two things are needed to this end: we must properly protect our borders, we need traceability systems and we must ensure safety in these countries.

President. – Mr Donato Tommaso Veraldi has the floor on behalf of the Alliance of Liberals, but I am informed that he is not in the hall, and I therefore call upon ... there you are. You were hiding somewhere else.

Marios Matsakis (ALDE). – Mr President, I am not Mr Veraldi; I am Mr Matsakis. I will be speaking later on behalf of the ALDE Group, and I was wondering if, in the absence of my colleague Mr Veraldi, I could take his slot.

President. – No, I am sorry: we have to keep to the order of speakers. When your time comes, I will ask you to take the floor.

Alessandro Foglietta, on behalf of the UEN Group. – (IT) Mr President, ladies and gentlemen, I would like to express my support for this report, which is perfectly in line with the commitment to better regulation that Europe has stood for for many years. The new system of marketing authorisations for medicinal products will considerably simplify the procedure in the case of minor changes or new scientific discoveries and will signify a substantial easing of the technical and administrative burden on businesses.

All of this is fully in keeping with the goals set out in the Lisbon strategy launched by the European institutions at the dawn of the new millennium. It identifies better regulation as one of the pillars underpinning the growth of the economy and jobs in Europe. It cannot be denied that the competitiveness of our businesses is suffering under the excessive legislative and bureaucratic conditions on manufacturing that have accumulated in recent decades, and that the impact of this is becoming ever more burdensome and unsustainable in the case of small and medium-sized enterprises that form the backbone of the national production system in many Member States.

More to the point, at this precise moment in time, when the international crisis is threatening to suffocate our economy, we cannot allow ourselves to put our businesses at a further disadvantage with wasted costs and administrative delays. The will to streamline the legislative framework must be perceived as a duty and an unbreakable commitment. I am pleased that the Council, too, has accepted the European Parliament's request to protect small and medium-sized enterprises by excluding from the scope authorisations for pharmaceuticals issued by Member States up to 1998. This has prevented small and medium-sized enterprises from having to make further efforts in order to comply with current legislation.

Jiří Maštálka, *on behalf of the GUE/NGL Group*. – (CS) I would first of all like to express my thanks to the rapporteur for producing such an extensive piece of work in this report, and especially for the successful efforts, or should that be the potentially successful efforts, in negotiating a compromise with the Council and with the Commission. I would also like to thank the Commission for directing its efforts towards unifying the administration in the area of certifying drugs and also to thank it for the fact that these efforts should result in higher levels of safety for patients.

It is clearly essential to harmonise legislation at a European level in the area of registering drugs. We need a unified set of administrative rules for all drugs on the internal market, in order that we can prevent negative impacts on human health. I therefore warmly welcome the aim of this proposal to ensure that all drugs on the market are subject to the same criteria, including those drugs that have been approved purely at a national level. I would like to consider the question of purely national registration in more detail. Even though I was a supporter of unified criteria with no exceptions, I believe that the text of proposed amendment number 36, allowing national regulations to continue in use for drugs that have been registered at a purely national level and approved prior to 1 January 1998, should not be an obstacle to harmonisation at a European level as it is so well thought-out and provides sufficient guarantees, such as the requirement to inform the Commission of decisions to continue with the application of national regulations or the requirement for transfer to European regulations where a drug has already been registered in another Member State.

Regarding the implementation of a single application covering one or more identical changes, I feel that it would bring a certain measure of relief to the large pharmaceutical companies, which is surely a good thing. I am not quite so sure, however, that the positive effect will be to reduce the administrative burden in the individual Member States. That is a negative effect which we may be able to eliminate in the future. Despite the minor reservations that I have expressed here, I consider the text which has emerged from the debate to be a positive step in the area of registering drugs and, bearing in mind how difficult it was to achieve this compromise, I recommend it as shadow rapporteur to colleagues from my political group for approval. Apart from anything else, there is also the practical reason that if this directive is not passed at the first reading this year, it will be up to the Czech presidency to find a solution to these very difficult questions. Therefore, we have an opportunity now.

President. – I would like to point out that it is not the President who has been kind and given more time to speak, but the group. Perhaps it was because of the coming holidays.

Kathy Sinnott, *on behalf of the IND/DEM Group*. – Mr President, there are many things people want to know about medicines before they take them or give them to their animals: that they are safe and effective, and come from ethical sources, and how they will interact with other medicines. This should be the focus of our authorisation process. In terms of business, companies want to know that their investment is safe. Simplification will not mean being lax, but sticking to the essentials.

While I am on the topic of authorisation, I would like to alert the Commission to the fact that hexafluorosilicic acid is put in Irish drinking water and yet it has no authorisation at all; nor has there been any attempt by successive Irish governments to obtain any authorisation at all, and yet it is the most widespread medicine in Ireland. If we are going to be serious about authorisation and correcting the authorisation process to make it more effective and safer, we must tackle this flagrant abuse of the process.

Irena Belohorská (NI). – (SK) In most Member States, there has been no harmonisation with community law in the area of marketing authorisations for medicinal products, and therefore varying practices have emerged in these states. The aim of the proposal is that all medicinal products, regardless of the procedure under which they were authorised for release onto the market, should be subject to the same assessment criteria in respect of the administrative process for approving changes.

I welcome initiatives of this kind, aimed at simplifying the framework, without abandoning the criteria necessary for protecting the health of humans and animals. Harmonisation is necessary mainly because of the risk to public health which arises through Member States applying varying sets of scientific criteria when evaluating changes to medicinal products. Without this legal amendment, such a state of affairs constitutes a barrier to the free movement of medicinal products, which is to the detriment of patients.

The consultations relating to the drafting of the amendment to the directive themselves showed that many Member States support harmonisation in this area. The administrative burden and logistical complications are, however, a shared issue which we must resolve. We must therefore emphasise that the improvements to the system will, apart from anything else, be beneficial for patients in the long term, since better use will

be made of drugs and better use will also be made of the resources employed by the relevant authorities for protecting public health.

Despite this, I recommend caution in view of the hidden costs which will arise for the Member States. Care must also be taken to ensure a reasonable timetable for practical implementation. Member States cannot be called on to change their internal laws in order to fulfil this provision, but must rather be assisted in order to ensure that excessively short implementation periods do not impose a major expense on them.

Eija-Riitta Korhola (PPE-DE). – (FI) Mr President, I wish to thank my colleague, Mrs Grossetête, for her excellent report. It is important to reform the laws on marketing authorisations because it will reduce the administrative burden that goes with processing them. At the same time, too, it will allow the use of resources to be steered towards issues that are essential for drug safety and public health, which is also in the interests of patients needing medication. After all, the main criterion is ultimately the interests of the patient.

I am in favour of a system where the same rules would apply both nationally and for authorisations granted in the context of EU processes. At present, the rules on the issue of market authorisations are harmonised regardless of the issuing process that is applied to them, but that has not been the case with the changes to the marketing authorisation. Accordingly, different Member States have been expecting partially different rules for such matters as the classification of the applications for amendments and in connection with the process for evaluating them. It is important for the pharmaceutical industry that it will still be able, in future, to submit a complete, new application for a market authorisation for a drug that already has one, but which has another commercial name and a different summary of product characteristics. This is necessary in situations where a marketing authorisation is being applied for in respect of medicinal products for a new purpose, and permitting a new name to be used is also clearer for the patient than using the same name when the drug is being used for very different purposes. I therefore support Amendments 4 and 18, which deal with this.

As pharmaceutical companies often supply the entire EU with medicinal products, it is important that the administrative processes in different countries are harmonised. Any other approach would mean not just a huge administrative burden for the industry, but often also logistical problems. I hope that Parliament will support Mrs Grossetête's report in tomorrow's vote and that the Member States later on this year will also support Parliament's views, so that the reform of the laws on marketing authorisations can be brought to a conclusion by the end of this year.

Daciana Octavia Sârbu (PSE). – (RO) Creating harmonised criteria for the approval and administrative management of any kind of variations to marketing authorisations for medicinal products will benefit patients as they will have access to better and safer products in the long term.

Bearing in mind that only 20% of medicines for human and veterinary use are authorised via Community procedures, this revision of the directive will have a considerable impact on the pharmaceuticals market in the European Union. Any variations in the production process, changes to the packaging, or the manufacturer's address, must be reviewed and simplified to ensure the best protection for public health. We need to create a simple, flexible legislative framework so that all medicinal products, whatever the procedure applied in authorising their marketing, are subject to the same evaluation and approval criteria.

This measure will ensure the free circulation of medicines in the European Union by abandoning the controls required to guarantee the quality of imported medicines and will help establish and make the internal market operate efficiently. This will speed up access to the latest medicines for consumers and the pharmaceutical industry, while also eliminating the discrepancies between national provisions and creating a harmonised system.

Marios Matsakis (ALDE). – Mr President, I hope it does not have to do with counterfeiting medicines. Will I get a little extra time along with this allocation?

President. – In view of the lack of other representatives from your group, I think you can speak for a very long time! I do not know about the others who are on the list, but for sure you are on the list.

Marios Matsakis (ALDE). – Mr President, I shall not speak for a very long time, but I might speak for longer than my allocated time.

I would like to say to the Commissioner that it is undoubtedly a fact that the current system of dealing with variations in the terms of marketing authorisations for medicinal products is unsatisfactory and, in many

cases, works against the interests both of the pharmaceutical industry, but also – most importantly – of the patients themselves. It is therefore essential that the revision should be conducted.

In this respect, the Commission's proposal, and indeed Mrs Grossetête's report, are, overall, sound and fair and should meet with our agreement. I would, however, like to register my reservations in relation to the following point which concerns the extension of marketing authorisations.

The Commission and the rapporteur both seem, in my understanding, to agree that it should be possible for an authorised drug to have its name completely changed if it is found that it has a new pathology application. For example, the drug aspirin, whose active ingredient is salicylic acid, could, if the Commission's proposal is adopted, be marketed with a number of different names, even though the chemical component is exactly the same – i.e. salicylic acid. Hence, a patient could end up taking three different tablets, all looking different and having a different name, for three different pathologies, whereas in reality, all three tablets would be exactly the same as far as their chemical composition is concerned – i.e. he would, in effect, be taking three tablets of aspirin.

This is, in my view, misleading and confusing to the patient and to the doctor, and increases the risk of overdosing and of causing dangerous side effects. I therefore call on both the Commission and the rapporteur to have second thoughts on this point.

Since I have a few more seconds, I would like to say that, on the question of counterfeiting medicines, I agree entirely with the Commissioner that this is a criminal offence and it puts at risk the lives of patients. But I fail to see why there is a delay. This is a straightforward case as far as I understand. These medicines, which are produced by registered pharmaceutical companies, are sold under prescription by registered pharmacists. If we cannot get to the bottom of this and discover whether some of these are criminally manufactured, then I do not know what we in the EU can do. I would have thought that this is more a police case than a change-in-legislation case. Commissioner, we should get to the bottom of this as fast as possible.

Hanne Dahl (IND/DEM). – (DA) Mr President, I would like to take the liberty of giving a general, overall perspective since, up to now, EU harmonisation of medicinal product legislation has only involved relaxing the rules in Denmark, and the sale of medicines has increased. The new proposal with regard to marketing authorisations for medicines extends a helping hand to the pharmaceuticals industry. It will, in general, be easier to make small changes to medicines and release them under the same name, as mentioned by the previous speaker and, at the same time, it will be easier to change the name of a product if it is to be sold to treat a different pathology. There is a fear that these changes could make it more difficult for consumers to see the wood for the trees and make life easier for the pharmaceuticals industry. We also need to give consideration to the fact that the relationship between easier access to the authorisation of medicines and an increased risk for consumers is often, unfortunately, directly proportional. I am not saying that we should put unnecessary administrative obstacles in the way of the industry, but neither should we accept a slackening of the reins to make it easier for the pharmaceuticals industry to make a profit when it is people's health and the health of animals that are at stake. In doing this, we will purely and simply be barking up the wrong tree. If we view it in a wider context, this directive is part of the industry's efforts to improve profits in relation to the US. Let us not be naïve. We must not allow ourselves to be misled by fine-sounding, but empty statements relating to patients and consumers.

Zuzana Roithová (PPE-DE). – (CS) The proposed directive, which will greatly simplify the introduction of pharmaceutical products onto the European market for both human and veterinary use, is very good news for patients and also for the European pharmaceutical industry. Technological progress makes possible the almost continuous improvement of drugs that have been registered already. Every change, however, must go through an approval process, as health and safety is involved. While registration at a purely intra-state level is subject to the same regulatory requirements as registration within the framework of European processes, the regulatory requirements for changes to registration have not, however, been unified. This situation represents an unnecessary administrative burden and brings no added value. Just one declaration will now be enough for the entire internal market.

I therefore warmly welcome the Commission's proposal and I congratulate the rapporteur for her report, which has improved the proposal and made it more precise. By means of the proposed changes, the administrative burden connected with the process for introducing new products of this kind onto the market will be lightened. Pharmaceutical companies operating at a supra-national level will be better able to cooperate and the result will be faster access to the latest drugs for everyone, especially those most in need.

Europe is, however, facing a very dangerous development in the spread of counterfeit drugs. This is no longer a problem just for Africa or Asia. In Europe, too, people are often purchasing drugs over the internet or from places other than pharmacies. That is why it is so important to ensure high standards for the introduction of drugs onto the market, which will simultaneously make it possible to trace packages back to the producer and to check whether they have actually been registered. It will be necessary for all drugs to be bar-coded and packaged in such a way that even the man in the street will see from the packaging whether they are safe drugs or counterfeits, in case the drugs have been purchased from somewhere other than a pharmacy. In my view, Member States have enough time in these two years to prepare for the introduction of the directive.

Giovanna Corda (PSE). – (FR) Mr President, Commissioner, ladies and gentlemen, I would firstly like to pay tribute to the work of Mrs Grossetête and that of my fellow Members who worked on this report. This is a very important subject since it concerns our health. This report is a big step forward in harmonisation of the internal market, but also in consumer protection, especially for the elderly.

As Mr Verheugen stated, our population is living longer, which, of course, we are delighted about, but this is an issue set to grow in importance. When this directive is implemented, the indications appearing on a medicine will be identical in all Member States, providing clarity and transparency for European users, whether they are patients, veterinarians or farmers.

Likewise, with the implementation of a single procedure to apply for authorisations, this report will greatly contribute to simplifying current procedures on an administrative and technical level.

Indeed, it will no longer be necessary to submit 27 applications within the Member States. A single application to the European Medicines Agency will suffice. This report marks a further step towards European integration.

Thomas Ulmer (PPE-DE). – (DE) Mr President, Commissioner, ladies and gentlemen, I should like to congratulate Mrs Grossetête on her draft report on variations to the terms of marketing authorisations for medicinal products.

I must make two brief comments on what previous speakers have said. As I see it, new medicinal products represent an opportunity to treat and cure health conditions, and the risk is proportionate. In addition, in the Federal Republic of Germany, for example, active ingredients already exist in many pharmaceutical forms and under many names without any increase in risk. The main focus of this Regulation, however, is the simplification of variations; that is, of the partial extension or variation of the pharmaceutical form of a medicinal product. Current practice is extremely cumbersome and entails a great deal of bureaucracy for companies, and the competent authorities are occupied with relatively inefficient measures. Therefore, the amendment creates a rare win-win situation.

The report significantly improves safety and reliability in the internal market. In addition, thanks to the work in committee, numerous other interests have been taken into account that further expedite or simplify the procedure. For example, sufficient account has been taken of the issue of national authorisations, thus avoiding a duplication of effort.

Due account has also been taken of the interests of Germany and German pharmaceutical companies. The draft has been aligned with omnibus proposal EU/2008/0032. The extension of marketing authorisations under other names has been expressly simplified. It has been made easier to supplement or extend product characteristics.

I am as satisfied and positive today about the report by Mrs Grossetête as I was critical about the Jørgensen report yesterday evening. The Grossetête report goes in the right direction: towards the Lisbon process objective of becoming the most efficient knowledge-based area in the world. I support this report.

President. – A word of apology: there is some confusion involving the Secretariat, because my list is different to the one displayed. As long as I am chairing the sitting, I shall follow my list. If the Secretariat takes my place, they will follow their list.

So, Mr Buşoi will take the floor after Ms Grabowska.

Genowefa Grabowska (PSE). – (PL) Mr President, I would like to start by congratulating the rapporteur since, from the technical point of view, this report will provide greater safety for patients and greater safety for European Union citizens who need to take medicines. It is good that we are eliminating the difference between issuing marketing authorisation for a medicine, and the procedure for amending that decision.

I would also like to refer to the words of Commissioner Verheugen and express my pleasure at the news that we will have new common regulations to combat counterfeiting and the illegal marketing of medicines. You made statements to the effect that you are doing everything to prevent counterfeit medicines from getting into the legal distribution network. My question is, what will happen outside the legal distribution network? Do the new regulations also cover this, or will the pharmaceutical industry just get a rap over the knuckles? My last question is as follows: do you plan to include a solution for greater pharmaceutical information for citizens in the new regulations?

Cristian Silviu Buşoi (ALDE). – (RO) It is my firm belief that this draft directive marks significant progress in terms of speeding up access to medicines. I would also like to congratulate the Commission, Commissioner Verheugen and the rapporteur for this initiative. Given that the free circulation of goods is one of the basic principles of the internal market, it seems completely natural to me that this principle should apply to medicinal products as well.

At the moment, due to the complexity and diversity of the administrative procedures for authorising variations made to medicines already on sale, the actual operation of the internal market is distorted. Of course, this situation affects the pharmaceutical industry and authorities, but it is patients who are primarily affected because these complex procedures delay them receiving the benefits of improved medicines. I therefore totally agree with the Commission's proposal to harmonise the procedures for authorising variations made to medicines, regardless of the initial authorisation procedure, as this simplification will streamline the entire system and, above all, guarantee a higher level of public health protection.

I also support the idea put forward by the rapporteur, Mrs Grossetête, concerning the need for a single procedure for authorising variations which will provide greater authority. With regard to the final remark concerning the Commission's proposal to retain the medicine's initial name in the event of extending authorisation, I support keeping the initial name, since frequently changing the names of medicines may confuse patients who need, in any case, to see a doctor before receiving any treatment, and the doctor will be up to date with the medicine's new therapeutic indications.

Amalia Sartori, (PPE-DE). – (IT) Mr President, ladies and gentlemen, I am very pleased with this directive. It will ensure that the rules on variations are made clearer, simpler, more flexible and truly harmonised. Congratulations, Mrs Grossetête.

I am also pleased to hear from the Commission that, partly in response to several resolutions of this Parliament, including one tabled by myself, Mrs Grossetête, Mrs Gutiérrez-Cortines and Mr Ulmer, there is to be a directive aimed at combating counterfeiting. It will require manufacturers and importers of active substances to obtain a certificate of good manufacturing practice, issued by the European authorities following mandatory inspections of manufacturing sites. By introducing product traceability in terms of country, company and manufacturing site, this measure will discourage the relabelling and repackaging of extra-Community products.

Miroslav Mikolášik (PPE-DE). – (SK) I welcome the report of Françoise Grossetête, which has the aim of simplifying and improving the system of regulatory conditions applying to changes to marketing authorisations for medicinal products. The original system for administering changes appears ineffective and unsatisfactory in view of new scientific knowledge and technological progress. The process for granting authorisation varies enormously at an intra-state level across the Member States of the European Union. There are variations in the procedures for reviewing medicinal products, in the time it takes to implement changes, and also in the requirements relating to the submission of documents.

I firmly believe that the harmonisation of these aspects will make a big contribution to the protection of public health. A more effective system will also have a positive impact on the pharmaceutical industry as a whole. I support the rapporteur in the improvements she has proposed. I agree with the view that all drugs, regardless of the procedure under which they were authorised for release onto the market, should be subject to the same assessment and approval criteria. A new improved regulatory system will deliver benefits for all patients, for the approval bodies and also for the pharmaceutical companies.

Dagmar Roth-Behrendt (PSE). – (DE) Mr President, I have a further two questions for Commissioner Verheugen. Commissioner, do you agree that the intactness of packs and bar codes on packs are no obstacle to additional forms of trade and that, on the contrary, with a modicum of intelligence, a bar code can be applied to another product or a patient information leaflet inserted in further repackaging? Do you agree that a modicum of intelligence, and the flexibility that is expected of all Europeans, is also to be expected of all those involved in the trade and distribution of medicinal products here in the European Union?

I have one final question. We shall increasingly be seeing problems involving active ingredients entering the European Union from third countries. Do you envisage any prospect of our creating incentives to ensure that more active ingredients are produced in the European Union again and that manufacturers of medicinal products obtain these substances from within the EU rather than from countries in which we cannot guarantee their safety?

Jorgo Chatzimarkakis (ALDE). – (DE) Mr President, I should like to start by congratulating Mrs Grossetête. I also wish to thank the Commissioner for his speech, particularly the aspect of piracy and counterfeiting.

A 300% increase over the last year is no small amount, and this also endangers the health of European citizens. Yet we must also think about where piracy originates, its sources. In this regard, we note that 80% of counterfeit products originate from Internet trade and only 20% from actual smuggling. This must be our starting point.

In the case of the smuggled goods, we must mobilise our customs authorities, we must use new technologies, and we must look much more closely and thoroughly at how we can ensure safety in the case of blister packing, too. We must, of course, also ensure that there are safe Internet chemists and that citizens know which chemists are safe.

I should also like to draw attention to new principles. We need a coherent approach based on the principle: 'Know your supplier, know your client.'

Dumitru Oprea (PPE-DE). – (RO) In many European countries, the procedure for authorising medicines is clear and even well regulated from an official point of view. However, I would like to draw your attention to some authorisation procedures that are too rapid, which then lead to many deaths caused by medicine overdoses, medicines taken on an ad hoc basis, or by medicines which can cause side-effects that have not been investigated sufficiently before.

I think that new medicines and improved medicines with miraculous properties are released too easily on the market, but are then withdrawn within a very short time. Who is responsible for their quality and the side-effects they cause? We welcome this initiative for introducing on the market a harmonisation procedure which is unanimously accepted in Europe. However, new medicines should be included as part of an analysis carried out by an international committee of experts.

Donato Tommaso Veraldi (ALDE). – (IT) Mr President, ladies and gentlemen, thank you for the opportunity given to me to discuss the excellent work carried out by the rapporteur, Mrs Grossetête, and this proposal for a directive aimed at providing Community regulation applicable to all types of marketing authorisations for medicinal products.

This is a positive directive, welcomed for its objectives of protecting public health and cutting red tape. The proposal for a directive is of a legal nature, introducing simple amendments to the legal basis behind the rules on variations, such as the introduction of a new therapeutic indication or a new method of administration, made to medicinal products for human or veterinary use after they are first placed on the market.

Harmonisation in this area has become necessary, if not crucial, because without a single Community legal framework, variations concerning national authorisations will continue to be subject to national laws that differ from one Member State to another, as is the case at present.

Emmanouil Angelakas (PPE-DE). – (EL) Mr President, I too should like to congratulate the rapporteur and to make two comments in reply to the Commissioner. Firstly, as far as the trade in counterfeit medicinal products is concerned, we were surprised to learn that some of them are being produced in two countries of the European Union and then marketed through a third European country, namely Switzerland. This is something you need to look into, Commissioner.

My second comment concerns the industry which produces raw materials for medicinal products, which may have been flourishing 20 years ago, but which is now slowly dying. The reasons are, firstly, the high costs and, secondly, the protection of innovation, about which we are all agreed, but which has resulted in European companies being unable to manufacture raw materials for medicinal products which come under the rules protecting innovation. As a result, research centres have moved to China and India. There are certain policies which you can apply so that they return to the European Union.

Günter Verheugen, *Vice-President of the Commission*. – (DE) Mr President, honourable Members, indeed, the debate has confirmed the broad consensus on the Variations Regulation, and so I shall not discuss it further. We should now bring this into force as it stands and make sure that we do so as effectively as possible. I think that, beyond this, what are more important overall are the other issues that have been raised here.

Allow me to make a couple of very fundamental points. It is not my job, of course, to explain technical rules to you, but to tell you why we do certain things and why we do not do certain things.

There is a conflict in our societies between the requirements of the health care bureaucracy, on the one hand, and those of patients on the other. This is absolutely clear. The proposals that will be occupying our attention in future lie at the centre of this conflict area. The health bureaucracies in the Member States are not interested in informed patients. Informed patients mean more work, more effort. Those who should be there for them are forced to give them information, answering questions such as: why am I being given this medicine, why am I not being given that medicine? Why should I be given this treatment and why am I not being given that treatment? They are entitled to know this as human beings.

An unwavering principle for me is the following. In a democratic society, it should not be the case that those wishing to provide information must justify themselves, but that those not wishing to provide information do not have to. It is the health care bureaucrats in the Member States who must explain why they do not want to see informed patients. I do not have to explain why I do want to see informed patients.

To be perfectly clear, there will be a heated, lively, controversial debate here, and it is my hope and wish that the European Parliament will support the Commission and me in this debate. After all, this issue is quite fundamental, and concerns not only public health but also social policy. It is a question of what the freedom of citizens in health care, too, means to us.

On the second issue, with regard to counterfeiting, I agree with all those who have said that this is a criminal matter. Counterfeiting in the illegal distribution chain is a matter for the police. Illegal is illegal – we cannot do much more than that. I do think, however, that the proposals we can make will ultimately make it virtually impossible to introduce counterfeit medicines into the legal distribution chain. That is what we can do.

Mrs Roth-Behrendt is absolutely right. In my opinion, it really is an impertinence to suppose that, in reality, this is about placing obstacles in the way of any forms of distribution of pharmaceutical products for competitive reasons. I could not care less about that. Parallel trade is a legal activity within the European Union. This has been confirmed unequivocally by the European Court of Justice. I am absolutely not thinking of getting my hands on parallel trade, but one thing I would say is that all parties involved in the distribution of medicinal products must be subject to the same strict safety requirements. I fail to see why someone should be exempted from safety requirements just because they buy cheaply in one Member State a medicinal product that is sold for a higher price in another Member State, bring it back into the more expensive country, and resell it for a high price there. I do not understand this.

Those of you with some knowledge of food law will have already been asking themselves, as I did, why it is most strictly forbidden in Europe to open a pack of spaghetti on the way from the manufacturer to the consumer – this is indeed most strictly forbidden – yet it is permitted to open on the way from the manufacturer to the consumer medicinal products which, when taken wrongly, can result in death.

It is worth reflecting on why this astounding disparity exists, why it is forbidden in the case of spaghetti, for example, but permitted in the case of vital medicinal products. I find this difficult to understand.

We shall find solutions that make it possible for all parties to continue their business, precisely in the spirit of what Mrs Roth-Behrendt said: we must apply a little creativity, use our brains and give it some thought, but the safety requirements apply in full to all: there can be no exceptions!

I believe I have answered your questions and also given you a foretaste of the coming lively debate. The proposals will be presented in a few weeks' time, and all I can say in this regard is that we shall meet again in this Chamber and we shall have to discuss this matter further.

Françoise Grossetête, *rapporteur*. – (FR) Mr President, firstly I would like to thank my fellow Members who have spoken in support of the report that I presented. I would remind those who, unfortunately, are no longer here but who expressed some concerns, that this really does constitute an improvement, harmonisation and simplification of procedures. However, the simplification of procedures does not mean lowering quality or having fewer controls. It represents lower costs for industry and, above all, for SMEs, which is essential. Lower costs and saving time: in other words, European patients will finally have quicker access to medicines.

I sincerely hope, moreover, that we will conclude at first reading. We have done everything possible so that an agreement can be reached, and naturally I would like once more to thank the Commission for its help, as well as the Council.

With regard to counterfeiting, we were delighted, Mr Verheugen, to hear the information you gave concerning the text which you will present to us, as soon as possible I hope, since you are aware that we are anxious to see it. Counterfeiting, as my fellow Members said, is a crime and we cannot wait when it comes to crime. We know that the vast majority of sales of medicines on the Internet concern counterfeit medicines which are therefore dangerous for citizens' health.

Well, you spoke of active ingredients and the controls which we must apply to active ingredients, including when they are manufactured, when they are produced in third countries, and not in the European Union. Yes, this is essential. We will be there to help you because we are going to have to work on traceability, penalties for offenders and safety of the distribution chain. It is important for patients to have 100% confidence in the medicines they are prescribed: it must not be possible to open or repackage these medicines.

This is what I wanted to say on behalf of all of my fellow Members. Mr Verheugen, I would like you to know that when leaving here today, you will have Parliament's full support, and it is essential to convince the College of Commissioners that we must not waste any more time but at last take action against the counterfeiting of medicines.

President. – The debate is closed.

The vote will take place today, 22 October 2008

Written statements (Rule 142)

Rareș-Lucian Niculescu (PPE-DE), in writing. – (RO) The European Union needs clear and stringent regulations with regard to the conditions for launching medicines on the market, and for all medicinal products in general too. I would like to illustrate the need for this by referring to a recent case which occurred in Romania. In September, a woman died following an operation during which unsterilised surgical thread imported from China was used. Other patients suffered complications which put their lives in danger.

The Romanian Health Ministry's inquiry committee acknowledged without a doubt that the surgical thread in question did not carry the CE quality mark. The law on assessing the products' compliance clearly shows that the guilt lies mainly at the door of the relevant ministry, but clearer rules and greater transparency could have prevented this situation.

Marian Zlotea (PPE-DE), in writing. – (RO) Although medicinal products from the European Community are constantly faced with regulations drawn up by national governments and the Community throughout their entire existence, discrepancies between the Commission's regulations and the Member States' provisions have negative repercussions from a public health and administrative perspective, as well as in terms of the general operation of the internal pharmaceuticals market.

The purpose of this report is to make sure that all medicinal products marketed in the Community, including those authorised at national level, are subject to the same administrative approval and amendment criteria, no matter which procedure was used to authorise these medicines. This proposal simplifies the administrative procedures for Member States and facilitates the harmonisation of evaluation and supervision requirements for all medicinal products.

Adopting this report will protect far more consumers who will benefit directly from improved efficiency, consolidated organisation, as well as clarity and transparency. This is the result of implementing a simplified, standardised regulation system supporting marketing authorisations for medicinal products in Europe.

3. Protection of consumers in respect of certain aspects of timeshares (debate)

President. – The next item is the report (A6-0195/2008) by Toine Manders, on behalf of the Committee on the Internal Market and Consumer Protection, on the proposal for a Directive of the European Parliament and of the Council on the protection of consumers in respect of certain aspects of timeshare, long-term holiday products, resale and exchange (COM(2007)0303 - C6-0159/2007 - 2007/0113(COD)).

Toine Manders, rapporteur. – (NL) Mr President, I should, as ever, like to start by thanking everyone involved: Commissioner Kuneva, the shadow rapporteurs, and also the three Presidents of the Council, for we started this report in 2007, under the Portuguese Presidency. This was followed by the Slovenian Presidency and, finally, we have managed to strike a compromise with the help of the French Presidency. It is unfortunate that State Secretary Luc Chatel is unable to attend, because it is, of course, wonderful to be able to observe that we have a compromise, and at first reading no less.

In 1994, a Timeshare Directive was approved which has given the sector a thorough overhaul. The big problem was that Member States implemented the directive differently. It was a patchwork of legislation and compliance which was, wittingly or unwittingly, different in the various locations and which sowed a seed of doubt in the minds of consumers when they considered buying timeshare property across the border.

We are now thrashing out a new directive. We have extended the scope somewhat, because in the 1994 directive, a number of products were insufficiently defined, if at all, such as long-term holidays or product exchange, to name but a few. To my mind, we have managed to make a distinct improvement in this respect, and both industry and consumers are thrilled with the outcome. I hope that we as politicians are too. We worked with our fellow MEPs in the various groups very closely, and we have arrived at an attractive result.

There is, for example, a prohibition on advance payments, because this proved to be a frustration to many consumers. Once you had paid up, it was impossible to get back this EUR 1 000 or EUR 1 500 which you had paid in front.

The cooling-off period of fourteen days is, to my mind, also a very important matter.

Subsequently, and I am personally very pleased with this, there will be a checklist, a standard information form which sets out your purchase in detail and also states that you have the opportunity to dissolve the contract within fourteen days with a no-quibble guarantee.

There are also voluntary codes of conduct for the sector, as well as the hallmark, a recognition or quality mark, and also the fact that the Commission has promised to monitor this. This is music to my ears, for indeed, it is to be welcomed, in my view, that the Commission has promised to monitor these codes of conduct. I am particularly pleased with the fact that the Commission promised to monitor compliance with the regulation in the Member States in the dialogue.

It will, in some cases, become easier for the consumer to appear before a national court. It saddens me that the jurisdiction, the establishment of a competent court, is not explicitly mentioned in this directive. This is regrettable to me, but in a compromise, you sometimes need to add water to the wine. It is also regrettable, for example, that, if crucial information is not provided, a contract will still exist one year on.

This is all possible in a compromise. By and large, enormous progress has been made in relation to both the consumer and the sector, particularly in terms of maximum harmonisation. This will, in any event, make it easier in a number of cases to appear before a court in one's own Member State. For the sector, it will become much easier to trade across the border.

What is before us is, to my mind, a good result, one of which we here as Parliament, together with the Commission and Council, can be proud.

Meglena Kuneva, Member of the Commission. – Mr President, let me start by thanking the rapporteur, Mr Manders, and the shadows, in particular Mr Harbour and Mrs McCarthy, for their political commitment and support, and the teams of the IMCO Secretariat and DG SANCO for their very close cooperation. This will lead us, hopefully, to conclude at first reading. I really appreciate your tremendous efforts and I am grateful that we finally reached an agreement. For the same reasons, I would also thank the French presidency.

This proposal would bring about very significant improvements for consumers in the market for timeshare and similar holiday products. There is clearly an urgent need to revise the existing rules on timeshare. Consumers are losing out by purchasing products which are economically similar to timeshare but which do not fall under the definition of the current directive. I am speaking here about products like discount holiday clubs, where consumers often have to pay a substantial amount up front, ranging from EUR 6 000 to EUR 20 000, for membership of a club, which will only give a right to a discount on future holidays. I am also referring to the resale and exchange of timeshare which are currently unregulated.

It is my deep conviction that we need to work on the database site for complaints, and data on complaints show that consumers encounter significantly more problems with these unregulated products, in particular,

with the discount holiday clubs, compared to timeshare. There is, therefore, a compelling case for applying similar rules to these products in order to achieve more fairness in the holiday market.

The proposal to be put to the vote today fills in the loopholes in the current legislation by extending the scope of the directive to cover not only timeshare but also long-term holiday products, resale and exchange of timeshare.

With the new rules, traders marketing these products will have to provide a consumer with comprehensive pre-contractual information so that the consumer will be able to make an informed choice.

Thanks to amendments from this House, which I wholeheartedly support, this information will have to be provided on a standardised information sheet, which will make it easier for consumers to assimilate the information. The standardised information sheet will also facilitate the life of traders, in particular, since it will be available in all EU languages. Consumers purchasing these products will also benefit from the right of withdrawal and a ban on advance payments, as is already the case for timeshare.

It will also be clarified that withdrawal can be notified to the trader by letter, email, fax or other similar means. Moreover, consumers purchasing long-term holiday products will be given additional protection. The total payment for membership will no longer be allowed up front but must instead be divided into yearly instalments. The consumer will also have the right to terminate the contract before each yearly payment.

The fully harmonised rules of the directive will be good for consumers. Currently, consumers wishing to purchase a timeshare while on holiday in another country will do so on the basis of that country's rules, which may not be as protective as the rules of his home country. With the new fully harmonised directive, consumers will know that the same consumer protection rules will apply, regardless of whether they bought their timeshare holiday products in their home countries or while on holiday abroad.

Emanuel Jardim Fernandes, *draftsman of the opinion of the Committee on Transport and Tourism*. – (PT) Mr President, Commissioner, I must thank the rapporteur, Mr Manders, the shadow rapporteur, Mr Hasse Ferreira, and all the other draftsmen and colleagues for their cooperation, willingness to engage in dialogue and readiness to reach a consensus.

The Timeshare Directive will be extended to new activities and will make a positive contribution to European tourism, operators and consumers. Consumers are the group least well informed about their rights and obligations and least qualified to conduct negotiations. That is why, in the Committee on Transport and Tourism, I defended a high level of consumer protection, particularly by extending and updating the basic definitions of the directive, reinforcing language requirements, and improving contract information and withdrawal rights to ensure a clear and stable market without any hidden costs for consumers.

After this process started, a horizontal review of the Community consumer law *acquis* was initiated. I argued that we should not wait for this review given the serious problems faced by consumers when exercising their rights, mainly at international level, and given the new activities covered by timeshare. These problems do not stem from the harmonised Community law in this area, but from the lack of a clear Community legal framework, possibly supplemented by more rigorous national legal frameworks rewarding honest businesses and consumers. This is a basic objective of this proposal for a directive which I call on everyone to support.

Antonio López-Istúriz White, *draftsman of the opinion of the Committee on Legal Affairs*. – (ES) Mr President, ladies and gentlemen, firstly, I must once again regret the fact that the Conference of Presidents did not allow enhanced cooperation between the Committee on Legal Affairs and the Committee on the Internal Market and Consumer Protection with regard to this report.

In my opinion, the Committee on Legal Affairs did not want to alter the legal basis proposed by the European Commission or change the legal instrument. The main objective was to protect consumers from abuses committed by certain 'holiday clubs', without harming the development of legitimate and job-creating businesses such as those known as 'timeshares'.

In my view, it is not enough to simply apply the safeguards specific to timeshares to holiday clubs. We must go further as the legal nature of these two systems is intrinsically different.

Timeshares involve a property right, whereas holiday clubs are simply a services contract. In actual fact, with holiday clubs, the consumer pays a sum of money in exchange for a long-term promise of tourist services.

We should not forget that most complaints from consumers relate to holiday club abuses and not to the timeshares with which everyone is familiar. As Commissioner Kuneva indicated, the aim, which is shared by the Committee on Legal Affairs, is to regulate opaque sectors and lay down rules allowing honest businesspeople to develop their businesses to the benefit of consumers.

I am convinced that, with this report and its proposed measures, we are heading in the right direction.

Malcolm Harbour, *on behalf of the PPE-DE Group*. – Mr President, it gives me great pleasure to be able to welcome, on behalf of the group and as, indeed, the second shadow rapporteur for my group that has worked on it, the agreement we have reached with Council today. I also want to thank Council for their cooperation.

I want to place on record the indebtedness that we pay to Mrs Luisa Rudi Ubeda, who was elected to the Spanish Parliament in the summer but who had actually done the bulk of the shadow work on this directive. In particular, in relation to the point to the rapporteur from the Committee on Legal Affairs, I just want to emphasise that the special section on holiday clubs, which I think is probably the biggest single advance we have in this directive in dealing with that particular type of product, was very much due to the tenacity of Mrs Rudi Ubeda in ensuring that we kept it on the table. Council and Commission, in particular, were rather reluctant, but I am delighted that we have reached agreement on that because I think it is crucially important.

My rapporteur, Toine Manders, who has also done an excellent job on this and to whom I pay tribute as well as the rest of the team that worked with him, and Mrs Kuneva, have covered a number of the other issues, but I just want to highlight what I think are two other very important issues where we have sought significant improvement.

The first one is on the question of advertising. If you look at the advertising clause it is now clearly spelt out that any promotional activity in relation to a timeshare or holiday club has to be clearly shown and designated in advertising as such. Also, the standardised information that we have asked to be available has to be available at all times at any sort of promotional event, so there can be no question of people being misled by some attractive trip, visit or offer. It has to be absolutely clear what it is they are talking about, and that it should not be sold as an investment.

Secondly – and here I address the Council, though, unfortunately, the Minister is not here – the Member States' encouragement of codes of conduct and out-of-court dispute resolution is absolutely crucial.

Overall, this is a major advance in consumer protection. I fully commend it and I am sure that it will get the overwhelming support of the House today.

Joel Hasse Ferreira, *on behalf of the PSE Group*. – (PT) Mr President, ladies and gentlemen, after a year of parliamentary work, the proposal for a directive now being discussed is a significant improvement on the document that was presented in 2007. The rights of European consumers, whether current or potential customers of timeshares or holiday cards and clubs, have been reinforced at various levels.

This proposal therefore provides for three different periods, applying under different conditions, which will allow contracts to be cancelled unilaterally by the consumer. It also lays down a series of essential elements that must be specifically included in contracts. In addition, it clarifies and explains the use of languages, which will be much better for consumers, and also the rules on advertising, which merited special attention. This is therefore a good proposal for a directive which, following determined and detailed negotiations between various parliamentary groups, is now being presented to Parliament and has already been agreed by the Commission and the Council.

Mr President, I must congratulate the Slovenian Presidency on its efforts to solve and overcome a number of differences of opinion on the text. The French presidency should also be warmly congratulated, particularly Ambassador Légère-Costa, on the magnificent work carried out in the final phase of the negotiations, as should the Commission representatives on the willingness and technical ability that they demonstrated, both in the dialogue and in bilateral contacts.

Within Parliament, the draftsman of the opinion of the Committee on Transport and Tourism, Manuel Jardim Fernandes, deserves particular congratulations, as do the members of the Committee on the Internal Market and Consumer Protection, especially its draftsman, the group shadow rapporteurs and coordinators and, last but not least, Chairman Arlene McCarthy.

Before ending, I want to thank the consumers' associations, particularly the British associations and the Portuguese association DECO, as also the European Business Association for the sector, for the useful

contributions that they gave me throughout the process. This directive on timeshares and holiday cards and clubs is excellent. I therefore call on you all to adopt it.

Mr President, Commissioner, ladies and gentlemen, our 'internal European market' is, and must, increasingly be a Europe which protects consumers.

IN THE CHAIR: MRS ROTHE

Vice-President

Heide Rühle, *on behalf of the Verts/ALE Group*. – (DE) Madam President, Commissioner, I, too, should like to thank the rapporteur, on behalf of the shadow rapporteur for my group, who unfortunately cannot be here today, for his constructive cooperation. I believe that the cooperation enjoyed with Mr Manders really was constructive and produced sound results of which we can be proud.

Our extension of the scope to holiday clubs – a major problem – and also cruise ships, houseboats and caravans, is particularly important. In so doing, we have closed numerous loopholes that unfortunately existed in the old directive. Our establishment of greater transparency, by means of both pre-contractual information and the information sheets, the standardised information already mentioned by several of the previous speakers, is also very important.

I also think it important, and wish to emphasise, that we have introduced an extension to 14 days for the right of withdrawal in the event of misuse of information, and also that the consumer can take advantage of an extended period of three months and, in the event of criminal neglect of the information obligation, of as much as one year. This creates more transparency and more legal certainty, and this is in the interests of not just consumers but also industry which, of course, has every interest in distancing itself from disreputable providers in this field.

Together with industry, Member States and consumer organisations, we can now make this sector respectable once and for all. For this reason, I believe this will enjoy the wholehearted support of our group. We have not achieved everything we wanted to, but this represents a major step forward.

Leopold Józef Rutowicz, *on behalf of the UEN Group*. – (PL) Mr President, Commissioner, the tourist industry is playing an increasingly important role in the economies of the European countries, and this includes time-shares, long-term holiday products, and the exchange and resale of timeshares, which have often harmed consumers.

The directive counters this problem and creates conditions for harmonising these services on the European market by adopting a package of fundamental rules to improve transparency and protect consumers by, inter alia, establishing a uniform model contract, the obligation to provide a contract in the language of the consumer, improving the consumer's opportunity to make a considered decision, and a cooling-off period in which the consumer may withdraw from the agreement without having to give reasons. Together with the amendments, the directive provides conditions for the development of these services and increases consumer confidence in them.

Thank you, Mr Manders, for your excellent report. The Union for Europe of the Nations Group supports this directive.

Andreas Schwab (PPE-DE). – (DE) Madam President, ladies and gentlemen, we, too, should like to start by thanking the rapporteur, and also the shadow rapporteur and rapporteur for the Group of the European People's Party (Christian Democrats) and European Democrats on the Committee on Legal Affairs. This House has shown that, when a market comes apart at the seams – as was the case in the timeshare sector, of course – we are prepared to take action together. It should be reiterated that the timeshare market in its traditional form has been increasingly infiltrated by disreputable providers – of clubs and resorts, for example – who are scattered throughout Europe and who have indeed failed to inform consumers in a transparent manner about the possibilities and disadvantages of this kind of investment. The new regime will bring considerable advantages in this regard.

The extension of the withdrawal period from 10 to 14 days has been mentioned. I also think it right that we have exempted multi-annual hotel bookings, as this is a completely different situation for consumers from entering into a recurrent annual investment in a holiday club or resort.

Much has already been said about this, but I should also like to point out that the rule that consumers must be informed either in the language of their country of residence or in their mother tongue will also ultimately force a significant proportion of disreputable contract models out of the market and thus, in general, put the timeshare market back on a respectable basis, while also ensuring that consumers wishing to buy into holidays in such facilities can do so with complete confidence.

The revision clause not found in the last directive gives this House the opportunity of evaluating, after three years, whether the course we have suggested is really solving the problems or whether there are further problems on which we must further intervene.

I thank you, Commissioner Kuneva. I believe that this measure is a very positive one as far as the internal market is concerned.

Evelyne Gebhardt (PSE). – (DE) Madam President, Commissioner, I think we have done a good piece of work here, and not only for the internal market, as Mr Schwab has just said, but also for citizens – and this is much more important to me, as we want to ensure that they find themselves in a Europe that is growing together, in a very positive sense, and I think that has indeed been happening here.

As coordinator, I am particularly obliged to our shadow rapporteur, Mr Hasse Ferreira, for the excellent work he has done together with the rapporteur and the other shadow rapporteurs.

The Socialist Group in the European Parliament would also have liked to see a greater extension of the scope – that goes without saying – but compromises sometimes cannot be helped. I think we have nevertheless found a very good solution. Facilitating the comparison of offers, the right of withdrawal and advertising will lead to better conditions for our citizens in future, so that they can be king in a market that used to be a real jungle.

This rank growth has meant that many people who maybe did not pay too much attention when it came to their holidays have ended up in a very difficult situation. We want to prevent this happening in future, and I do believe that this compromise will make this possible.

Charlotte Cederschiöld (PPE-DE). – (SV) Madam President, we have unfortunately become well acquainted with this problem in my own country, Sweden. Tourists in a holiday mood are duped into buying shares in apartments with which they are not particularly satisfied when they arrive home, if they have anything at all to show for their purchase when they get there. The new directive on timeshare properties will entail much better protection if the same rules apply anywhere at all in the EU to the purchase of timeshare properties. Proper consumer protection is required if people are securely to be able to make use of the freedoms of the internal market. Consumers must be able to feel strong, secure and safe.

It is to be prohibited for vendors to demand down payments during the period for reflection which, moreover, is to be extended from 10 to 14 days. In that way, consumers will not have to worry about making down payments if they are not satisfied or if they wish to withdraw from the purchase during the period of reflection. The directive will probably deter frivolous companies that do not meet the requirements for above-board marketing and reasonable purchase agreements. I believe that many people at present hesitate to purchase such services in other Member States precisely because they cannot feel secure and rely on consumer protection.

Through harmonisation and the measures in the directive, consumers will be given stronger consumer protection. This may contribute to more people feeling able to make use of such services involving timeshare properties outside their own Member States, and this is something we all of course welcome. In other words, this is an excellent proposal obtaining broad support. Sun-loving northerners wish to thank both the Commission and the rapporteur and shadow rapporteurs.

Arlene McCarthy (PSE). – Madam President, this timeshare law is long overdue. The Committee on the Internal Market and Consumer Protection first held a hearing on this in 2001, exposing all the problems in the market. We are, of course, very pleased that we have come to the point today where we are now delivering for consumers. We are extending the law to cover all timeshare-like products, especially the problematic discount holiday clubs. We are covering resale and exchange and giving consumers better protection and better rights. Critically, I believe consumers will have the same rights whether they are buying in Varna on the Black Sea or Valencia on the Costa Blanca.

With this law, consumers must be given the key information on the standard information sheet – including all fees and charges – and, if the company fails to provide it, the law extends the right of withdrawal to three

months. Failure to inform the consumer of the right of withdrawal extends the right of withdrawal to one year. These really are good rights for consumers. They will turn our traders into responsible traders and we will have informed and protected consumers, which means we can drive out of the market the dodgy dealers and the scam merchants.

Today we have demonstrated that, when consumers complain, Parliament's Committee on Internal Market and Consumer Protection not only answers, but we act and we deliver. Commissioner, I would ask you to follow up, as you always do, on enforcement issues. We must now use the new cross-border enforcement network to tackle the continuing problems that consumers have and to make sure we reduce the number of complaints that turn up on timeshare in European consumer centres right across the 27 Member States.

Marian Zlotea (PPE-DE). – (RO) Our aim is always to ensure that we introduce legislation which offers more benefits for consumers. This is why I would like to express my support for this new directive, which creates a simplified model framework for timeshare products. I believe that the proposals to grant consumers a cooling-off period of 14 days to withdraw from a contract and to ban demands for advance payments during this period are welcome. I hope that the changes made will contribute to a properly operating internal market through harmonising European legislation in this respect and therefore, increase the level of protection for consumers.

We need to make sure when it comes to signing the contract that consumers are fully informed and that all the necessary precontractual information about the costs involved and the services they are going to enjoy has been supplied to them. We need to encourage the development of timeshare and long-term holiday products. We therefore need to increase consumers' confidence in buying holiday packages abroad and encourage firms which sell abroad to make the most of the benefits offered by the single market.

I would also call on Commissioner Kuneva to intervene in credit agreements because following this financial mess we are now in, most banks have changed these credit agreements too as they continue to dupe consumers. I would like to congratulate the rapporteur for his efforts and I hope that we will achieve a market which benefits consumers.

Bernadette Vergnaud (PSE). – (FR) Madam President, Mrs Kuneva, ladies and gentlemen, we shall be voting on the necessary revamping of a 14 year old directive affecting millions of people in Europe, both professionals in the tourist industry and consumers of timeshare holidays or holiday clubs.

This industry, worth more than EUR 2 billion a year and employing 200 000 people, is a major driver of the internal market within the framework of the Lisbon Strategy, particularly as forecasts indicate rapid growth for this kind of service. The economic rationale, while not insignificant, should not impede greater protection of the countless users of these services, who often have moderate holiday budgets and need protection and more legal clarity.

The harmonisation of conditions for withdrawal from a contract, as well as the prohibition of unfair commercial practices, such as advance payments during the cooling-off period, and the requirement to provide an accurate, clear and legible contract in the chosen language of the purchaser, therefore constitute significant progress in consumer protection and empowerment. This text will at last enable us to put a stop to unacceptable practices made possible by the inadequacies of the current directive, and will reinstate credibility in an industry crippled by a negative image. We therefore have reason to hope, on the one hand, for fresh positive dynamism among traders freed from unscrupulous competitors and, on the other, renewed confidence for reassured consumers.

I am therefore keen to congratulate the rapporteur, Mr Manders, and the shadow rapporteurs, in particular my friend, Joel Hasse Ferreira, on their successful work which will lead, at first reading, to an agreement which preserves the many advances sought by Parliament but rejected by the Council.

Philip Bradbourn (PPE-DE). – Madam President, for a number of years I have been concerned that current legislation on timeshares did not take into account the range of new products in this area coming on to the market. Therefore, I welcome the revisions being made in this proposal.

Extending the scope to cover holiday clubs and other similar products is a great step forward in protecting the consumer from what had previously been an easy target for the unscrupulous tout. This directive certainly shows that the EU is taking steps to stay ahead of the game.

I have to admit, however, that I am disappointed that Parliament had to give way on a provision calling for cooling-off periods of 21 days in order to reach agreement with the Council. However, this is not to say that

the improvements made have had no effect on the current directive, and, in fact, it is to be welcomed that no upfront payments have to be made until the end of the cooling-off period. A great deal of effort has gone into reaching this compromise with the Council, and I hope to see the report adopted today with a large majority.

Zuzana Roithová (PPE-DE). – (CS) I welcome the revision of the fifteen year old timeshares directive. This will expand the definitions of long-term recreational products, allowing greater levels of consumer protection and ensuring the competitiveness of honest providers. The directive, in other words, prevents the emergence of new products that are aimed merely at circumventing the rules. Timeshare products are, by their very nature, services that are offered across national boundaries. I am therefore delighted that in Europe, this market will be fully harmonised and that the consumer will have the same rights in all states, for example the fourteen day period within which it will be possible to withdraw from a contract without having to make a down payment in advance, or the obligation incumbent upon the provider to draw up a contract in the language preferred by the consumer. This is good news for Czech consumers wanting to go on holiday. I also support the idea of introducing a European registration system such as travel agents have, which would be a source of information in the case of judicial disputes and could also include the setting up of a guarantee fund for consumers in the event of a company going bankrupt. I congratulate the Commissioner and also the rapporteurs.

Meglana Kuneva, Member of the Commission. – Madam President, we need to ensure that consumers all over the EU are adequately protected against aggressive selling tactics by rogue traders operating in the timeshare and holiday product markets.

The need for action at EU level is all the more crucial because of the cross-border nature of most timeshare contracts.

Furthermore, we need to ensure that consumers have enough confidence in the regulatory framework so that they do not refrain from purchasing timeshare abroad from legitimate traders. A healthy market in timeshare and similar holiday products will contribute to boosting growth and job creation in the European Union.

It is my firm belief that the compromise package that you will vote on today will make an important contribution to the achievement of these aims. The amendments put forward by the ALDE, PPE-DE and PSE Groups – with which the Council has agreed – are, in my view, fair and reasonable. The package is also in line with the Commission's original proposal.

In my opinion, this package constitutes the best option in the interest of both consumers and traders. A vote for this package is a vote for consumer confidence in holiday products, for clear consumer information, and for a competitive and responsible holiday industry.

I therefore look to the Members of this House to vote to support an agreement today on rules for timeshare and similar holiday products which will provide real added value for holidaymakers all over Europe.

Toine Manders, rapporteur. – (NL) Madam President, if this directive meets with approval this afternoon, although we may be laying down a directive for only a small segment of the internal market, it will represent an enormous step for the European consumer. This directive is, after all, a precursor to the horizontal instrument for consumer protection.

As rapporteur, I proposed in the first instance that we lay down a number of aspects in a regulation. We eventually ended up with maximum harmonisation and, in my view, this maximum European harmonisation will provide considerable protection not only for consumers, but also for the *bona fide* companies involved in the trade in question. Tourism will receive an enormous boost, and the internal market can only function well if there is consumer confidence.

I am glad that, with this maximum harmonisation, all European consumers will be given the same rights. Indeed, I take the view that the European consumers, from whichever country they may hail, should have the same rights when they purchase goods, services or whatever else within the internal market. This will be guaranteed with this directive.

I hope that the Member States will regulate adherence and their monitoring procedures in the same way, so that consumer confidence can remain high. After all, an internal market, and this is why I believe in Europe, can only function well on the basis of trust on the part of industry, the government and the consumer.

If we manage to pull this off, then this is a precursor to my mind, and an important indicator that the horizontal instrument for consumer protection should be fully harmonised for all consumer purchases.

This then, in my opinion, is a huge step forward, for we have already optimised many areas of the internal market, but not yet consumer confidence. I think that this directive is an important step in that direction. I should like to thank everyone who has made a positive contribution.

President. – The debate is closed.

The vote will take place at noon today.

Written statements (Rule 142)

Małgorzata Handzlik (PPE-DE), in writing. – (PL) Timeshare is a form of holiday product. Many consumers decide to buy such services while they are captivated by the charms of the place they are holidaying in, which unfortunately is used by unscrupulous traders who fail to give them the full information about the services being offered.

The changes the directive introduces will increase the scope of consumer protection against these practices. In particular, consumers will be given a 14 day cooling-off period during which they can withdraw from the agreement without any consequences, which will help them to think over their decision. The information that traders will have to provide to potential service buyers will also be expanded. The consumer will have the right to full information, regardless of the Member State in which they are buying the services and, more importantly, this information will have to be in writing and in the consumer's mother tongue or language of their country of origin. If consumers are not informed of their right to a 14 day cooling off period, the cooling-off period will be extended to one year and 14 days.

These solutions are all very beneficial for the consumer, particularly at a time when foreign travel has become so widespread and, as a result, consumers are increasingly exposed to the unfair practices of some operators.

Zita Pleštinšká (PPE-DE), in writing. – (SK) The European Parliament has always been very concerned about consumer rights in the area of tourism and, consequently, in its resolutions on new perspectives and new calls for long-term sustainable tourism in Europe, it has accepted the need to revise Directive 94/47/EC.

Irresponsible agencies find it easy to circumvent this directive and therefore, in the interests of achieving an optimal level of consumer protection in this area, the IMCO Committee has been pressing for the adoption of harmonised rules across a number of key areas. These will help consumers to make the right decisions, regardless of which country they come from or where they go on holiday.

Timeshare comprises the time-limited use of properties or other assets under contracts covering a period of more than one year, through which the consumer acquires, on payment of a fee, the right to use one or more accommodation facilities on more than one occasion. Contracts will have to contain checklists designed to attract the attention of consumers and to make it easy for them to understand their right to withdraw from the contract.

I welcome the code of ethics for entrepreneurs in this area, the quality mark, the trans-boundary campaigns and the use of standardised forms. One important aspect is that advertisements should inform consumers and not mislead them. The directive sets out a legal framework for long-term holiday products. Consumers will have time to consider their decisions in an environment where no one can put them under pressure. I believe that this directive can resolve the serious problems which consumers have encountered with long-term holiday products.

Salvador Domingo Sanz Palacio (PPE-DE), in writing. – (ES) Mr President, I am delighted to express my approval of this report and to thank the rapporteur, Mr Manders, and my colleague, Mr Harbour, for their excellent work, as also the shadow rapporteurs. This has been an excellent piece of teamwork. This package of measures is the result of significant efforts made by both the Commission and also Parliament and the Council.

The Spanish delegation always argues for understanding, clarity and legal certainty which, together with full harmonisation, guarantee optimum consumer protection.

We wanted clear rules and better market regulation for two reasons: firstly, for businesspeople, so that they can carry out their activities with a high level of quality and security, and, secondly, for consumers, so that

they can feel confident when accessing this market, so that they have the necessary information before signing any contracts as well as the necessary safeguards protecting their rights.

Good regulation stimulates market activity and benefits both consumers and businesspeople. That is what we wanted and what we have managed to achieve with this agreement.

(The sitting was suspended at 10.55 a.m. for the award of the LUX Prize and resumed at 11.30 a.m.)

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

4. Voting time

President. – The next item is the vote.

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

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Gay Mitchell (PPE-DE). – Mr President, I rise under Rule 166, on a point of order, to draw the attention of the President to a failure to respect Parliament's Rules of Procedure, specifically in relation to Question Time yesterday. I think this has become a moveable feast, as has voting time in this Parliament. Questions are put in an order to suit the Commission and the Council, not Members; then questions are amalgamated, and supplementary questions are taken together. Yesterday, only 12 questions were reached. For those of us who have few opportunities to speak, this makes participating in plenary almost impossible. We elect a President, Vice-Presidents and group leaders to look after the interests of Parliament and Members. This is not happening. I would ask that it be revisited and that the role of Members in plenary – who stand in place of the public – be defended and not sacrificed to every whim of anybody else who wants to come into this Chamber. The rights of Members must be defended by the Chair, not abrogated by the Chair at every hand's turn. I protest very strongly that that is what is happening in this plenary.

(Applause)

President. – Thank you very much, Mr Mitchell. Your comments and your complaint will be duly considered at the next meeting of the Bureau.

Bernd Posselt (PPE-DE). – *(DE)* Mr President, I should just like to warn Mr Mitchell: for years I have been told each time that it will be discussed at the next meeting of the Bureau, but nothing ever changes.

(Applause)

President. – Mr Posselt, your comment will also be conveyed to the Bureau.

(Laughter)

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4.1. Approval of the nomination of Baroness Catherine Ashton as a member of the European Commission (vote)

4.2. European Council meeting (15-16 October 2008) (vote)

- Before the vote:

Pervenche Berès (PSE), Chairman of the Committee on Economic and Monetary Affairs. – *(FR)* Mr President, in managing this crisis, Parliament has demonstrated its sense of responsibility. It is in this spirit that the Committee on Economic and Monetary Affairs met on Monday evening to approach the revision of the

Capital Requirements Directive, known as 'CRD', which has been presented by the Commission as one of the cornerstones of its response to the serious financial crisis in the European Union.

I would like to inform this plenary assembly that the Commission did not consider it useful to participate in the work done by the Committee on Economic and Monetary Affairs on Monday evening for this exchange of views.

- *Before the vote on paragraph 6:*

Wolf Klinz (ALDE). – (DE) Mr President, ladies and gentlemen, you have received this in writing. I am in favour of our adding a phrase with the following wording in English:

'Deplores the expected spillover effects to other sectors of the economy, therefore ...'

(DE) This insertion would make clear that the financial crisis has a negative impact on the overall economy.

(The oral amendment was not accepted)

Hartmut Nassauer (PPE-DE). – (DE) Mr President, I should just like to point out that we are voting on a joint motion for a resolution by four political groups, who have agreed not to table any amendments to the joint text. Oral amendments are also amendments, and the Group of the Alliance of Liberals and Democrats for Europe has signed the joint resolution. For this reason, to our regret, we must oppose further amendments, including oral amendments.

- *After the vote on Amendment 6:*

Avril Doyle (PPE-DE). – Mr President, were we not required to vote on paragraph 6? I will be advised by you.

President. – No, there has been no request for a separate vote on that paragraph.

- *Before the vote on paragraph 9:*

Margarita Starkevičiūtė (ALDE). – (LT) I just wanted to add the words which are next to paragraph 9, and then the text would sound like this:

'and their conformity with the Treaty provisions', for the purpose of clarification. The text would therefore read as follows: 'state aid rules to measures taken and their conformity with the Treaty provisions'.

(The oral amendment was not accepted)

- *Before the vote on paragraph 29:*

Ona Juknevičienė (ALDE). – Mr President, I believe the colleagues from the PPE-DE Group will be standing up to speak shortly, but, before they do, I would ask them to consider whether it would harm their principles to support my oral amendment by adding two words which highlight the isolation of the Baltic region in the energy sector and its 100% dependence on Russia. We would like to highlight and to welcome the Commission's, and specifically the Council's, initiative to help put an end to the Baltic region's isolation in the energy sector. Therefore, in paragraph 29, where we talk about Eastern Europe, I would like to mention the Baltic region. I ask for your support.

(Applause from the centre and the left)

Hartmut Nassauer (PPE-DE). – (DE) Mr President, I would suggest that our fellow Members from the Group of the Alliance of Liberals and Democrats for Europe raise their legitimate objections during the negotiations intended for that purpose. It is an impertinence to make such proposals in plenary, as we cannot hold a serious debate on them here. That is unparliamentary, and therefore should be dropped.

(Applause)

(The oral amendment was not accepted)

- *After the vote on Amendment 1:*

Hélène Goudin (IND/DEM). – (SV) Mr President, I think there is no excuse for us not having received the amendments until ten o'clock this morning, and then only in English, Latvian and Finnish. That is not how things should happen.

President. – We note your complaint, Mrs Goudin.

- After the vote:

Alexander Alvaro (ALDE). – Mr President, I just wanted to point out to the House that we voted on a resolution of a European Council meeting, and it is a disgrace that nobody from the Council is present to take into account what we have been working on and what we have to say. This is not the way we work together.

(Applause)

David Martin (PSE). – Mr President, it may be true that the Council is not here, but I would like to ask the House to welcome our new Commissioner who, immediately after her endorsement, has taken the trouble to be present for the vote. I welcome Baroness Ashton to the Chamber.

(Loud applause)

President. – Indeed, Mr Martin. You are absolutely on the ball.

4.3. Temporary workers (A6-0373/2008, Harlem Désir) (vote)

4.4. Multiannual Community programme on protecting children using the Internet and other communication technologies (A6-0404/2008, Roberta Angelilli) (vote)

4.5. Promotion of clean road transport vehicles (A6-0291/2008, Dan Jørgensen) (vote)

4.6. Variations to the terms of marketing authorisations for medicinal products (A6-0346/2008, Françoise Grossetête) (vote)

4.7. Protection of consumers in respect of certain aspects of timeshares (A6-0195/2008, Toine Manders) (vote)

- Before the vote:

Toine Manders, rapporteur. – (NL) Mr President, I should once again like to thank everyone, including the shadow rapporteurs from the various committees and the Commissioner.

I hope we will approve the text, because it represents a huge step forward for consumer rights in Europe and will give the European tourism industry an enormous boost.

I therefore hope that my fellow Members will approve the compromise, and that we will take this important step towards optimising the internal market in one reading.

President. – I declare voting suspended to make way for the formal sitting.

IN THE CHAIR: MR PÖTTERING

President

5. Formal sitting - UN High Representative for the Alliance of Civilisations

President. – Mr Sampaio, UN High Representative for the Alliance of Civilisations, ladies and gentlemen. Mr Sampaio, it is my great honour and pleasure to be able to welcome you to the European Parliament.

You visited the European Parliament back in 1998 as the president of Portugal. Since then, not only has the number of members of the European Union increased, but also its ambition and responsibilities.

I particularly welcome your presence here today as High Representative for the Alliance of Civilisations, an initiative of the United Nations, as the current European Year of Intercultural Dialogue means that your visit is very important to us all.

In your work with the United Nations Alliance of Civilisations, you are making a valuable contribution to improving mutual respect and understanding among nations. I am convinced that your enthusiasm and long experience will benefit the numerous initiatives promoted by your organisation in the fields of youth, education, media and migration. Education and also the media and entertainment field are particularly important to intercultural dialogue.

The Final Report of the High-Level Group on the Alliance of Civilisations contains detailed, useful proposals on both subjects. For example, it calls for the development of additional, new teaching materials, such as school books that are better suited to the promotion of mutual understanding.

After all, the successful development of intercultural dialogue should not be limited to high-profile individual measures such as symposia, joint declarations or symbolic gestures. As part of the European Year of Intercultural Dialogue, the European Union and the European Parliament have endeavoured to go beyond mere declarations of intent and to contribute to better understanding between various cultures by means of very specific initiatives.

Many leading figures have been invited to plenary, and you are one such leading figure.

The important thing now is that we do not limit this intercultural dialogue to 2008, but continue it in the next few years and beyond.

Mr Sampaio, we are grateful that you could make it to Parliament today, which represents 27 countries and almost 500 million citizens. It is a great pleasure to now invite you to take the floor. Ladies and gentlemen, Mr Sampaio.

Jorge Sampaio, *UN High Representative for the Alliance of Civilisations*. – (PT) Mr President, Mr Secretary-General, Members of Parliament, ladies and gentlemen, I really wanted to give this initial address in my mother tongue, Portuguese, but you will all understand that, in my current capacity, I must use another language.

Your Excellencies, let me express at the very outset my heartfelt thanks to Mr Pöttering for his kind words of welcome. Let me also add that it is an honour and a great pleasure to address this prominent audience both on behalf of His Excellency, the Secretary-General of the United Nations, and in my capacity as High Representative for the Alliance of Civilisations.

The Secretary-General was invited to address this parliamentary session but was unable to be here today with us. He asked me to deliver the following message to the European Parliament on the European Year of Intercultural Dialogue, and I quote:

‘It is a great pleasure to send greetings to all the distinguished participants in this important session of the European Parliament on intercultural dialogue.

‘Throughout its history, Europe has seen terrible outbreaks of armed conflict often rooted in prejudice and hatred. Yet the continent has also been fertile soil for some of the world’s most remarkable innovations, artistic creations and scientific progress. Europe’s tremendous diversity and its strategic geographic position, at the centre of the old and new migration routes, have made it a significant venue for cross-cultural interaction and interfaith dialogue. In particular, its close relationship with its neighbours across the Mediterranean makes Europe an important bridge between civilisations.

‘Like many other regions of the world, Europe faces multiple challenges in promoting intercultural dialogue. Migration, economic uncertainty and political tensions are putting strains on relations between different cultural, ethnic and religious groups. However, it is precisely in your region, where constructive contacts over the centuries have allowed humanity to take major leaps forward, that opportunities for reconciliation and cooperation exist.

‘This special session today holds great promise. I urge you to make the most of this opportunity, and to pursue joint economic projects, educational exchanges, and other initiatives that will improve people’s lives and create a bulwark against intolerance, religious fundamentalism and extremism.

'The United Nations will do its part to support and complement your efforts, both in and beyond Europe.

'The Alliance of Civilisations is one of our main vehicles for this work. It aims to address the growing divisions between societies by reaffirming a paradigm of mutual respect between peoples. It also seeks to mobilise joint action for this purpose. Among the Alliance's major initiatives are a Youth Solidarity Fund to promote dialogue, and a Global Expert Finder to provide a source of commentators who can shed light on potentially divisive issues.

"If I were to do it all over again, I would begin with culture." These famous words, most often attributed to Jean Monnet, who worked so tirelessly for European unity, remain strikingly relevant today.

'Cross-cultural tolerance, dialogue, respect and understanding must be pillars of the better world we are trying to build. It is very encouraging to know of your strong commitment to this quest.

'For the sake of countless people living between the extremes and yearning for dignity and peace, let us work together so that intercultural dialogue can bear fruit. In that spirit, please accept my best wishes for the success of your discussions'.

This is the end of His Excellency's message.

(Applause)

As a former Member of Parliament, I know that Parliament is, and always will be, the home of democracy. Its Members have the sometimes thankless task of guaranteeing a sustainable view of the future for the people they represent.

As far as Europe is concerned, we all know how slow has been the evolution of the parliamentary institution, and how great the challenges are to enforce a specific European model of democracy.

I can only praise the work already carried out and its contribution to build a more participative, pluralist Europe that is closer to citizens, closer, after all, to all citizens. These are the results of your labour and I therefore wish to extend a warm greeting to all members of this Assembly, the legitimate representatives of a community of nations committed to achieve an original and unique project, in which the last century placed so many hopes and which in this one faces so many expectations.

I come today to speak to you of the Alliance of Civilisations, an issue that, although it may seem remote and distant from our day-to-day life, is in fact deeply embedded here. In fact, it started with an academic dispute between scholars who predicted the end of history and the clash of civilisations, but that turned into a major hot social topic, a challenge to democracy and a core issue of international policy because of globalisation, increased migrations and 9/11. An issue, finally, that the United Nations managed to put high on the global agenda.

What am I talking about? I refer to the huge – ethnic, cultural and religious – diversity of our societies and of the increasing difficulties we experience in living together. I speak of the worsening divides of all types, the erosion of social cohesion and the widening rifts between societies. I speak, too, of a widespread malaise that has been expressed in increased tensions intra- and inter-communities, in mutual distrust, in polarised perceptions and world views, in intractable identity-based conflicts and, of course, in the rise of extremism.

Furthermore, I speak of religion being employed as a tool by all and sundry, and used and abused for various purposes and effects. I also speak of some disorientation of political powers, confronted with the deficiencies of a purely security-based and/or repressive approach, and the absence of suitable policies and instruments for proper governance of cultural diversity.

All this serves to underline what to me is irrefutable evidence: cultural diversity has become a major political issue challenging modern democracies, pluralism, citizenship and social cohesion, as well as peace and stability among nations.

For me, this is crystal clear and, even if serious difficulties, such as the current financial and economic turmoil, take up all attentions, in my view, we simply cannot allow the present emergencies to deflect us from handling the in-depth problems of today and guard against the crises of tomorrow.

To put it harshly, to us, to the European Union, stripped down to its bare essentials, what does this mean? It means: how to integrate minorities, all minorities, but the Muslims of Europe in particular? How to develop

our relationship with the Mediterranean? Where to draw the lines of the European project? How to enhance European foreign policy to project what we consider universal values to the world?

In my view, this is all about fundamental questions concerning values, beliefs, attitudes and behaviours. This is about democracy, rule of law, human rights and respect for cultural diversity; about justice, social cohesion and inclusive societies; about states, secularisation and secularism or *laïcité*; about the public sphere, private acts and religious revival. This is all about European identity and values. That is how I see it.

(Applause)

As time is obviously very short, I will not be able to discuss all these points, so I will focus on the issue of the Muslim minorities in Europe.

Why is there growing anxiety about the integration of Muslims in Europe? On account of the fact that it is a demographic issue? Yes, of course! Given that it is an integration issue? No doubt about that! In my view, the presence of Muslims in Europe is not a question of Islam and the West, but an acute problem of integration.

To my mind, however, there is another thing: there is an identity issue. Indeed, the arrival of immigrants in any society has an impact on the host country's sense of self. The point here, however, is that, as someone has put it, 'the dam separating Christian Europe from Muslim East has sprung a leak, altering Europe's culture'.

Why, for instance, did past discussions on the preamble of the former European Constitution end in such vocal acrimony? Why does Turkey's accession to the European Union trigger such passionate and combative debates? All these questions are interrelated and they all point to the so-called European values and identity.

In order to reinforce it, European identity should encompass individual allegiances and adopt cultural legacies.

(Applause)

Europe as a place where we can live together as equals requires more and more inclusive citizenship and better governance of cultural diversities.

To cope with the integration of Muslims in Europe and in our European societies, we need new policies at all levels. We need European action, but also national governmental initiatives as well as local measures. We need democratic governance of cultural diversity. We need integrated perspectives and policies on education, youth, and the integration of migrants.

In order to develop appropriate cultural policies, we need to build cultural statistics and indicators to enlighten decision makers and the decision-making process and to monitor and assess the implementation of those policies. We need to develop democratic citizenship and participation.

We need education for human rights, education for citizenship and respect for others, education for intercultural understanding and dialogue, education on media literacy, education about religions and beliefs and both intra- and inter-religious dialogue. We need to learn about and to teach intercultural competences to our citizens.

We need to create urban strategies and policies for intercultural dialogue. We need youth policies based on equal opportunities. We need to engage civil society at large, youth, religious leaders and the media. However, we also need to expand and develop the intercultural dialogue agenda in international relations and, of course, give it priority.

How can we live together in our globalising world, where clashes anywhere are clashes everywhere and where cultural and religious fault lines divide our societies? This is the global challenge the Alliance of Civilisations is facing and which it has to address in concrete terms.

Turning this global challenge into 'glocal' deliverables is therefore the Alliance's main task. By 'glocal' I mean that deliverables have to be extensively underpinned by a global approach, but have to be implemented at a local level.

This means that the Alliance relies greatly on the European Union to implement an agenda of good governance of cultural diversity in the European region, meaning by that not only the members of the European Union, but also its neighbouring countries, particularly the Mediterranean ones.

This is why I am so happy that an action plan on cooperation between the European Union and the Alliance of Civilisations has been agreed and will provide a solid base for the pursuit of concrete objectives and the implementation of practical projects.

In this regard, let me stress how important and significant it will be if the European Year of Intercultural Dialogue could be expanded into a long-term, sustainable framework for promoting good governance of intercultural diversity, and I praise His Excellency the President's words in this respect.

I am sure that it would have a terrific impact on boosting national strategies for intercultural dialogue comprising measures and programmes on education, media, migration and youth that I have asked countries to design and implement. This is a suggestion that I put forward last April and to which I would like to draw your attention, asking honourable Members of Parliament kindly to back it up.

Another area in which the Alliance is eager to collaborate is the Union for the Mediterranean in order to help improve and manage intercultural diversity and intercultural dialogue, including inter-faith issues, within and among European and Muslim societies and communities.

To put it bluntly: the current international difficulties and the increasing anxiety we all feel in living together in mutual respect have encouraged the misguided view that cultures are set on an unavoidable collision course leading to a clash of civilisations.

We face increased polarisations that come up against a backdrop of growing tensions over a series of political issues and of growing cultural stereotypes. It goes without saying that political conflicts can only be solved through political negotiations. The long-term resolution of tensions between Muslim and Western societies, for example, cannot be achieved as long as some of the well-known sources of hostility are not successfully addressed.

It is equally true, however, that peace agreements rarely hold if they are not strongly backed by the communities involved. Many peace deals in the past have floundered because deep-seated suspicion and hostility remained, dividing people along cultural and religious lines.

Now the point precisely is that all findings are unanimous and show a great divide in the way Westerners and Muslims view each other, with Westerners seen by Muslims as patronising and domineering, and Muslims seen by Westerners as fanatical and intolerant. Moreover, socioeconomic marginalisation and discrimination generate disaffection and intolerance, and aggravate the chasm between Muslim and Western publics.

This so-called divide, opposing two fictional monolithic blocks, Islam and the West, fuels further stereotypes and polarisation, and gives rise to extremism. Let me stress, however, that the vast majority of peoples reject extremism in any society and support respect for religious and cultural diversity. Both Muslims and non-Muslims are concerned by the challenges of security and the threat of social polarisation. Millions of Muslim families worry about losing their young to religious and political extremism.

In order to tackle this problem, we should develop new strategies to manage and promote inter-faith dialogue as part of cultural diversity, based on universal human rights. In other words, creating the necessary conditions for sustainable peace requires efforts of a different kind, aimed at generating a mind shift among divided communities. This is my first concluding point.

My second point regards the need to give political priority to the development of democratic governance of cultural diversity.

In the European Union this implies creating a collective identity between its citizens – regardless of their origins and their ethnicities, languages, philosophical beliefs, political and religious affiliations – to share values, attitudes and projects, and make room for a common future to build on together. This is why cultural diversity should go hand in hand with the protection of human rights and fundamental freedoms, equal opportunities for all, economic solidarity and social cohesion.

These issues will not be sorted out in the short term – unfortunately it is like that – and long-term efforts are needed. Indeed, the temptation to give up is likely to be with us all the time, but we must never resign ourselves because, after all, small changes in circumstances can produce big shifts in behaviour. This is exactly what we need to generate the will to live together in mutual respect and appreciation of our ethnic, linguistic, cultural and religious differences.

The urgency of the task cannot be underestimated. I am sure, however, that through your work and your commitment, we will manage to live together in integrated communities. Thank you very much for your attention.

(The House accorded the speaker a standing ovation.)

President. – President Sampaio, on behalf of the European Parliament, I thank you for this great speech, and I thank you for your great commitment, as the UN High Representative, to the alliance of civilisations and to intercultural dialogue.

As you mentioned the Union for the Mediterranean, I take this opportunity to inform you that, at its extraordinary plenary session of 12 and 13 October in Jordan, the Euro-Mediterranean Parliamentary Assembly – including representatives from Israel, Palestine, the Arab countries, the European Parliament and the national parliaments of the European Union – adopted a declaration on the peace process in the Middle East.

In November, several hundred young people from all the countries that are building the Union for the Mediterranean will meet here, in the Chamber of the European Parliament in Strasbourg, and engage in a dialogue of civilisations – a dialogue of cultures. We are committed to your goals, Mr President, and we wish you well in your great commitment to the alliance of civilisations. The European Parliament supports you. Your ambition is our ambition.

Thank you, President Sampaio, for your visit to the European Parliament. *Obrigado.*

(Applause)

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

6. Voting time (continuation)

President. – Ladies and gentlemen, following the Alliance of Civilisations, we must come down to earth and continue voting.

6.1. Evaluation of the Australia-EU PNR agreement (A6-0403/2008, Sophia in 't Veld) (vote)

– Before the vote on paragraph 1(g):

Sophia in 't Veld, rapporteur. – Mr President, in agreement with the shadows of the PPE-DE, PSE and Verts/ALE Groups, I would like to propose an oral amendment to paragraph 1(g). It consists of two small changes.

The first change is that we replace the words 'fails to meet' in the second sentence with 'may not conform to' so that the second sentence will read 'and that as a result, the agreement may not conform to EU and international data protection standards'.

The second small change is in the last sentence, where I would like to replace the word 'leaves' by 'might leave' so that it reads 'considers that this might leave the agreement open to legal challenge'.

President. – Mrs in 't Veld, I have a question. Am I right in thinking that, if your oral amendment is accepted, this will replace the split vote? In other words, if your oral amendment is accepted, we can vote on the paragraph as a whole. Is that right?

Sophia in 't Veld, rapporteur. – Mr President, yes, as far as I am concerned, because the request for a split vote was made by the PSE Group because it did not agree with the middle section. If my oral amendment is adopted – and I am looking at the shadow of the PSE Group: yes, she agrees with me – then they agree with the paragraph as a whole, so we could vote on the paragraph as a whole.

(Parliament accepted the oral amendment)

6.2. Challenges to collective agreements in the EU (A6-0370/2008, Jan Andersson) (vote)

- *Before the vote:*

Jacek Protasiewicz, *on behalf of the PPE-DE Group*. – (PL) Mr President, I would like to inform you that after a debate yesterday during our PPE-DE Group meeting, we as a group are withdrawing three amendments: Amendment 6 to paragraph 9; Amendment 8 to paragraph 15 and Amendment 10 to paragraph 24. I inform you with pleasure, on behalf of the PPE-DE Group, that those three amendments are withdrawn.

- *After the vote:*

Emilio Menéndez del Valle (PSE). – (ES) Mr President, with all due respect, I must make the following comment.

Following the very proper and sensible address made on the Alliance of Civilisations by the UN High Representative, you resumed the sitting with these words – perhaps you have them handy – which were more or less as follows:

‘Well, and now, following the Alliance of Civilisations, we must return to earth’.

Mr President, I regret to say that your comment was not in line with parliamentary courtesy and was inappropriate in your position as President.

President. – You must be aware that one of the President’s powers – and my Vice-President colleagues frequently do this – is to make innocuous comments about incidents in the House. These comments must be taken in the context of their content and intention.

I can assure you, dear Member, that my intention was absolutely positive.

However, if you or any other Member has found something disturbing in this innocent and benevolent comment, you must regard it as having been withdrawn.

6.3. Democracy, human rights and the new EU-Vietnam Partnership and Cooperation Agreement (vote)

- *Before the vote:*

Marco Cappato (ALDE). – (IT) Mr President, ladies and gentlemen, I would like to make a purely factual correction. Reference is made to the Unified Buddhist Church of Vietnam, saying that it was once the largest organisation of Buddhists in southern and central Vietnam. This is, in reality, referring to the fact that free and reliable information no longer exists, but it should be corrected to read: ‘which is the largest organisation of Buddhists in Vietnam’.

(Parliament accepted the oral amendment)

7. Explanations of vote

Oral explanations of vote

- Proposal for a decision: Approval of the nomination of Baroness Catherine Ashton as a member of the European Commission (B6-0575/2008)

Toomas Savi (ALDE). – Mr President, I welcome the appointment of Baroness Ashton as a member of the Commission, and I would like to point out that the very fact that she has been awarded a life peerage speaks for her excellent work for the United Kingdom. I have a firm belief that she will be as worthy a Commissioner as another peer before her. Lord Cockfield was appointed as the United Kingdom Commissioner in 1984 by Margaret Thatcher’s government. He had a distinguished career in Brussels, laying the foundation for the single market.

Baroness Ashton would guarantee a place for herself in the history of the European Union by giving momentum to the Doha negotiations. It is a great challenge, but the successful finalisation of the negotiations would help the developing countries immensely.

- Motion for a resolution: European Council (B6-0543/2008)

Jim Allister (NI). – Mr President, I voted against the joint motion on the European Council summit because of its duplicity over the Irish referendum and its foolish clinging to economically damaging climate-change targets. The communiqué makes a hypocritical affirmation of respect for the Irish rejection of Lisbon, and then immediately sets about insisting, through the coded language of these documents, that the Irish fall into line. The so-called respect for the democratic decision of the voters is patently false.

Now here we all are facing a deep economic crisis, the worst most of us can remember, and the EU is worried about keeping the deck chairs of climate targets in place. Industry and our economies cannot now afford this ever-higher green taxation burden. All we will succeed in doing is expelling more and more of our manufacturing industry to the Far East.

Marian Harkin (ALDE). – Mr President, I want to mention Amendment 3, where we criticised a number of Commissioners for having downplayed long-standing requests by the European Parliament to propose legislation for better supervision of the financial market. This is the reality of the situation, but I think it is important also to state that Member States must take their share of the blame. Even if the Commission had tried to move I think it would have met with a great deal of resistance. Still, the Commission has a responsibility, and while we have principles-based regulation as opposed to rules-based, it still needs to be rigorous, and light-touch regulation has not worked.

I also want to mention paragraph 20, where Parliament reiterates its respect for the result of the Irish referendum and for the results of the ratification procedures in the other Member States. During the debate on the Irish referendum, it was claimed time and time again that Parliament would not respect the result. Apart from anything else, Parliament has no competence here, and no power to act one way or the other. Still, I welcome the statement, unlike my colleague Mr Allister.

Finally in paragraph 20 I think it is possible to meet the concerns of the Irish people before the European election, but we should not underestimate what is needed here. It also states that Parliament stands ready to offer assistance to forge a broader, more informed consensus. I believe this really should be worded 'to forge a better-informed consensus'.

Daniel Hannan (NI). – Mr President, the most dangerous phrase in contemporary politics is 'something must be done'. Politicians have an unreasonable and disproportionate fear of appearing inactive and what that 'something' is, is secondary, as we have seen during the financial crisis. It does not matter what the 'something' is – GBP 500 billion in Britain, EUR 500 billion in Europe, USD 850 billion in the US – alright, that is 'something', let us do it. Never mind what its practical consequences are.

The truth is that you cannot legislate against recessions, any more than you can legislate to order the course of the sun or the moon. What we are seeing now is an inexorable correction to the years of easy credit created by these same governments which kept interest rates too low for too long. That was a political decision and not a market one, and the air that was puffed into the balloon is now rushing out. The only practical change being made by the nationalisation of our banks and by these huge bail-outs is that, instead of cutting taxes to help people through the tough times, we are loading an enormous new additional burden on them. Our taxpayers will pay a heavy price for our conceit.

Eija-Riitta Korhola (PPE-DE). – Mr President, concerning Amendment 9, which my group voted against, it was crucial for the PPE-DE Group that the democratic process should be completed without any short cuts that create a democratic deficit, especially now that, in the case of emission trading, the parliamentary process cannot be described in a flattering manner. We have seen misleading tricks, manipulation and, finally, the rapporteur ignoring the political will of her own group.

This has become even more relevant given the deadlock in the Council last week. The PPE-DE Group has offered a solution to the problem of damaging industry whilst advancing the climate change mitigation. Therefore, not only EU industry but also the trade unions are supporting our benchmarking proposal to replace the costly auctioning system. We are all united in the attempt to reduce harmful emissions. There is no doubt about that.

The question is how to do it. Our first concern must be our planet, but I contend that the measures needed to stop climate change will not be helped by the economic decline of the leading climate-friendly economies leading to unemployment in the EU.

Peter Skinner (PSE). – Mr President, the EPLP welcomes the content of this joint resolution and motion regarding the financial climate and the broader economy. As to what we might do next, it is true that Parliament has set out a series of demands – which have been a kind of a wish list, to some degree – and also concrete proposals about what needs to be done. At times we have gone further than the Commission. Indeed, at times – maybe for national reasons or for political interests – we have seen Parliament both water down text and propose good text.

But those calls are quite relevant today and are germane to the condition that we are in. Supervisory structures need, more than ever, to be strengthened, but at the global level, not just at a European level. We have to look outside the European Union. For that, we also need to consider what is happening in terms of development aid around the world. We need to deepen our reserves in terms of dealing with development issues, not walk away from them, and it is hoped that, by doing this, we will reach the kinds of economic equilibrium that is needed around the world. It is our role to draw attention to these issues. It is also our role to do something more about this, and I will submit more on this issue in writing.

Ivo Strejček (PPE-DE). – Mr President, I should like to summarise the reasons why I voted against the resolution. First, strengthening the state's role is the wrong answer in looking for a way out from the financial turmoil. Second, higher regulation and the creation of a new pan-European supervisory authority without clarification of competences are not a remedy to the crisis. Third, having been rejected by the people of Ireland, the Lisbon Treaty cannot enter into force. That is why the European Council should respect the outcome of the Irish referendum. Fourth, the European Council is not willing to go back on its own unrealistic and extremely expensive targets concerning climate change. This will ultimately harm the living standards of ordinary people.

Gay Mitchell (PPE-DE). – Mr President, let me begin by saying that it is correct to say that the Lisbon Treaty cannot enter into force until all 27 Member States approve it, but that does not mean that Europe cannot move ahead, and I, for one, do not want to see Europe moving ahead without Ireland. As the Director of Elections for Fine Gael in the recent referendum campaign, I want to make it absolutely clear that the Irish position is, and should be, that we want to be at the centre of Europe. We no longer want to be an island behind an island, dominated by British interests. We respect Britain for having its interests – it is entitled to have them. Our interests lie elsewhere and I do not want any British Member of Parliament standing up here and speaking for my constituents or for Irish interests.

I wish to say that the Fine Gael MEPs in the PPE-DE Group support the general thrust of the report on the European Council meeting, but do not accept that Parliament should consider 'that it is possible to meet the concerns that have been expressed by the Irish people in order to secure a solution acceptable to all before the European elections', as this is a matter for the Irish people to consider, at their discretion and timing. That is the point we need to put on the record.

Zuzana Roithová (PPE-DE). – (CS) I am not very pleased with the content of our joint resolution, nor am I very pleased with the performance of Council President Sarkozy. Despite this, I consider an agreement or at least the ability to agree on some sort of joint approach as a highly important step, since the worst message we could communicate to the people of Europe would be that we are incapable of agreeing on anything. Nevertheless, I would also like to call for a bit of common sense. There are three factors here. One is the financial crisis, of course, the second is the recession and the third applies in essence to the influence of globalisation on our internal market. I have been talking about this for many, many months and even for a number of years. We seem unable to halt the rate of growth in the demands that are made on European industry and we are not even capable of discussing this growth at a WTO level. This incompatibility is a major problem for us.

- Recommendation: Harlem Désir (A6-0373/2008)

Hubert Pirker (PPE-DE). – (DE) Mr President, as we all know, temporary agency work in the European Union is undergoing an enormous increase. This is a good thing on the one hand, as it creates many jobs, but the widely varying national rules have meant that, as a rule, the effects to date have tended to be negative, especially on workers, as it leads to wage dumping as a result of low wages, and thus also to the displacement

of local workers. Ultimately, it also leads to distortions of competition, particularly for small and medium-sized enterprises, and has advantages for those taking on as many temporary workers as possible on the cheap.

Therefore, our aim with the directives must be to regulate temporary agency work for the European Union as a whole, and particularly to stipulate that temporary workers be treated as equal to the employees of the user undertakings in terms of working and employment conditions. This would be in the interests of Europe as a business location, and particularly of workers, and would prevent distortion of competition for undertakings.

Ewa Tomaszewska (UEN). – (PL) Mr President, any amendment to this directive, no matter how relevant, would mean significantly protracting the legislative process, and leave temporary workers without legal protection for a considerable period more. This is a directive which is many years overdue. It is also an expression of the agreements between the social partners. That was why I voted to reject any amendments.

- Report: Roberta Angelilli (A6-0404/2008)

Neena Gill (PSE). – Mr President, I voted for this report because the safety of children who are online is a real concern for me. It is also an issue that is raised by many of my West Midlands constituents. I know that many parents and teachers are increasingly anxious about children accessing material which is inappropriate and potentially dangerous.

The growth of the internet into a powerful worldwide medium has increased the dangers to youngsters throughout the world. Recent research in the UK has revealed that as many as 1 in 10 children who use computer chatrooms have been approached over the internet by paedophiles. In acknowledging that the internet offers a world of entertainment, opportunity and knowledge to children, we must, however, also put in place measures to keep them safe on the internet. I believe it is our responsibility to protect children from harmful material and some of those who conduct online lines.

The European Parliament has a vital role to play in reducing the availability of inappropriate and illegal materials and increasing public awareness of online dangers. I therefore welcome this report and EU efforts to safeguard our children. Children should be able to benefit from all the opportunities this technology offers without fear of those who would cause them harm.

Hubert Pirker (PPE-DE). – (DE) Mr President, in itself, the Internet is a very positive invention, but it is increasingly being used by criminals, and this has led to an exponential increase in one of the most abominable crimes of all, the trade in child pornography.

If you imagine that last year alone saw a 16% increase in dealing in such material via the Internet – and add to this the fact that over 20 000 children are abused for this purpose, to produce these pictures, in a single year – you have an idea of the dimensions. Our aims must be as follows: zero tolerance in cases of child abuse, tough penalties for the culprits, and maximum protection for children using the Internet.

I welcome the package of measures supported by the European Parliament, which ranges from hotlines to the installation of blocking systems and education to police reinforcement and traceability of financial movements.

This European Parliament report is very important as it sends a very strong signal concerning the protection of the weakest members of our society, our children.

Zita Pleštinová (PPE-DE). – (SK) The internet is a great help but, at the same time, a great danger, especially for children. Children are much more computer-savvy than their parents and therefore adults are often unaware of the huge number of snares which children in particular may encounter in several hours of surfing the internet. I welcome this report and I have voted in favour of it.

I believe that the safe internet programme will help to eliminate the enormous generation gap which exists in respect of internet awareness. We need an information campaign aimed at parents and teachers. I support the establishment of contact points in the individual EU countries, where it will be possible to report illegal activities relating to internet safety.

Matti Juhani Saari in Finland placed on the internet, including the YouTube website, videos which showed him shooting a pistol on a firing range. Ten young people were later murdered by this gun-toting lunatic in a school in the Finnish town of Kauhajoki. Ladies and gentlemen, I believe that through this programme, we

will manage to reduce risk levels and to ensure that young people will not have access to such videos on the internet.

Jan Březina (PPE-DE). – (CS) I have supported the Angelilli report because I believe that it will help in the fight against child abuse on the internet. I would like the emphasis to be placed on improving the instruments that are available to police forces. In specific terms, this involves the creation of a European database on child pornography combined with the announcement of the crisis lines which should be available to police forces. This will be a very useful instrument for cases involving the purchase of images through peer-to-peer group communications, as it will allow verification of whether or not a given image has already appeared on the internet and whether investigations have already been carried out in respect of that image, thereby avoiding unnecessary duplications of investigative efforts. One effective measure would also be to monitor traces of payments made on websites containing child pornography, while fully complying with rules on the protection of privacy and banking secrecy.

Experience to date shows that the safety of children on the internet can only be ensured on the basis of a multi-layered approach which includes the involvement of children, families, schools, all telecommunications operators, internet service providers and government bodies. There is a need to raise levels of awareness and prevention which, from a technical standpoint, would assist and facilitate the reporting of cases and would improve the chances of their being investigated by police forces. I firmly believe that the programme on internet safety can contribute towards this.

Zuzana Roithová (PPE-DE). – (CS) Allow me to add to Monday's debate on protecting children using the Internet and other communication technologies. I backed the report, of course, and I warmly welcome it. Nevertheless, in the programme which we approved, there is no emphasis on the standardisation of terminology in relation to dangerous content. The Member States also vary in their views as to what is merely not permitted and what has already been criminalised. This obviously hampers the fight against internet crime, which does not recognise the borders either of states or of continents. For the sake of our children, harmonisation in this area should be our priority, whether we like it or not.

Koenraad Dillen (NI). – (NL) Mr President, I emphatically voted in favour of this report. It is to be welcomed that Europe wishes to do something to safeguard children from the many dangers which the Internet poses these days. Young people become familiar with the Internet from a very young age, but are also, of course, faced with its dangers.

It is estimated that 9 out of 10 children between the ages of 8 and 16 come into contact with pornographic material on the Internet. Online traders in porn are becoming ever more reckless. Quite apart from the risk of Internet paedophiles and porn traders, there are also online casinos with their aggressive marketing techniques. Particularly young children are not always aware of the dangers involved.

It is therefore up to the parents, schools and teachers, but also politicians, to protect children from all this. They need to both monitor and raise awareness, especially among the youngest members of society, because they are the most impressionable and vulnerable.

Marusya Ivanova Lyubcheva (PSE). – (BG) Thank you, Mr President. I voted for the report because I believe it to be exceptionally important. Resolving the wide variety of problems that arise when children use communications technologies in a single document is difficult. This programme is necessary on organisational grounds, however. When debating the impact of the new technologies, we tend to speak of the social, educational, cultural and other benefits and only become aware of the negative effects too late in the day. The existing mechanisms for restricting products which have a negative influence are very important in minimising the risk, but we need to have preventive programmes running alongside these. The point, now that we have a common European Programme, is for each Member State to have its own national programme in this regard. We need to increase society's awareness of the problem, and teach children to use ICT intelligently. Another thing we need to address is the danger of "computer dependence". Integrated efforts are needed, and that is another role that national governments have to play.

- Report: Françoise Grossetête (A6-0346/2008)

Milan Gaľa (PPE-DE). – (SK) Mr President, I would like to thank you for giving me the floor and I would also like to thank Mrs Grossetête for the report on the proposed directive, which deals with variations to the terms of marketing authorisations for medicinal products. I supported it in the vote. It represents progress in the harmonisation of laws and in consumer protection, reducing bureaucracy, increasing flexibility and

bringing benefits in terms of the safety and awareness of patients. At the same time, it simplifies operations and reduces costs for medium-sized pharmaceutical firms.

I appreciate the clear stand taken by Commissioner Verheugen over counterfeit drugs, low-quality generic drugs that often have no more effect than a placebo and illicit drugs and vaccines, which find their way to European citizens via the black market. Such activities are criminal. In the near future, the Commission will draw up measures to strengthen existing laws in this area so that none of these drugs may be distributed. It will also introduce sanctions against persons operating in this area. The Commissioner has also ensured that effective drugs must be produced on the basis of recognised European standards and manufacturing processes.

Zuzana Roithová (PPE-DE). – (CS) I must respond to today's debate, in which I stated, naturally, that I warmly welcome this report. A requirement was included, however, for all drugs containing the same active ingredient to bear the same company name, in order to avoid patients becoming confused and taking excessively high doses. This may sound sensible to non-specialists, but drugs are constantly being innovated and, moreover, drugs which share the same or similar active ingredients may differ in a range of other constituents. To reproach the Commission for not ordering a standardisation of company names would be absurd, suggesting a failure to understand how the system works, regardless of what powers the European Union may have in general.

- Report: Toine Manders (A6-0195/2008)

Neena Gill (PSE). – Mr President, I am really pleased that the gaps in the 1994 Timeshare Directive are finally being addressed by this Parliament so that consumers can look forward to better protection for their investments. It will also, in the long run, protect up to 40 000 European jobs. I have taken a particular interest in this report as it covers an issue that directly affects many of my constituents. We have more timeshare owners in the UK than any other European country. Therefore, this will reassure many of them that Europe is acting to protect them from scam traders. The UK timeshare industry is worth approximately EUR 157 million per year, and this directive constitutes an important move forward in eliminating unscrupulous agents who cause problems for consumers and bring legitimate operators into disrepute. These new simplified rules will ensure that consumers are equally well protected across the EU, while creating a level playing field in the market for timeshare and other popular holiday-related products.

Zuzana Roithová (PPE-DE). – (CS) I am delighted that, despite the spectre of politics, agreement has been reached on the harmonisation of legislation protecting all Europeans who are planning a holiday abroad and who wish to rent accommodation abroad without risk. The revision of the timeshare directive excludes the registration of unreliable service providers and thereby increases the chances that people will not fall victim to fraud as is all too often the case today.

Consumers will also have a fourteen day time period in which to withdraw from contracts without having to make any down payments in advance and they will even get contracts in a language they can understand, which is good news for Czech citizens as well.

Gary Titley (PSE). – Mr President, I share in the delight of my friend and colleague, Ms Gill, that we are closing loopholes in this directive.

Timeshare is a big industry, but it also can be a big scam. For example, I have been dealing with a company called the European Timeshare Owners Organisation, which operates in Spain – but conveniently from an address in Gibraltar – and constituents have told me that they were approached by this company which offered to resell their timeshare. When they went to Spain at great expense, they found there was nobody to buy their timeshare, but this company wanting to sell them other timeshares.

I have been trying to get in touch with this company for several weeks and only finally this week managed to do so, because, miraculously, the phone numbers they give do not have people at the other end to answer – and they do not seem to respond to letters either.

I hope that we will start now to crack down on organisations like the European Timeshare Owners Organisation, because they give timeshare a bad name and, frankly, they damage the image of the Spanish holiday industry, which I know you care so much about.

- Report: Jan Andersson (A6-0370/2008)

Zuzana Roithová (PPE-DE). – (CS) I was unable to vote for the Andersson report. I do not like the fact that those who were not satisfied with the judgement from the Court of Justice are today attempting through

this report to undermine the verdict of the court in the case of Laval in Sweden. The free movement of services is one of the benefits of the European Union and Member States must pay rather more attention to ensuring that both employees and entrepreneurs are better informed concerning the principles of the posted workers directive as it exists today. That is the right way to confront illegal employment and also dumping on the EU labour market, and not by undermining jurisdictions. In democratic societies, rights must be clamoured for unstintingly and not undermined.

Marian Harkin (ALDE). – Mr President, the first part of Amendment 24 acknowledges that social dumping was a contributory factor in the Irish ‘no’ to Lisbon. I agree with that and also with the phrase that asks the Council to take action to ensure equal pay for equal work. The amendment calls for all Member States to respect the result of the referendum in Ireland. That goes without saying, apart from which this is a legal imperative on all Member States anyway.

However, juxtaposed with all of that is a demand that we must embark on a profound revision of the existing Treaties in order to open the road towards a social Europe. Talk about using a sledgehammer to crack a nut! A ‘profound revision of the existing Treaties’ sounds like tearing up the rule book to me. We already have very positive legislation on anti-discrimination and we are currently improving that legislation. We have reached a common position on the Temporary Agency Workers Directive. This will underpin the rights of workers and shows that the social heart of Europe is still beating.

Amendment 16 calls on Member States to challenge the judgments of the European Court of Justice. That is not the way to do business. We do need to examine the Posting of Workers Directive and ensure its correct transposition in all Member States and, if it needs to be changed, then we must do so, but a profound revision of the Treaties is not necessary.

Mairead McGuinness (PPE-DE). – Mr President, on the vote, I would like to say that the Fine Gael Members, of whom I am one, voted in favour of the Andersson report because it addresses the important issues raised in the Court of Justice judgments in the Viking, Laval and Rüffert cases, enshrining the fundamental principle of equal treatment and equal pay for equal work.

The report is very clear in stating that the legislation is not sufficient and we need to provide better balance between the rights of workers and the freedom to provide services, but the answer is not a profound revision of existing EU Treaties, as was called for in Amendment 24. The answer is to improve the legislation, which is why we voted against Amendment 24 and Amendment 16, which was both unhelpful and unnecessary because it does not deal with the legislative imperative.

Philip Claeys (NI). – (NL) Mr President, I voted against the Andersson report, not only because the text pertains to labour law – which falls within the remit of the Member States – but also because it makes reference to the Charter of Fundamental Rights and the Treaty of Lisbon again and again.

It is, of course, not the first report to commit this crime, but it shows a deep contempt for the Irish voters who have nullified the Treaty and, in fact, for all voters in Europe who have not had the opportunity to express their views about the Treaty of Lisbon in a democratic way.

Time and time again, it is promised that Europe will take the will of the people into consideration, that something will be done to remove the democratic deficit and, time and time again, it transpires here in Parliament that Europe fails to deliver. The European Union has a problem of credibility that is at least as big as the problem of the democratic deficit.

Ewa Tomaszewska (UEN). – (PL) Mr President, I worked with Mr Andersson as shadow rapporteur for the Union for Europe of the Nations Group, fully aware of the importance of the issues covered by the report for my own trade union, Solidarity, and other trade unions, as well as for my political group, which is sensitive to social issues. I have in my hand the letter from Janusz Śniadek, the head of the Solidarity Trade Union, on this.

The report focuses attention on the need to respect trade union rights and the importance of dialogue between the social partners, the results of such dialogue, in particular collective agreements, and respecting the principle of ‘equal work for equal pay’. That is why I voted in favour of this report, even though, as some colleagues said earlier in this House, the references to the Lisbon Treaty are, at the moment, unjustified.

Katrin Saks (PSE). – (ET) I would like to explain why I did not vote in favour of Mr Andersson’s report.

Although this report is now much more balanced than the original version, I and many of the members of my group from Eastern Europe have abstained. Of course we support the principle of equal treatment, but we perceived the danger that this slogan would be used to attempt to prevent the implementation of one of the fundamental freedoms of the European Union – the free movement of labour. This is especially important for Eastern Europe: our labour wants to obtain access to the Western European labour market, even if temporarily, in order to earn more, but I think that this is also important for the economic development of the European Union as a whole.

It is my opinion that instead of changing the regulation at the European Union level, as has been requested, more attention should be devoted to the implementation of the directive and to regulations in Member States.

Written explanations of vote

- Proposal for a decision: Approval of the nomination of Baroness Catherine Ashton as a member of the European Commission (B6-0575/2008)

Jean-Pierre Audy (PPE-DE), in writing. – (FR) I voted in favour of the legislative resolution approving, subject to amendments, the proposal for a Council regulation amending the regulation of 2003 as regards jurisdiction and introducing rules concerning applicable law in matrimonial matters, based on the report by my German fellow Member, Mrs Gebhardt. In view of the heightened mobility of citizens within the European Union which has led to an increased number of 'international' couples, in other words couples where the spouses are of different nationalities or reside in different Member States or in a Member State of which at least one spouse is not a national, and owing to the high divorce rate in the European Union, it was essential to regulate the applicable law and jurisdiction in matrimonial matters which affects a growing number of citizens each year. We should constantly point out that the treaties lay down the progressive establishment of a common area of freedom, security and justice, with measures seeking to promote *'the compatibility of the rules applicable in the Member States concerning the conflict of laws and of jurisdiction'*.

David Martin (PSE), in writing. – I support Catherine Ashton as the new Trade Commissioner. I am very pleased that we have finally got a female Trade Commissioner and the first female British Commissioner. I believe that she will be a very receptive and open Commissioner who will work closely with Parliament.

- Motion for a resolution: European Council (B6-0543/2008)

Colm Burke, Avril Doyle, Jim Higgins and Mairead McGuinness (PPE-DE), in writing. – We wish to say that the Fine Gael MEPs in the PPE-DE Group support the general thrust of the report on the European Council meeting, but do not accept that Parliament should consider 'that it is possible to meet the concerns that have been expressed by the Irish people in order to secure a solution acceptable to all before the European elections', as this is a matter for the Irish people at their discretion and timing to consider.

Philip Bushill-Matthews (PPE-DE), in writing. – I and my British Conservative colleagues support the elements of this resolution dealing with co-operation between countries on the current financial crisis, and the expression of support for SMEs in this context. We also support the EU maintaining its commitments regarding climate change. We welcome the strong support for Georgia in this resolution, following the recent Russian intervention in that country.

However, as we oppose the Treaty of Lisbon strongly, we cannot support the text on this matter. Also, we oppose an EU Common Immigration policy.

For these reasons, we have abstained on the final vote.

Sylwester Chruszcz (NI), in writing. – (PL) Today I voted against the resolution of the Council of Europe meeting in Brussels, because I do not agree with the position of the majority of Members on at least two of the issues discussed at the EU Summit. In my opinion, the process of ratifying the Lisbon Treaty was definitively ended with the results of the Irish referendum. That means that any attempts to press on with the constitutional process in the European Union are futile. I also disagree with the position held by the majority on energy and climate change. I would like to point out that forced solutions are a threat to industries and consumers in many countries, including Poland.

Avril Doyle (PPE-DE), in writing. – I and all my colleagues in the Irish political party to which we belong, Fine Gael, voted for and want, as soon as possible, a clear, unambiguous ratification of the Lisbon Treaty by

the Irish Government. However, we treat the Irish electorate as lemmings at our peril. Clear blue political water is needed between the outcome of the vote of 12 June and any decision on a second attempt at ratification.

We will get to that point quicker, with an increased chance of success, without any perceived diktats from colleagues on the timing of our ratification process, viz. 'before the European election', as in paragraph 20, against which I voted today.

Edite Estrela (PSE), *in writing*. – (PT) I voted in favour of the joint motion for a resolution on the conclusions of the European Council (15 and 16 October 2008) because I agree with the decision to intervene in the financial markets. This was understandable due to the urgent need to respond to the fears of European citizens and to provide the market with liquidity and certainty, with all the corresponding benefits for families and SMEs.

However, it must not be forgotten that this resolution also advocates adopting fundamental measures aimed at restructuring the international financial system, particularly by strengthening cooperation and coordination among regulators at Community level and providing the European Union with a fair and effective system of supervision. More regulation of the financial market is essential, but we firstly need better regulation. This resolution is heading in that direction.

Patrick Gaubert (PPE-DE), *in writing*. – (FR) I am delighted by Parliament's support for the European Pact on Immigration and Asylum in the context of the vote on the resolution on the European Council of 15-16 October 2008, for which I voted in favour.

The Members have welcomed this initiative of the French Presidency of the EU which proposes a coherent and balanced approach to immigration and which reaffirms the responsible decision of the European Union to promote legal immigration and to seriously combat illegal immigration.

This success regarding the global framework for action has been consolidated by the efforts of the French Presidency with a view to the rapid adoption of the proposals for directives currently being negotiated, thereby translating these ambitious statements into tangible actions. In particular, there is the directive on the single procedure and common set of rights, the so-called 'blue card' directive on the conditions of entry for highly qualified nationals, and the directive on sanctions against employers of illegally residing nationals.

This pact forms an integral part of the path towards a true common immigration and asylum policy which upholds fundamental rights and human dignity, as defended by the European Parliament.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) With regard to Amendment 7, tabled by the Group of the Greens/European Free Alliance, we wish to point out that we want Member States to be able to pursue their own approach in the work on reforming the Bretton Woods institutions.

Since the documents concerning the compromise resolution and the amendments to this arrived late, we abstained from participating in the votes as from point 19; (however, none of these were roll-call votes).

Pedro Guerreiro (GUE/NGL), *in writing*. – (PT) The PPE/PSE/ALDE/UEN resolution reveals the limits and real objectives of the measures adopted to date by the EU.

By ignoring the real causes of the current financial crisis – which lie in the increasing accumulation and concentration of capital, in the financialisation of the economy, and in speculation and the free and easy movement of capital, and by reducing these to a 'lack of transparency' and 'deficient supervision' of financial markets, the majority of this House is seeking to square the circle. In other words, they want to rescue the system from a crisis which is intrinsic to it, by (momentarily) restoring 'confidence to the markets' and injecting public funds without any genuine safeguards, as is the case in Portugal where a truly 'blank cheque' has just been written for an amount equivalent to all the structural funds that the country can use in the current Community financial framework.

However, all these measures that Parliament so values are simply a way of avoiding acting on the fundamental elements, such as creating a strong, effective public bank in each country to serve its development needs, putting an end to 'tax havens', imposing conditions on the movement of capital and ending financial speculation, altering the EU's monetary policy and the Stability Pact, ending privatisation and the liberalisation of the economy, and so on.

Instead, the majority of this House wants to reaffirm its neoliberal agenda.

Ona Juknevičienė (ALDE), in writing. – The resolution on the European Council held on 15-16 October 2008 addresses a number of important issues, such as the impact of the global financial crisis on the economic exit strategy from the financial crisis, the improvement of regulations to strengthen the EU regulatory and supervisory framework, energy and climate change and energy security issues. However, I believe that we failed to comprehensively address energy security issues in the light of the latest commitments made by the Commission and the conclusions of the French Presidency. The European Commission has undertaken to elaborate the Baltic Interconnection Plan and to present it to the EU energy ministers in December. The Council considers it a priority to connect Lithuania, Latvia and Estonia to the wider European electricity grid and to diversify gas sources to reduce dependency on Russian gas. I proposed incorporating those suggestions into the resolution, but they were not taken on board during negotiations between political groups, and neither was my oral amendment. I believe that the European Parliament has failed to demonstrate solidarity with the Baltic States, which are already the most isolated energy islands in the Community and are at the mercy of Russia in terms of gas. For the reasons stated above, I abstained in the vote on the joint resolution.

Andreas Mölzer (NI), in writing. – (DE) The EU has taken Priština's side on Kosovo whilst insisting on Georgia's territorial integrity in the conflict in the Caucasus. Brussels must clarify once and for all whether it is for or against the right of peoples to self-determination. If the EU is serious about the lofty aims it is always upholding, it must stop applying double standards and, instead of always representing only the interests of the United States, should assume a neutral mediation role.

The financial crisis also calls the EU's understanding of itself into question, however. After all, in past decades, the Union has shown itself to be the tool of unbridled liberalism. It is not citizens but the merciless implementation of a neoliberal viewpoint that have been central. Now, not only must strict minimum standards apply throughout the EU in the field of financial market supervision, but also a solidarity contribution must be demanded from the beneficiaries of the international financial system. This could feed into a security fund, for example, to support banks in times of crisis.

Athanasios Pafilis (GUE/NGL), in writing. – (EL) While the centre right and centre left governments of its Member States refuse to satisfy even the smallest wage or other claims of workers on the grounds that the economy cannot support them, the European Council is insultingly funding the banks and monopolies to the tune of trillions of euros, again forcing workers to bear the cost of the crisis.

Faster capitalist restructurings, the dismantling of industrial relations, the demolition of social protection and insurance systems, productivity-based wages and unemployment are at the heart of the new storm signalled by the decisions taken at the EU Summit. This savage attack is complemented by the European agreement on immigration and asylum which raises inhumane barriers to immigrants in the EU while, at the same time, ensuring monopolies can meet their need for cheap manpower.

At the same time, Council decisions conceal the EU's hypocritical interest in the climate, given that the cost of energy is now to be based on the vagaries of the stock exchange, regardless of production costs, thereby increasing the profits of the monopolies at the expense of the environment.

There can be no solutions which benefit people within the framework of competitiveness and the deregulated action of capital, which the EU and the governments are strengthening even further with measures to provide state support for monopolies, while stepping up their anti-grassroots attack to get the capitalist system out of its crisis.

Luís Queiró (PPE-DE), in writing. – (PT) The European Council on 15 and 16 October was notable for its response to the financial crisis. Although other issues deserve attention and could be discussed, it is the financial crisis on which our attention is necessarily focused. Faced with the emergence of a financial crisis in which the lack of credit, in the truest etymological sense of the word, resulted in new problems and new threats day after day, the European response was effective in restoring the necessary confidence to the markets.

Regardless of what you might think about the origins of the crisis and the best possible responses, the facts confirm this interpretation. In this sense, the reaction of the European institutions should be welcomed. In analysing the European response, there is one fact which stands out. The decisive meetings to re-establish market confidence are not provided for in the current Treaties or in the Treaty of Lisbon. This proves that, as the union of States that it now is and hopefully will continue to be in the future, Europe needs institutional flexibility and, above all, strong and determined political leadership. That was what we had and that fact has clearly done more for bringing Europeans closer to the EU than any public relations strategy or institutional debate.

Catherine Stihler (PSE), *in writing*. – The rejection of Amendment 4 is a disappointment. The financial crisis should not mean that we abandon our international obligations to tackle climate change and fight poverty.

- Recommendation: Harlem Désir (A6-0373/2008)

Alessandro Battilocchio (PSE), *in writing*. – (IT) I welcome the report by Mr Désir of the Socialist Group in the European Parliament, which has enabled Parliament to adopt a directive that protects temporary workers by confirming their right to enjoy working conditions identical to those of full employees. Member States must now adopt the necessary legislative, regulatory and administrative provisions to comply with the directive within three years of its publication in the Official Journal of the European Union. The directive is also aimed at establishing a suitable framework for the use of temporary agency work with a view to contributing effectively to the creation of jobs and to the development of flexible forms of working, which I believe to be a particularly important solution in this time of crisis.

Richard Corbett (PSE), *in writing*. – I welcome the adoption of the Temporary Agency Workers Directive that will, finally, give equal treatment at work to some of our most vulnerable workers.

This directive has been a long time coming. It has been six years since the Commission first brought forward proposals for a temporary agency workers directive, during which time the number of temporary agency workers in the public and private sectors of the labour market has greatly increased. Temporary agency work contributes to a dynamic and flexible modern economy and can often be a bridge for the long-term unemployed to get back in the labour market. But agency workers should not be treated as second-class workers, and agencies should not be able to distort the labour market by undercutting the wages and conditions of other workers.

I am therefore delighted that Parliament, in accepting the compromise deal reached among European employment ministers in the Council of Ministers in June, has now ensured that this directive will enter into law. This is great news for the estimated 1.3 million British workers who will be protected by this legislation and serves as an excellent demonstration that our European common market is a social market that combines protection of workers' rights with flexible labour markets.

Proinsias De Rossa (PSE), *in writing*. – I warmly welcome today's European Parliament vote to approve the Temporary Agency Workers Directive which enacts the principle of equal pay for equal work, thus protecting the pay and conditions of both agency and full time permanent workers.

The Irish and UK governments have, for many years, stymied progress on European wide protection for temporary agency workers who have suffered discrimination in their working conditions and their right to belong to a trade union. Today's European Parliament vote for the final stage of a new directive is a major battle won in the fight against the race to the bottom. Agencies have been allowed to undercut the pay and conditions of full time permanent workers for far too long, to the detriment of all workers.

In order to expedite enactment of the legislation, this report adopts the common position of the Council without amendments. Indeed, the Council had returned the proposed directive to Parliament for second reading having adopted Parliament's first reading amendments. Tabling amendments at this stage of the process is simply the irresponsible mischief making of those who rather play party politics than win improved working and living conditions for our citizens.

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) We recognise that the adoption of the Council common position on temporary work and temporary employment agencies holds some importance for workers in the various EU countries where legislation is very fragile and where the biggest and most serious abuses occur in the use of this type of work.

It is therefore vital that equal treatment is recognised for workers placed by temporary employment agencies, even in terms of wages, in the user undertaking. It is also vital that this equality is recognised from day one and that any exceptions to this principle can only be agreed by the social partners, through collective bargaining or agreements concluded between the partners at national level.

However, it would have been preferable to avoid such exceptions, as we proposed. It would also have been useful to better clarify the concept of temporary work in order to limit its use solely to exceptional cases or, in other words, to very busy times and periods when the permanent worker is temporarily unable to work. We regret that the majority, including the PSE Group, rejected our proposals.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) Many of the amendments on which the European Parliament is adopting positions in this report have much to commend them. The amendments relate, however, to issues that should be dealt with at national level and not by the EU institutions. We have therefore voted against these amendments.

Małgorzata Handzlik (PPE-DE), *in writing*. – (PL) After six years of negotiations, the European Parliament has finally approved the directive on temporary agency workers. Today there are wide discrepancies between national legislation on temporary work in Member States. However, temporary work is playing a growing role in all countries of the European Union, and the labour market is developing dynamically. It is estimated that throughout the European Union, some three million people work as temporary workers for some 20 000 enterprises. For this reason, we need a more precise definition of the scope of this form of employment.

These regulations are particularly important for the workers themselves. Temporary workers will now have guarantees that when they are working for an employer, the conditions that employer will provide will be the same as the employer would give to temporary workers it employs directly. Furthermore, these conditions will have to be provided from the very first day of temporary employment.

Moreover, the temporary work agencies themselves benefit from the regulation of temporary workers. Temporary work also allows enterprises to manage their staff flexibly, particularly in seasonal situations, where an enterprise needs to increase its workforce to meet market demand.

Ona Juknevičienė (ALDE), *in writing*. – (LT) At present, there are great differences between national legal acts regulating temporary work. The vague coordination of the activities of temporary employment agencies creates conditions for the exploitation of temporary workers. In meetings with Lithuanians working abroad, I have heard on several occasions how they are paid less, are often not paid at all for work carried out, or have transport and living costs illegally deducted from their wages.

In addition, temporary workers face working conditions which are harder and often damaging to their health. At the same time, they are often required to work at a greater intensity and speed than other workers. People doing temporary work also lack real social guarantees. Temporary work is on the increase in all of the countries of the European Union, although this group of workers varies greatly from country to country. I agree with the general position of the European Parliament and the Council and believe that this directive will help to improve working conditions for the majority of people and will offer them social guarantees. Temporary employment agencies will be treated as employers and will have to ensure that employees receive all the rights they are entitled to.

General employment law will be applied to temporary workers. They will have to be paid the same wage as other workers and will be granted the same conditions of social security. On the Parliament's initiative, these rights will be valid from the first day of their employment. At the time of voting, I did not support the amendments submitted by the GUE Group, which aimed to make Member States ban or limit work opportunities through temporary employment agencies.

David Martin (PSE), *in writing*. – I support the Directive on temporary agency work. Britain's 1.3 million agency workers will now have rights on a par with those of their permanent colleagues. I am fully supportive of agency staff having the same rights in these areas such as sick leave, pension contribution, equal pay and access to vocational training.

Catherine Stihler (PSE), *in writing*. – I welcome the adoption of this report at second reading. The Member States must now act to put in place the improved protection which will be provided for those in temporary work.

Andrzej Jan Szejna (PSE), *in writing*. – (PL) Temporary employment agencies employ some three million people in the European Union. They are estimated to provide services valued at EUR 75 billion.

The draft directive on conditions for temporary agency workers aims to provide a minimum level of protection for temporary workers while, at the same time, supporting the temporary employment industry. It has become an example of social legislation at a time of widespread anticipation of a social Europe.

The main basis of this legislative act is non-discrimination against agency workers in terms of payment, social and employee rights and applicable legislation.

There will also be no discrimination as regards working time, overtime, holidays and protection for pregnant women.

One very important aspect of the directive is that temporary agency workers are now covered right from day one. Any derogations from this principle must always be discussed with the social partners.

There is no doubt that there are at present huge differences in working conditions and payment for temporary workers. These differences must be ironed out as quickly as possible.

On the grounds stated above, in the voting I have opted for the adoption of the regulations to protect such workers as soon as possible.

Georgios Toussas (GUE/NGL), in writing. – (EL) The directive passed by the European Parliament on the pretext of safeguarding the so-called 'equal rights' of workers allows slave-trading offices misleadingly called 'temporary employment agencies' to open and trade. The Member States are required to ban any obstacle to their incorporation and business and to safeguard their right to a fee for their 'services', in other words, the ransom for their slave trade.

In reality, it releases the real employer from any obligation towards workers who are considered to be employees of the phantom slave-trading company, which only employs staff on paper. Thus, employers need no longer honour the obligations imposed on them under labour and insurance legislation (such as insurance contributions) and are absolved of any liability, such as compensation for accidents at work.

In fact, the directive does not safeguard rights for the workers/victims of the slave traders; on the contrary, they are stripped of any rights.

The alleged protection of workers' rights proves to be protection for the slave-trading companies, legitimisation of the unaccountability of capital and savage exploitation of the working class.

The satisfaction of modern grassroots needs and rights presupposes the overturning of the EU's anti-grassroots policy and a counterattack by workers which will lay down the terms of the grassroots alliance so that they can claim their grassroots power.

Geoffrey Van Orden (PPE-DE), in writing. – The EU's Temporary Agency Work Directive adds to the mass of EU and British Government legislation making the life of employers and businessmen more complex, expensive, restrictive, less flexible and generally more problematic. In an age of global competition, it is even more important that the UK and other European countries should retain whatever competitive advantages they may have in their economies. Employment regulation should therefore be a matter for national authorities, not the EU. The directive aims to establish a common legal framework across Europe to regulate the pay and working conditions of temporary workers supplied by agencies. This would have a significant negative impact on the UK labour market, with its estimated 1.4 million temporary workers. It will also encourage migrant workers who may benefit from the directive. As we enter a period of recession, it is even more important that flexible employment opportunities are increased for our own citizens and that small businesses, in particular, are helped and not burdened.

- Report: Roberta Angelilli (A6-0404/2008)

John Attard-Montalto (PSE), in writing. – I would like to express my support for the Commission and Council proposal regarding the use of the Internet and communication. Whilst, on the one hand, online technologies such as mobile phones offer a number of opportunities, risks to children and abuse of these technologies continue to exist. Among the risks faced by children is the risk of being exposed to child-abuse material or being contacted by people who will befriend them in order to commit sexual abuse (grooming), or becoming victims of bullying in the online environment (cyber bullying).

Given that the challenges in this area have been further aggravated by the emergence of new technologies and services, the proposed new programme by the Commission to better protect children from the new risks to which they are exposed is essential, and I agree to the proposed actions and measures in full.

I am well aware of the gravity and danger of offensive exposure to children, because my own daughter – who is barely an adolescent – has been a target. Most young adolescents are curious and think that having reached puberty they are now grown up. It is a very sensitive stage of their life and we have to do our utmost to provide some form of security and protection for their own good.

Alessandro Battilocchio (PSE), in writing. – (IT) I have voted in favour of the Commission's proposal on the Safer Internet programme which, from 1 January, for five years, thanks to EUR 55 million in funding, aims to protect children using the Internet and other communication technologies, such as mobile phones.

This commitment will support public awareness activities and the fight against illicit content and harmful behaviour, in order to promote a safer environment. My compliments to the rapporteur, Mrs Angelilli, for the care with which serious topics such as child pornography and online grooming have been handled, and for the various proposals for safeguarding against the potential danger to 'little surfers'.

The fact is that as new technologies spread and computer literacy grows, children are more and more exposed to the dangers of illegal content and harmful behaviour. For this reason, we are duty-bound to guarantee them safe access to the new media.

Charlotte Cederschiöld (PPE-DE), in writing. – (SV) Initiatives and measures to prevent children from being exposed to crime when using the Internet are extremely important and necessary. For that reason, we have voted in favour of Mrs Angelilli's report on establishing a multiannual Community programme on protecting children using the Internet and other communication technologies. We wish to emphasise, however, that a number of the measures proposed in the report would be better initiated and paid for by the Member States themselves. Other measures aimed at combating, for example, child pornography should, however, be devised through cooperation between the Member States because of the global character of the problem.

Derek Roland Clark, Nigel Farage and John Whittaker (IND/DEM), in writing. – We agree that children should be protected from sex predators, cyber bullying and other dangers on the internet. However, we have two objections to this legislation – firstly, the fact that it allows the EU to gain more control over the internet, and we feel the EU already has a near monopoly on media channels. Secondly, we do not feel that the shadowy Europol agency should be involved in any kind of law enforcement. We feel that the appropriate vehicles for child protection are national parliaments and national law enforcement agencies, who can devise appropriate internet child protection. This will have the democratic legitimacy only national level assemblies can confer and the operational effectiveness only national law enforcement can deliver.

Carlos Coelho (PPE-DE), in writing. – (PT) I welcome the establishment of a multiannual Community programme (2009-2013) which aims to increase public awareness as well as educate children about safer use of the Internet, particularly in terms of access to illegal content, grooming and cyber bullying.

According to the most recent statistics from Eurobarometer, nearly 74% of young people (between the ages of 12 and 15) use the Internet for at least three hours each day. The vast majority of these children acknowledged that they have already accidentally accessed pornographic images.

It is vital that we adopt, as quickly as possible, all the measures that seem necessary to protect our children from the growing dangers to which they are exposed on the increasing number of sites containing content harmful to children, particularly child pornography.

We have to halt the rise – around 16% in the last year – that has been recorded in cases of child abuse on the Internet, which is worsened by the worrying trend towards ever younger children being involved.

For this reason, I support the establishment of this programme and the provision of contact points and emergency telephone lines for reporting the existence of this kind of content and also the development of common 'child safe' labelling for web pages.

Petru Filip (PPE-DE), in writing. – (RO) The report on the need for the European Parliament and the Council to draft a decision in favour of establishing a Community programme for protecting children against the torrent of websites depicting pornography and violence and other communication technologies is more than welcome, although too much has been expected of it.

Have we really needed to wait to see children killing children or children assaulting children for us to take this sort of decision? It was difficult to imagine this kind of reality in European society a few years ago. All this has happened because globalisation, which also means communicating across borders, has created a situation where information has become a commodity which has the single, clear aim of achieving a profit at any price and ratings, instead of being a vehicle for truth, education and beauty.

This is why the report needs to be taken completely seriously by the Council and Commission as we do not want to reach a situation where our own children are leading the society of the future towards crime, violence and pornography. I voted in favour of this report in the hope that it will be able to trigger the process for drafting a directive which will block children having access to information with inappropriate content, while respecting citizens' right to information.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) There are now hundreds of simple, accessible and inexpensive computer programs that efficiently prevent children stumbling on unsuitable Internet sites. Moreover, most standard Web readers have various 'child functions' installed – something that makes it simple for parents to monitor the sites their children may visit. The rapporteur is very unclear in the way she proposes that the entire EUR 55 million of European taxpayers money should be appropriated to an EU propaganda programme which, in our view, would be unnecessary, expensive and ineffective.

Małgorzata Handzlik (PPE-DE), *in writing*. – (PL) The ability to use computers and internet access is growing with the spread of the new technologies. One of the largest groups of internet users is children and adolescents. Although the internet gives access to information, it unfortunately also has many dangers. Children and young people are one of the most widely affected groups. Studies carried out indicate that almost all children have come across pornographic images. What is very worrying is the downward trend in the age of children who are victims of this procedure.

In my opinion, combating this phenomenon must be made a priority. It means taking a multi-level approach involving parents, schools, telecoms operators, ISPs, NGOs and self-regulating bodies. In particular, there is a need for an increased level of awareness avoidance of harmful practices, an effective system for reporting abuse and improving the resources of the police and investigating authorities. I also believe that a wide-reaching educational campaign would increase the awareness among children of the risks of using the new technologies.

That is why I am pleased to vote in favour of providing funding totalling EUR 55 million for 2009-2013 for the Safe Internet Programme, which was part of the proposal that was put to the vote. I believe that these resources will allow the programme to achieve its aims.

Ona Juknevičienė (ALDE), *in writing*. – (LT) With the rapid expansion of new technologies and the growth of computer literacy, more and more children and young people are using the internet. Minors are often exposed to websites on the internet, which encourage harmful conduct, child pornography, foster underage prostitution, advertise diets causing anorexia or incite suicide. According to Interpol data, the number of new images of child pornography on the internet grows every year. We must solve the problem of child safety on the internet at all levels, involving children, their families, schools and the whole of society. We must inform children of the dangers they face, which arise with the use of new technologies. We have to help children to recognise instances of possible child abuse, harassment, violence or other risks, the forms these take and teach children how to protect themselves. The European Commission's new Safer Internet Programme proposes allocating EUR 55 million to the fight against conduct on the internet which is harmful to children and young people. It aims to create a safe internet environment and foster means for crime prevention. It contains plans for the creation of a shared database and the exchange of good practice at an international level.

Roger Knapman and Thomas Wise (NI), *in writing*. – Abuse and exploitation of children, via the internet, mobile phones and other technologies, is abhorrent and unacceptable, but measures to protect them – and to punish those who harm or seek to harm them – need to be taken at national level and between national governments on a co-operative basis. As always, we believe that action at EU level is not the answer.

Eija-Riitta Korhola (PPE-DE), *in writing*. – (FI) I voted in favour of Mrs Angelilli's report because one of the most fundamental and durable structures in the European values base is our duty to protect innocent souls, that is to say, children. Children's rights and their protection are at the heart of human values. The internet poses numerous threats, which children need to be shielded against more effectively than is the case now. Measures at Community level are justified in this area. We still need to remind one another of the 'millstone' and the 'deepness of the sea'.

We also have to be aware of our own responsibilities as parents. I supported all the amendments that stressed the importance of information and education for parents, teachers and any other people who have dealings with children. It is very important to enlighten parents in this way and thus promote the use of responsible communication technologies.

Furthermore, Amendment 23, which also deals with the problems of 'grooming' and electronic harassment, and various forms of violent content, is important. The proposals in Amendment 26 to introduce different technical tools and firm up the responsibility that service providers have are only right and proper.

Carl Lang and Fernand Le Rachinel (NI), *in writing*. – (FR) According to the Internet Watch Foundation, an English organisation which fights the possession and dissemination of child pornography images, the

online sexual exploitation of children for commercial purposes is a growing sector which is low-risk and highly profitable. Indeed, the sale of these images on the Internet constitutes a vile trade worth billions of euros.

We endorse the approach of the Commission and our fellow Member in wanting to put a stop to this kind of activity, in particular, by establishing a blocking mechanism for credit card or electronic payments when child pornography images are bought on the Internet.

Unfortunately, there is currently a serious technical limitation to all the national and European protection mechanisms being developed. In fact, most commercial servers offering these images are not located in Europe, but in the United States, Russia and Asia. Therefore, their illegal content can easily be uploaded in one country and viewed in another. It is therefore understandable that effective means to counter the development of Internet paedophilia, while necessary, are problematical.

Kartika Tamara Liotard (GUE/NGL), in writing. – We welcome the report aimed at creating a safer online environment for children. It is our responsibility to protect our children from dangerous material containing child pornography and violence. However, the report should not be used as a pretext for the harmonisation of criminal law in the EU. First and foremost, we need better co-ordination between national legal systems.

David Martin (PSE), in writing. – I fully support the need for the EUR 55 million budget to ensure that children, many of whom spend at least three hours a day on the internet, are better protected from unsafe user content. I support the need to better inform parents and carers through information packs about the dangers of the internet.

Andreas Mölzer (NI), in writing. – (DE) The Internet is not monitored, yet children and young people are rarely aware of the dangers lying in wait for them there. The fact that, according to a British study, three quarters of children have now stumbled on pornographic or violent photographs on the Web, is alarming. We must protect our young people against this, and also against expensive Internet rackets such as 'cyber bullying' and 'cyber-grooming'.

The latter is particularly important to ensuring that the Internet ceases to be a paradise for criminal paedophiles by virtue of its anonymity. We shall only succeed in this by means of a combination of various measures, which should also cover Internet cafés. In my opinion, this report takes us a step in the right direction, albeit not far enough, and so I voted in favour of it.

Luís Queiró (PPE-DE), in writing. – (PT) Children's safety in relation to online communications systems is fundamental given that, as new technologies become more widespread and computer literacy increases, children are increasingly being exposed to the risks of illegal content and harmful behaviour such as harassment, child pornography, online grooming with a view to sexual abuse, cyber bullying, and incitement to self-harm, anorexia and suicide.

The measures to be taken must involve children, families and schools, together with all other stakeholders. A joint effort is required, aimed at increasing knowledge and prevention, in order to make children aware. A major computer literacy campaign will therefore need to be carried out among parents and school teachers in order to narrow the technological generation gap. Measures involving information, development of new technological tools and exchange of good practice must be promoted.

These proposals are equally valid for Portugal, where the government is providing the Magalhães computer to children from 6 years of age. I wonder whether all the concerns expressed in this report will be taken into account in the actions of the Portuguese Government.

Frédérique Ries (ALDE), in writing. – (FR) The Internet is an integral part of our children's everyday lives. As they get older, they use the Internet more. From the age of 11, youngsters surf the Internet daily, and by the age of 15, they go online and interact on the web several times a day.

Nevertheless, use of this formidable tool, which is a gateway to knowledge and a springboard to the learning society, is not without risk.

Countless children are thus unwittingly exposed to harmful images or content, such as commercial scams, harassment, pornography and incitement to racism and suicide.

These abuses result in particular from a lack of adequate international regulation and cooperation.

The European Safer Internet Programme, with a budget of EUR 55 million, aims to raise awareness of the dangers of the Internet, not just among children but also among their parents and teachers. It also seeks to promote the development of filtering systems and to encourage the labelling of Internet sites deemed safe for children.

I therefore naturally voted in favour of the report by the Italian Member, Roberta Angelilli, which advocates the use of the Internet in a secure environment, ensuring the full protection of children's physical and moral integrity.

Luca Romagnoli (NI), *in writing*. – (IT) Mr President, ladies and gentlemen, I am in favour of Mrs Angelilli's report on protecting children using the Internet and other communication technologies. With the massive expansion of new technologies, which are gradually becoming more accessible, children are ever more exposed to risks of illegal content such as harassment, child pornography, bullying, incitement to anorexia, and so on. Common measures are therefore needed to prevent and to combat such abuse. I firmly support this report because it brings an issue to the fore that is often undervalued by the Community institutions. Finally, I applaud the proposal to make a European child pornography images database with a real-time link to hotline reports available to the police, so that they have the best possible tools at their disposal to combat such aberrant behaviour.

- Report: Dan Jørgensen (A6-0291/2008)

Liam Aylward (UEN), *in writing*. – This directive proposes new measures to promote carbon conscious driving. With a commitment to reducing 18% of emissions in Greenhouse gases, Ireland faces an enormous challenge. With regard to transport, we need to focus on this sector for reduction and to raise awareness amongst the public.

This EU proposal sets out to develop a new methodology aimed at calculating costs of energy consumption and emissions of vehicles which will encourage people to purchase energy-efficient cars. Such methodology concerns all road transport except emergency, rescue and military vehicles.

We support the introduction of an integrated approach involving vehicle manufacturers, fuel suppliers, repairers, customers, drivers as well as authorities. The initiative to stimulate the market for more energy-efficient cars at competitive prices will provide Irish citizens with a means of cutting down on emissions as well as economic benefits. This is beneficial at all levels: private costs in addition to national costs. Less fuel consumption means less import of fuel required. It will encourage the development of energy-efficient vehicle technology globally, and this is an extremely positive step.

Carlos Coelho (PPE-DE), *in writing*. – (PT) Broad market introduction of technologies with better performance is often hampered by high initial cost and therefore insufficient customer demand. Action at Community level is therefore needed in order to encourage the investment needed for the manufacture of vehicles that are more energy-efficient and less polluting not least because, in the long term, the cost of this type of alternative will be lower.

I agree with the objective of this directive: to promote the market introduction of clean and energy-efficient vehicles and thereby contribute to energy efficiency in transport by reducing fuel consumption, to climate protection by reducing CO₂ emissions, and to improving air quality by reducing pollutant emissions.

The European Parliament must set an example by adopting sustainability criteria, particularly in public procurement.

I support the compromise reached on this report. It is more flexible and less bureaucratic than the initial proposal presented by the Commission and rapporteur. Above all, I agree with the compromise because it respects the subsidiarity principle and is less burdensome for local authorities.

Konstantinos Droutsas (GUE/NGL), *in writing*. – (EL) The promotion of 'clean and energy efficient road transport vehicles' is, from a technical point of view, an essential environmental protection measure, because emissions from conventional vehicles contribute to climate change and atmospheric pollution in town centres, with serious repercussions on public health.

Despite demonstrations by workers demanding action to tackle these serious problems, the automotive industry is refusing, within the framework of competition, to manufacture 'clean vehicles', unless greater profitability for it is guaranteed beforehand, demanding that research and development costs for clean vehicles be financed, together with their increased profits, by the public sector.

This is precisely what the proposed directive does, by requiring the operational cost of energy consumption, CO₂ emissions and pollutants throughout the lifetime of the vehicle to be included in the criteria for public procurement of vehicles, thereby insultingly using public money to subsidise the manufacture of cleaner vehicles by the automotive industry.

The workers are fighting for public transport companies which meet their needs with a high standard of environmentally-friendly services. They are against any form of regulation designed to enrich the automotive industry which, with its unaccountable social and environmental stand intended to increase its profits, is contributing to climate change, to the over consumption of energy resources and to atmospheric pollution.

Edite Estrela (PSE), in writing. – (PT) I voted in favour of Dan Jørgensen's report on the promotion of clean and energy-efficient road transport vehicles because I feel that industry must be encouraged to invest in the development of vehicles with low energy consumption and low greenhouse gas emissions.

Public authorities should help to stimulate this market and improve the contribution of the transport sector to EU policies in the areas of the environment, climate and energy, by taking into account energy and environmental impacts when purchasing road transport vehicles.

Genowefa Grabowska (PSE), in writing. – (PL) Environmentally friendly, low-energy public vehicles are a self-evident benefit. They are a necessity for our cities and for the environment. We should also remember to incorporate the use of 'clean' vehicles in our activities related to the climate change package. As a member of the Committee on the Environment, I therefore support the majority of the actions proposed by the rapporteur (and, in particular, the technical and organisational measures) which will contribute to achieving the fundamental aim, which is reducing pollution by investing in environmentally friendly technologies with lower CO₂ emissions. The vehicles in question include, in particular, service vehicles (special trucks and buses for operational support, infrastructure maintenance, road sweeping vehicles, etc.)

However, the proposal to introduce mandatory criteria for CO₂ emissions levels when issuing public procurement tenders for public service vehicles seems to me rather dubious. In my view, it would be preferable, at least during the initial phase of the new regulation, to give the procuring organisations in individual Member States (which more often than not are local authorities) the right to choose their own environmental criteria when procuring vehicle fleets. I agree with the assessment that public procurement, as a highly important part of the European market, should remain a tool for promoting environmentally friendly vehicles, but this should not be done in a mechanical way.

Jörg Leichtfried (PSE), in writing. – (DE) I voted in favour of the promotion of environmentally friendly, energy-efficient vehicles in public invitations to tender.

It is to be welcomed that, when procuring road transport vehicles, authorities and certain companies have to take account of not only the procurement price but also the lifetime energy and environmental impacts – that is, including energy consumption, CO₂ emissions and further pollutant emissions.

Seán Ó Neachtain (UEN), in writing. – Being in the midst of the financial markets crises, it is easy for us policy makers to concentrate fully on the current problem and forget or disregard the aims and other initiatives of the European Union. Thus, I welcome this report which emphasises the real need for progress in clean and efficient vehicles.

The most important aspect of this report, in my opinion, is that it not only concentrates on the vehicles themselves and consumer transport, but it also deals with supporting and encouraging the public sector. It is fitting for the public sector to show an example to the people of Europe in promoting clean vehicles.

It is commendable that the rapporteur is seeking to establish a link between public procurement and fostering and promoting clean efficient vehicles, and I hope that this will lead to growth in investment and research of vehicles with low CO₂ emissions.

Rovana Plumb (PSE), in writing. – (RO) This directive introduces a harmonised methodology for clean and energy-efficient vehicle procurement for a sustainable public transport service. It will also help to establish the priorities set out as part of the Lisbon strategy.

The explicit requirement is for energy consumption, carbon dioxide and pollutant emissions to be taken into consideration when road transport vehicles are purchased by public authorities and by operators

providing services as part of a contract with a public authority, as well as for purchases of road transport vehicles for providing public passenger transport services.

The biggest economic benefit would be achieved by having to include external costs as award criteria in all procurement decisions. Vehicle owners would then benefit directly from the energy savings in the long run, which would far exceed the vehicle's possibly higher price.

Promoting clean, energy-efficient vehicles through public procurement for providing public transport services, boosted by this initiative, will accelerate the development of these technologies on the market and will contribute to energy savings, as well as to the protection of the environment and public health.

Silvia-Adriana Țicău (PSE), in writing. – (RO) I voted for the Jørgensen report promoting the use of green vehicles for public transport. The initial proposal submitted by the Commission in 2005 was rejected by Parliament as it involved a great deal of bureaucracy without, however, reducing the level of pollution. The old proposal's demand was for 25% of motor vehicles to be green. The new proposal only refers to motor vehicles intended for public transport and the public authorities responsible for providing these services. I believe that the new proposal will help instil greater awareness among local decision makers and make them take more robust action to protect the environment. At a European level, the costs resulting from road traffic congestion in large urban agglomerations are estimated at 1% of Europe's GDP.

Pollution in large cities can also be reduced both through promoting public transport and, in particular, by having a clean public transport system. Apart from promoting metro systems, trams, trolleybuses and trains regionally or transport by ship, pollution can also be reduced in large European cities by introducing green buses. The new directive introduces the obligation on local authorities to calculate and take into account the cost of using a bus or minibus for its entire operational life. I would like to congratulate the local authorities in Prague for purchasing a fleet of green buses using state aid, thereby setting us an example to follow.

- Report: Françoise Grossetête (A6-0346/2008)

Liam Aylward (UEN), in writing. – This directive deals with regulations on marketing authorisations for medicinal products. We welcome the EU's initiative to simplify and harmonise the current regulations. This is a time- and money-saving matter which will satisfy both manufacturers and consumers in Ireland.

The proposed revisions will be beneficial for the Irish pharmaceutical market which has a substantial presence in Europe. We are grateful that in this sector, 13 of the top 15 companies in the world currently operate in Ireland. There are currently over 140 med-tech companies in Ireland, which accommodate 26 000 jobs. Moreover, the annual export of medical devices amounts to approx EUR 6.2 billion, which is 10% of Ireland's total exports.

We support the creation of single criteria for evaluation, approval and administration of pharmaceutical products that undergo changes such as manufacturing methods, product labelling or patient information brochures. We also recognise the need for further harmonisation of Member States' national provisions and European regulations to reduce administrative burden and to simplify the system regulating changes, such as allowing a single application for one or more identical changes. We agree to the revision of the Commission's control over 'listings of substances', 'withdrawal periods' and 'principles and guidelines'.

Carlos Coelho (PPE-DE), in writing. – (PT) The current way of managing variations is proving increasingly inefficient and is no longer satisfactory either for the authorities or for the pharmaceutical industry as a whole.

Any one change to products authorised under purely national procedures in different Member States is treated in a number of different ways in terms of the dossier to be submitted and the evaluation procedure. This situation causes problems in various areas: public health, the internal market, legal and practical applications.

The report proposes certain improvements. For reasons of harmonisation and simplification, it is important that changes to marketing authorisations should be governed by the same regulatory requirements, whatever licensing procedure was initially used. This will bring benefits for all concerned: patients, authorities and pharmaceutical companies.

I agree with the amendments proposed in the compromise position as they emphasise the need to simplify and reconcile administrative procedures, allow the possibility of submitting a single application for one or more identical changes and highlight the need to apply the subsidiarity principle.

Edite Estrela (PSE), in writing. – (PT) I voted in favour of Françoise Grossetête's report on variations to the terms of marketing authorisations for medicinal products because I support a single licensing procedure for placing medicinal products on the Community market, as this will guarantee safety for European citizens.

I must particularly highlight the proposal by the Socialist Group in the European Parliament on using the subsidiarity principle when applying the European variation system to medicinal products sold exclusively on the national market, thereby protecting small and medium-sized enterprises producing herbal medicines and homeopathic products.

Bernard Wojciechowski (IND/DEM), in writing. – (PL) Given the lack of harmonisation at Community level, variations to purely domestic marketing authorisations are subject to national legislation. In some Member States, the requirements relating to national marketing authorisations are analogous to those relating to variations in marketing authorisations. However, in the majority of countries, there is no such coordination, which means that legislative discrepancies exist between the Member States.

This situation has a negative impact in terms of public health, the administrative burden and the general operation of the internal market for pharmaceutical products.

All medicinal products, regardless of the marketing authorisation criteria, should be subject to the same evaluation criteria and to the same administrative measures when their marketing authorisation differs.

- Report: Toine Manders (A6-0195/2008)

Brian Crowley (UEN), in writing. – At the core of this report is the crucial issue of consumer protection. There is obviously a demand for timeshare and similar products and we cannot hinder responsible companies from responding to this demand. I do not think anyone is by any means suggesting that all companies operating in this field are involved in bad practice or exploitation. We are nonetheless aware that there are companies that have unscrupulously taken advantage of European consumers and that European consumers have suffered in dealing with badly-managed companies let off the hook as a result of inadequate regulation in this area. A number of Irish holidaymakers have suffered considerable financial and legal difficulties following agreements entered into with a badly managed timeshare company in continental Europe.

The new directive includes some vital consumer protection safeguards, relating to areas such as advertising and contracts. I particularly welcome the provision on right of withdrawal, or the cooling-off period, which allows consumers – carried away by a sharp advertising pitch or while on holidays – time for sober reflection, so that they can be sure that they are happy with the medium- and long-term consequences of a timeshare agreement.

Konstantinos Droutsas (GUE/NGL), in writing. – (EL) The right of workers to rest and a holiday has been turned into a commodity to enrich capital. The purpose of timeshares and the new products being promoted within these frameworks is to exploit perpetual cutbacks in holiday time, shrinking incomes and workers' efforts to secure cheaper holidays in the long term, creating turnover which exceeds EUR 11 billion.

The trickery and aggressive methods used by what are often phantom companies to persuade and dupe buyers range, in the best case scenario, from the small print in contracts to misleading advertising, tiresome presentations, promises of gifts and so forth, and almost always end in the immediate signature, under pressure, of binding documents.

The complaints which reach consumer organisations about fraud, excessive maintenance charges, associated credit cards, huge drops in price on resale due to marketing expenses, and so on, are countless.

The inclusion of other products in the timeshare directive, such as holidays on ships or in clubs or caravans, guarantees legal cover and new sources of profit for capital.

The cooling off period, which is limited to 10 days and carries a fine in the order of 3% of the total amount, does not resolve the problem. On the contrary, the EU is shifting the burden of responsibility to the workers, as it does with all consumer products.

Edite Estrela (PSE), in writing. – (PT) I voted in favour of the Manders report on the protection of consumers in respect of timeshare, as the compromise reached with the Council on this subject offers greater protection for the rights and interests of European consumers.

I feel that better regulation of the sector will benefit not only consumers but also European tourism.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) This report sets out a series of proposals which we accept in the main, bearing in mind the need to reinforce the consumers' right to information on holiday products. It lays down that operators have an obligation to provide a range of important information so that consumers can make better-informed decisions about concluding contracts.

Furthermore, the period during which consumers may withdraw from contracts without any charge is extended, particularly where they have not been provided with the necessary information. Preventing abuses and repeated cases of fraud is vital. We hope that the ban on the advance payment of any sums during the withdrawal period and the imposition of staggered payments where long-term holiday products are sold will be positive contributions.

David Martin (PSE), in writing. – I fully support the report on increasing consumer protection in this area. As British consumers make up one third of the total European timeshare owners, this is a law which has responded to the concerns of UK consumers. I fully approve of the need for timeshare retailers to increase the cooling-off period for buyers, as well as the obligation to provide full details of the purchase before the contract is signed.

Luís Queiró (PPE-DE), in writing. – (PT) Many consumer complaints have confirmed the serious problems encountered with timeshares, which create imbalances in the market. The development of the market in terms of demand and the significant development of new products, marketed in a similar way, have created substantial problems for consumers and businesses.

The text voted on today basically amends the definitions and scope of the Directive so that they cover new holiday products. It also clarifies and updates the provisions on requirements applying to the content and language of information and contracts provided to consumers.

The business activities affected by the Directive are of fundamental importance to the European tourism sector, including the Portuguese sector, and more specifically to operators and consumers. The central idea is therefore to reinforce the consumer's position in any negotiations to purchase rights of use. In this way, the uncertainties existing in the market can be better combated and a more stable and transparent environment created, thus providing consumers with more and better information.

- Report: Sophia in 't Veld (A6-0403/2008)

Alessandro Battilocchio (PSE), in writing. – (IT) I voted in favour of the proposal for a European Parliament recommendation to the Council concerning the conclusion of the Agreement between the European Union and Australia on the processing and transfer of European Union-sourced Passenger Name Records (PNR) data by air carriers to the Australian customs service. I recently visited Australia and, speaking to government representatives there, I understood that this vote would signify an important step, strengthening the cooperation already existing between Europe and Australia in the field of the security of passenger and freight transport.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) Despite being a backward step, the European Parliament's position has the merit of drawing attention to the unacceptable agreements between the EU and third countries with regard to the processing and transfer of data contained in the Passenger Name Records (PNR) of air carriers, on the pretext of the 'fight against terrorism'.

Among other important aspects, the proposal:

- denounces the frequent lack of any parliamentary scrutiny over the negotiation and approval of these agreements, with national parliamentary approval only being required in seven Member States;
- warns that the agreement may not comply with international data protection laws;
- deplores the quantity of data requested, which is the same as in the US Agreement, and which includes, in addition to hotel and vehicle reservations, telephone numbers, e-mail addresses, personal and business addresses, dietary preferences, credit card numbers, personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs and trade union membership, as well as other data on health or sexual activity.

This is yet another unacceptable situation, resulting from the current security drift, which is jeopardising the rights, freedoms and guarantees of citizens.

Andreas Mölzer (NI), *in writing*. – (DE) Looking at the situation with the Passenger Name Records Agreement with the United States, a worrying development becomes apparent in the name of combating terrorism. Under this agreement, personal data such as the telephone numbers and e-mail addresses of air passengers are transferred and stored for years. Data protection is by no means ensured in the process. Further data-protection infringements of this kind must be prevented.

Athanasios Pafilis (GUE/NGL), *in writing*. – (EL) The report reveals the hypocrisy of the European Parliament regarding the people's personal rights and democratic freedoms. Any criticism by the European Parliament is limited to procedural questions and to the fact that European citizens are not being afforded the protection which they are allegedly afforded under EU legislation. It is, however, precisely this legislation that crudely infringes all forms of personal data protection and introduces general personal records and the collection and exchange of the most sensitive personal data between the repressive mechanisms of the Member States and even the secret services of third countries.

The fact that the report does not dare to demand the revocation of the agreement or its reciprocity is proof of the fact that any superficial protests about it are for the sake of appearances only. As with the similar, unacceptable agreement between the EU and the USA, the discreet reservations on the part of the European Parliament do not prevent the personal data of EU workers from being made available to every secret service and every repressive mechanism within the framework of their 'anti-terrorist cooperation'.

It is clear once again that the European Parliament and the EU are not only failing to defend democratic rights and grassroots freedom; on the contrary, they are restricting them to the point of extinction through a web of reactionary legislative measures and agreements.

- Report: Jan Andersson (A6-0370/2008)

John Attard-Montalto (PSE), *in writing*. – The European Court of Justice ruling in the Laval, Ruffert and Luxembourg cases has demonstrated that it is necessary to clarify that economic freedoms, as established in the Treaties, should be interpreted in such a way as not to infringe upon the exercising of fundamental social rights as recognised in the Member States and by Community law. This includes the right to negotiate, conclude and enforce collective agreements and to take collective action, and must not infringe upon the autonomy of social partners when exercising these fundamental rights in pursuit of social interests and the protection of workers.

There is certainly a need for the revision of the current legislation. The situation might lead to workers in host countries feeling pressured by low wage competition. I want to join my colleagues in their initiative to introduce consistent implementation of the Posting of Workers Directive in all Member States.

I fully agree that the Commission and the Member States should adopt measures to combat abuses, particularly regarding activities of companies not really engaged in any genuine and effective business in the country where they are registered.

The establishment of a legal framework for transnational collective agreements will certainly be a step forward and, needless to say, an important one to take.

Philip Bushill-Matthews (PPE-DE), *in writing*. – British Conservatives support the right of workers to strike, but also the right of workers not to strike should they so choose. We are supportive of the ECJ judgments and do not believe that the rights of workers have been put into question by them. A revision of the Posting of Workers Directive is unnecessary, as is the widening of its legal base, because of problems that certain Member States have experienced due to the organisation of their individual labour markets. 1 million workers are posted successfully each year.

Charlotte Cederschiöld (PPE-DE), *in writing*. – (SV) I have today chosen to abstain in the final vote on Mr Andersson's report on challenges to collective agreements in the EU (A6-0370/2008). Collective agreements, union rights and the right to take industrial action are inscribed in the Treaty of Lisbon, which I want to see legally binding. The treaty also contains the right to work, the right to run businesses and the right to move across EU borders. Exceptions cannot, as the proposal would have happen, be made for union representatives when it comes to respect for fundamental EC legal principles, for example the principle of proportionality. It applies, and must of course apply, to all EU citizens.

EC law and the treaties should have their strongest representatives in the European Parliament. The position adopted by Parliament concerning the legal basis is in danger of becoming a threat towards future freedom

of movement. I am very pleased, however, that the European Parliament has adopted a position in favour of the Swedish model and our collective agreements.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) The resolution adopted by a majority of the European Parliament on the unacceptable decisions of the European Court of Justice in the Laval, Rüffert and Viking cases is wholly inadequate. It is not enough to recognise that the freedom to provide services is not superior to fundamental rights, in particular, the right of trade unions to take industrial action, especially since this is a constitutional right in several Member States.

Although the resolution emphasises that economic freedoms, as established in the Treaties, should be interpreted in such a way as not to infringe upon the exercising of fundamental social rights, including the right to negotiate, conclude and enforce collective agreements and the right to take collective action, the truth is that, while the principles used by the Court of Justice remain in the European Treaties, bearing in mind that they are also contained in the draft Lisbon Treaty, no one can guarantee that the same decisions will not be taken again.

We therefore voted against the report given that it does not go to the heart of the matter and instead insists on supporting the draft Lisbon Treaty, despite this having already been rejected by the people of Ireland.

Glyn Ford (PSE), in writing. – I supported the Andersson report on the challenges posed to collective agreements in the Union by the series of recent decisions of the European Court of Justice. I do not dispute the legal validity of the decisions made, but I do dispute that they reflect the intention of Parliament, Commission and Council when the Posted Workers Directive was approved.

The conclusion is clear: that the Directive must be reviewed to amend its provisions to restore our original intention. It must be a priority for the European Commission. It needs to be urgently addressed. If this Commission does not rectify the situation, the next Commission after the 2009 European elections must. I for one will not vote to ratify any new commission that fails to have the issue within its work programme for its first 12 months.

Bruno Gollnisch (NI), in writing. – (FR) Mr Andersson's report claims to have learned lessons from the scandalous rulings of the Court of Justice in Luxembourg, in particular the Laval and Viking cases. These rulings give precedence to the freedom to provide services and the freedom to establish businesses over the defence of national workers' interests and rights against social dumping. To an unacceptable degree, they make the exercising of social rights subject to a 'proportionality principle' which far exceeds lawful restrictions (public order and health, for example) recognised in national laws and ILO conventions.

They represent a backdoor reinstatement of the first version of the Bolkenstein Directive, where the law of the country of origin (social law, labour law, salaries and so on) applied to workers going to provide a service in another Member State, regardless of the legislation or collective agreements in force in the latter. Now, this version was rejected by the European legislator and it is intolerable that the judges are able to set themselves up as lawmakers under the pretext of interpreting the law.

Although at times he does well, Mr Andersson is too attached to the ultra-liberal principles which gave rise to this situation for his report to secure our support. This is why we will be abstaining.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) The Socialist Group in the European Parliament and the right of centre parties have wholeheartedly supported all of the EU's treaty changes. They have thus contributed to giving the EU institutions, including the European Court of Justice, ever more power over the Swedish labour market. In this way, the EU has become a threat to labour market regulations developed through negotiations and legislation that are firmly anchored in Swedish society.

The report mainly recommends changes to the Posting of Workers Directive. It is thus unable to prevent continued interference by the European Court of Justice in the regulations governing the Swedish labour market. Firstly, the outcome is a compromise between conservatives and socialists – a situation that has led to feeble and contradictory wordings. Secondly, the EU's primary law concerning the internal market (Article 49) takes precedence over the provisions of the Posting of Workers Directive. The European Court of Justice can therefore still come to the same conclusion as in the Laval case.

The EU must not be given tasks that the Member States can take care of themselves, and the labour market really is a matter that should fall to them. The June List therefore recommends a Swedish exemption from EU labour market legislation in order to guarantee that the European Court of Justice cannot, in future, control the Swedish labour market.

We have nonetheless voted in favour of the report because its aim is still the valid one of, as far as possible, preventing the European Court of Justice from interfering in Swedish collective agreements in the future.

We have also supported the amendments recommending more national self-determination on labour market issues but have, of course, voted against the rapporteur's panegyric to the Treaty of Lisbon.

Małgorzata Handzlik (PPE-DE), in writing. – (PL) I have decided to vote against Mr Andersson's report on the challenges posed to collective agreements in the European Union.

The rapporteur is critical of the decisions of the European Court of Justice on the Posting of Workers Directive, and calls for a revision of the directive.

I am decidedly against the rapporteur's approach, and also believe that to call for a change in the directive without the requisite analysis at Member State level, particularly in those Member States affected by the judgment of the European Court of Justice, is an unreasonable step taken for political ends. In particular, the formulation used by the rapporteur is an attack on the free provision of services, one of the basic freedoms of the European Union, and is a threat to liberalisation in the provision of services provided by the Services Directive, and to the country of origin principle.

In my view, proper implementation of the Posting of Workers Directive by all Member States, and increased administrative cooperation among them would provide adequate means of guaranteeing, on the one hand, the protection of workers' rights, and, on the other, the freedom to provide services.

I deplore the fact that this House has rejected the amendments, which aimed to give the report some balance.

Ona Juknevičienė (ALDE), in writing. – (LT) The Temporary Agency Workers Directive is important in our drive to legalise the free movement of services and workers throughout the Community. Not all Member States are adhering to the requirements of the directive. Sometimes more is being demanded of service providers than was stated in the directive. By distorting the regulations of the directive, services between Member States are being blocked and, in this way, protectionist policies are being concealed. The European Court of Justice (ECJ) investigated the case of the Latvian construction company "Laval", which was prohibited from providing construction services in Sweden. A collective contract was required according to Swedish law, although the contract was signed in Latvia. The ECJ decided that it is prohibited to make requirements which are additional to or greater than those set out in the directive. The decisions made by the ECJ in the "Laval" and other similar cases are criticised and even questioned in the report and amendments.

I voted against as I believe that the European Parliament is exceeding its remit by interpreting or questioning decisions taken by the ECJ. I do not agree with the statements, which cast doubt on the justice of the ECJ's decisions, and propose that the ECJ's resolutions should not be applied in certain EU countries. With such statements we not only question the competence of the ECJ, we express doubt in its impartiality, risk distorting the EU's institutional system and encourage people's lack of confidence in it. I also disagree with the aim of reviewing and revising the directive. If the directive is not working in some countries as it should, then the Community Members are responsible for this, as they are failing to put the directive's regulations into practice or are applying them inappropriately in national law. The European Commission should observe whether EU directives are transferred to national law correctly and whether national laws are in keeping with the essence and spirit of the directives.

Carl Lang (NI), in writing. – (FR) The goal, set by the European Union, of a social Europe is an illusion, the Lisbon Strategy is a failure, and the various magic potions dreamt up by the pro-Europeans to improve living and working conditions are rendered ineffective by the simple fact that Brussels' true vision is ultra-liberal and in the service of globalisation. We want, on the one hand, to prevent social dumping in order to protect workers, whether they are posted or not, and thereby have a balanced internal market, and, on the other, to do everything we can to open up our economic borders a little more through the massive immigration of job seekers and people.

This is just a never-ending illustration of true pro-European schizophrenia. By way of example, we need only note the references to the defunct Treaty of Lisbon made several times in this hotchpotch report. Consequently, we do not see how it could provide a clear vision seeking a balance between the free movement of services and the rights of workers.

Bogusław Liberadzki (PSE), in writing. – (PL) The aim of the European Community is to secure the fundamental rights of all citizens, both as regards public life, and on the labour market. Our ideal is to do away with discrimination and uncertainty about the future.

The rapporteur Jan Andersson points out that some judgments of the European Court of Justice may offend some citizens' sense of equality and respect for the labour market. To prevent such situations from arising in the future, Mr Andersson suggests that prompt action is needed to enshrine in legislation amendments which will avert any potential social, economic and political repercussions of the ECJ's judgments. This includes a review of the Posting of Workers Directive and the immediate adoption of the Temporary Agency Workers Directive.

To sum up, I believe that we should adopt the report in the interests of a vision of a united Europe

Kartika Tamara Liotard and Erik Meijer (GUE/NGL), in writing. – (NL) For many entrepreneurs, there is the temptation to pay their employees as little as possible for the work that they do. Other work-related costs, such as safety and facilities, are also in the balance. Employees, however, can only protect themselves by ensuring that their pay is based on a universally binding collective labour agreement and by adequate legal protection in the country where they work and live.

Both the original objectives of the Services Directive and the recent judgments from the European Court of Justice affect this protection. If these allow less beneficial foreign collective labour agreements or less beneficial foreign legislation to apply, an increasing number of employers will start to go for those cost-saving options, and the income of the employees will fall dramatically.

Some labour under the illusion that the draft EU constitution or the Treaty of Lisbon offer sufficient guarantees against this. Those documents would need to be modified before they could be approved in order to achieve this. There was also the expectation that the Andersson report would offer said guarantees. With the compromises that have been struck in respect of this text, though, this is even less likely than was originally the case. This is why we cannot vote in favour.

Andreas Mölzer (NI), in writing. – (DE) It is unacceptable that, on the one hand, public contracts have to be tendered for EU-wide and, on the other, the obligation to pay the agreed minimum wages that are linked to the award has been annulled by the European Court of Justice on grounds that it is incompatible with the Posting of Workers Directive and the Services Directive. The EU is showing its true colours here as a purely economic community that fobs off the socially disadvantaged with peanuts and empty words. It is high time the EU responded to the cries for help by citizens it has been ignoring for too long and attempted to close loopholes and resolve inconsistencies. This report should at least begin to attempt this, but it still leaves too much scope for abuse, which is why I abstained.

Dimitrios Papadimoulis (GUE/NGL), in writing. – (EL) I, like the European left, support full recognition of the fundamental rights of the workers. I refused to vote for the Andersson report because, individual positive elements notwithstanding, it still falls short. I feel that this report is a lost opportunity to effectively address the question of workers' rights under primary European law. The exercising of fundamental rights, as acknowledged by the Member States, in the ILO conventions and in the European Social Charter, including the right of negotiation, cannot depend on the uncontrolled discretion of the judge and always come second, because it is based on a legislative source lower down the hierarchy. The right of trade union action must not be jeopardised. A 'social protection clause' needs to be included in the Treaties.

Olle Schmidt (ALDE), in writing. – (SV) In the course of the day, Mr Andersson's report on the future of collective agreements in Europe following, for example, the Laval judgment, was voted through. The Socialist Group in the European Parliament demanded that current EU legislation – what is known as the Posting of Workers Directive – be torn up in order to guarantee that Sweden is able to retain its collective agreements.

I have, on the other hand, been active both in the Committee on Internal Market and Consumer Protection and before plenary with a view to ensuring that the issue is, in the first place, debated at the right level: national level. The reason is that I believe that the strategy on the part of the PSE Group is badly thought out. By again and again trying to bring the Laval judgment up to European level instead of resolving it by means of Swedish legislation, pressure is created for more joint labour market legislation – which is what caused our current problems right from the start. When 27 Member States are in agreement, it goes without saying that it is inconceivable that Sweden alone should pass legislation that is precisely to our own liking. After all, our model is unique in a European context. Since Mr Andersson and Parliament accepted my proposal not to tear up the Posting of Workers Directive until national investigations had clarified that this really was necessary, I considered that I could nonetheless vote in favour of the report.

Brian Simpson (PSE), in writing. – I thank our rapporteur, Jan Andersson, for his report on this very important subject.

Recent cases before the ECJ, and indeed that Court's judgments, mean that workers' rights and workers' solidarity through collective agreements are being threatened by companies whose only priority is profit, and if that means undermining workers' rights, then so be it: they are prepared to do just that.

The European social model that we are rightly proud of is under attack and seriously under threat from profiteers.

The threat of imported cheap labour is a reality, brought in through the back door by unscrupulous employers under the guise of free movement.

The free movement principle was never intended to be a tool for cheap labour or as a principle by which workers' social conditions can be diluted. What Jacques Delors would have made of this would be of great interest.

The Viking and Laval judgments are an attack on trade unions and workers' rights. That is why Mr Andersson's report is badly needed and why I will support it. It restores the balance so clearly abandoned by the ECJ in its recent judgments.

Søren Bo Søndergaard (GUE/NGL), in writing. – (DA) The rulings of the European Court of Justice in the Vaxholm/Viking Line/Rüffert/Luxembourg cases have clearly taken the side of the internal market and the right of establishment at the cost of the rights of workers, including the right to strike to avoid social dumping.

The rulings of the European Court of Justice have not come out of the blue, however. They are based on the fundamental treaties of the EU, supplemented by a vague Posting of Workers Directive.

If a majority in the European Parliament really wanted to defend the interests of workers it would require fundamental changes to the EU Treaties, in the form of a legally binding social protocol, for example, which would set the basic rights of workers above the internal market and the right of establishment.

The final version of the Andersson report, which is a result of cooperation between the socialist rapporteur and the conservatives, does not impose this crucial requirement. The report does not even manage to demand the revision of the Posting of Workers Directive. This means it is just a lot of hot air surrounded by a lot of nice words and wishes.

The People's Movement has tabled a number of amendments, for example, that regulation of the right to take industrial action should remain a national matter. All of these amendments have been rejected by the socialist-conservative alliance.

In the light of this, the People's Movement cannot support the Andersson report in the final vote. Instead, we will continue working to protect workers against poorer wages and working conditions, for which the judgments of the European Court of Justice have paved the way.

Eva-Britt Svensson (GUE/NGL), in writing. – (SV) The report on collective agreements in the EU is an expression of opinion with no legal value. Its intention is to strengthen employees' positions following the Laval judgment, but the content of the report is, unfortunately, very far from being on a par with this intention.

It would be wrong to renegotiate the EU's Posting of Workers Directive, as proposed in the report. To do so would be to risk making things worse for employees. It is a risk we are not prepared to take because the conservative forces dominate the whole EU system.

There are no wordings in the report about the right to strike having to take precedence over the freedom of the market and of this needing to be written in to a socially binding protocol to the Treaty of Lisbon. The Confederal Group of the European United Left/Nordic Green Left tabled a number of amendments about this, but they were rejected by a large majority.

It falls to Sweden to include an exemption in the Treaty of Lisbon, stating that the effects of the Laval judgment have no bearing on Sweden. However, this amendment by the GUE/NGL Group was also rejected. The report instead praises the Treaty of Lisbon, in spite of the fact that the treaty does not in any way alter the Laval judgment but only confirms it.

Georgios Toussas (GUE/NGL), in writing. – (EL) The report attempts to address the reactions of the working class and workers in general to the unacceptable rulings by the Court of Justice of the European Communities (ECJ) finding strikes by workers to be illegal, because the framework within which and the way in which the workers fight conflict with the Maastricht Treaty and the Lisbon Treaty, which safeguard the competitiveness

and the freedom of movement and action of capital in the Member States of the EU as a fundamental, incontestable principle. It defends the grassroots policy and reactionary nature of the EU. It attempts to persuade workers that it is allegedly possible through the EU for there to be a 'balance' between the rights of workers and the right of movement of capital, in order to take advantage of every opportunity for greater exploitation of the working and grassroots classes, thereby safeguarding and increasing the profits of the monopolies.

It is along these lines that the European parties who only see one way forward are spreading the dangerous illusion among the workers that the EU can also acquire a 'social face' and that the EU and capital can acquire social awareness through 'social protection clauses'.

The anti-grassroots attack by the EU against the most fundamental rights of workers shows that the EU cannot change. It was created and exists to loyally serve the interests of the monopoly business groups and to safeguard the exploitation of the working class.

Lars Wohlin (PPE-DE), in writing. – (SV) I have voted against the report. Further regulations at EU level would, however, probably strengthen the power of the European Court of Justice. My view is that issues in the area of labour market policy should not be decided by the European Court of Justice but by the Swedish Parliament and/or the two sides of industry.

I voted against the positive wordings concerning the Treaty of Lisbon and do not believe that the Charter of Fundamental Rights should be legally binding since there would then be a danger of legislative power in practice being shifted from the Swedish Parliament to the European Court of Justice.

- Motion for a resolution: EU-Vietnam Partnership (RC-B6-0538/2008)

Alessandro Battilocchio (PSE), in writing. – (IT) I voted for the new EU-Vietnam Partnership and Cooperation Agreement, which will include a clear clause on human rights. I would, however, like to emphasise the need in this context for set conditions to be met by the Vietnamese Government. It must commit itself to ensuring cooperation, greater respect for human rights and religious freedom, by repealing the provisions in its law that criminalise dissent and by putting an end to censorship.

Bairbre de Brún, Jens Holm, Kartika Tamara Liotard, Mary Lou McDonald, Erik Meijer and Eva-Britt Svensson (GUE/NGL), in writing. – We fully support the respect for human rights and democratic principles, as outlined in the EU-Vietnam Cooperation Agreement, and believe that there is a need for improvement by Vietnam in this regard.

Such principles are universal, and should be applied equally in relation to all countries, inside and outside the EU.

Therefore, we are voting in favour of this resolution, despite the rather unbalanced way in which it is presented.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) With regard to the second round of talks on a new partnership and cooperation agreement between the European Union and Vietnam, which were held yesterday and the day before that in Hanoi, a majority of this Parliament has adopted a resolution which seems more like an exercise in hypocrisy and instrumentalisation of human rights.

On reading its content, we could question why this majority in Parliament has not also proposed making the future agreement dependent on a clause ensuring respect for democracy and human rights on the part of the EU.

How useful and educational it would be for the EP, for example, to 'ask' the Member States and the EU to refrain from collaborating with and/or whitewashing the criminal CIA flights, to respect the human rights of immigrants, flagrantly violated in the 'return directive', to respect the democratically and sovereignly expressed will of the French, Dutch and Irish people who rejected the proposed 'Constitutional'/Lisbon' Treaty, to respect international law, particularly with regard to Kosovo, and to stop pretending that they can give lessons to the world ...

What would happen if Vietnam were doing all this? Would the EP agree to negotiate under those conditions? Would it agree to reciprocally apply this clause? Obviously not, because 'dialogue' and the 'clause' are only for others ...

Luca Romagnoli (NI), in writing. – (IT) Mr President, ladies and gentlemen, I voted in favour of the motion for a resolution on democracy, human rights and the new EU-Vietnam Partnership Agreement. Dialogue between the European Union and Vietnam needs, in fact, to translate into concrete improvements in human rights, which are too often brutally violated. I firmly support this motion, as Vietnam must put an end to censorship of the media and repeal legal provisions restricting freedom of worship and political and religious freedom if it wants to take an active part in the international community. Furthermore, Vietnam must cooperate with the United Nations on the subject of these rights and freedoms.

I therefore back this motion and echo the call on the Commission to establish clear benchmarks for the evaluation of the current development projects in Vietnam in order to ensure their compliance with the human rights and democracy clause.

8. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 1.35 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MRS ROURE

Vice-President

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

10. Corrigendum to a text adopted (Rule 204a): see Minutes

11. Draft general budget 2009 (Section III) - Draft general budget 2009 (Sections I, II, IV, V, VI, VII, VIII and IX) (debate)

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

- the report by Jutta Haug (A6-0398/2008), on behalf of the Committee on Budgets, on the draft general budget of the European Union for the financial year 2009 (C6-0309/2008 - 2008/2026(BUD)) and Letter of amendment No 1/2009 to the preliminary draft general budget of the European Union for the financial year 2009, Section III – Commission (SEC(2008)2435));

- the report by Janusz Lewandowski (A6-0397/2008), on behalf of the Committee on Budgets, on the draft general budget of the European Union for the financial year 2009

Section I, European Parliament

Section II, Council

Section IV, Court of Justice

Section V, Court of Auditors

Section VI, European Economic and Social Committee

Section VII, Committee of the Regions

Section VIII, European Ombudsman

Section IX, European Data Protection Supervisor

(C6-0310/2008 - 2008/2026B(BUD)).

Jutta Haug, rapporteur. – (DE) Madam President, Mr President-in-Office of the Council, Commissioner, ladies and gentlemen, the preparations for the first reading of the European budget for 2009 are pretty much complete. I would therefore like to start today's debate by thanking the members of the Committee on Budgets, and all the members of the specialised committees who have worked so closely with me, most sincerely for their cooperation and for all the time they have devoted to this.

As I said right at the start of the 2009 budget procedure, and I am happy to say again, a budget rapporteur is only as good as the sum of the members working with her, so I am very grateful to you.

I also need to thank the team in the secretariat of the Committee on Budgets: without the consistently excellent work of the secretariat staff, we Members would, with the best will in the world, be nothing, so thank you! Yes, I agree, a round of applause would be quite appropriate.

(Applause)

My thanks also go to my personal assistant and to the staff of the groups: it takes many heads and many hands to do a good job.

The preparations for the first reading of our budget, during which we had to read, understand and evaluate 1 400 amendments, were greatly affected by the financial crisis. Although our budget of around EUR 130 billion looks ridiculously small set against the hundreds upon hundreds of billions that the Member States, acting both jointly and separately, have spread out as a safety net under both the banks and the real economy, our meetings to prepare for the first reading were nevertheless much shaped by contributions on precisely this subject from all the groups involved. In so doing, we were basically already anticipating the Council's reaction to our budgetary requests.

What, then, are our requests? First of all, there are the payments. We pointed out back in July that we could not approve a 15% gap between commitment appropriations and payment appropriations, which the Commission proposed in the draft budget and the Council increased still further. In our opinion, that does not fit in with the principle of budgetary accuracy and clarity. Moreover, when we compare this gap in the third year of the current Financial Perspective with the gap in the third year of the previous Financial Perspective, which was only 3%, we simply do not see how such an enormous gap can be justified. We have therefore increased payments: we could not close the gap completely, but we have halved it, to leave a gaping hole of 8%.

We did not increase payments by acclamation or at random, but in those budget lines that help to fund Parliament's priorities: action to combat climate change, the social dimension in terms of growth for jobs, shaping globalisation and support for small and medium-sized enterprises, and also certain lines that improve the safety of citizens. In total, we have increased payments from 0.89% of gross national income – which was the level proposed by the Council – to 0.96%, rounded, of gross national income.

Secondly, we decided to make full use of the options afforded us by the Financial Perspective. Under subheadings 1a and 3b, we want to distribute all the money to the budget lines that are important to us, and not leave any margin. We want the title of subheading 1a, 'competitiveness for growth and employment', not just to be purely rhetorical, but also to include specific measures. We do not want the title of subheading 3b, 'citizenship', to be an empty phrase – we want to bring it to life, as, after all, this subheading brings together policies that directly affect citizens at local level, and that the European Union is particularly good at making visible.

Thirdly, we have given the package of pilot projects and preparatory measures, which was agreed between all the groups and has already been evaluated by the Commission, a range of impulses for new policy elements, new Community actions and possibly new legislation.

Fourthly, we have followed our political judgment. Nobody can expect good administrative work, be it from the Commission or from decentralised agencies, if they do not provide a large enough budget for staff, and we therefore cannot accept the Council's cutbacks. We have restored the approach taken in the preliminary draft budget, and in return the Commission could not only thank us, but also be on our side in disputes with the Council.

Fifthly, I would like to turn to the biggest problem, namely Heading 4, grandly entitled 'EU as a global partner'. When this heading was established back during the negotiations on the Financial Perspective, it was already hopelessly underfunded. That is why, in each year's budget debates, we have stressed the same thing: how are we going to fund everything that is looking for funding and, at the same time, leave ourselves enough breathing room to be able to react to unforeseen events during the financial year?

I can say right here and now that there has been, and still is, no satisfactory solution. For our assistance in Kosovo, Afghanistan, Palestine and now Georgia, what we really needed was long-term programmes, not this continual hand-to-mouth existence.

This is nothing new, but this year the Commission gave us a new challenge: in view of the enormous global increases in food prices, in July it proposed what it called a food aid facility for the less developed countries, with a budget of EUR 1 billion for 2008 and 2009.

If the Commission had been diligent, it should immediately have suggested transferring the necessary resources from Heading 2 to Heading 4. It did not do so, though, because not only is it not diligent, it is afraid. It was afraid of not getting approval from the Council, and now we are saddled with the problem. We need to convince the Council not just to sermonise about the need to help the poorest of the poor, but to work with us to find the resources – yes, and where from? – so that we can provide direct food aid and buy seed and fertiliser.

It was quite clear to the Committee on Budgets that we would not be able to find the necessary money in the budget lines under Heading 4, and so we created what is known as an ‘asterisk amendment’, containing EUR 250 million for food aid, 40 million for Kosovo, 80 million for Palestine and 20 million for Afghanistan. This asterisk amendment, which makes it quite clear that we want to spend more than the money available according to the Financial Perspective, should be seen as an invitation to the Council.

Let us hope that the Council will actually see our note as an invitation or demand, and enter into negotiations with us without delay. We have no time to lose – we should not leave everything to the last minute. Mr President-in-Office of the Council, it is over to you.

(Applause)

Janusz Lewandowski, *rapporteur*. – (PL) Madam President, Commissioner Grybauskaitė, who understands Polish, but who will probably be less interested in my portion of the budget procedure.

We are coming to the end of a procedure we have called the ‘pilot’ procedure. It is a good occasion to underline the good cooperation with the Bureau and the persistent confidence-building between the Committee on Budgets and the Bureau, which is the result, *inter alia*, of the efforts of Secretary General Rømero. ‘Nobody is perfect’, however, and so certain differences remain, which is reflected in the reserves we set up for 2009. The budget for 2009 has to meet a number of particular challenges. This will be an election year, which gives rise to particular needs as regards public communications, which need funding. It will be a year in which MEPs will be given a new status, which will have financial consequences. I would also like to underline the new principles of employment and payment, which will be transparent and meet the needs announced earlier of assistants and the end of the pension fund in its previous form. We also had to restructure the budget in the second half of 2008 to make allowance for the highly likely scenario that we will be operating on the basis of the old treaties and that the Lisbon Strategy, which would change the competences of the European Parliament, will not come about.

We have succeeded in keeping the budget below the voluntary threshold we set, i.e. below the 20% threshold for the administrative expenses of the institutions of the European Union. We should accept these levels, both in the administration and in the political groups, as they are tied to the better functioning of legislative activity, making the lives of MEPs easier, and improvements in the new comitology, which should also be provided for in 2009.

We would like, and are implementing reserves for this purpose, to gradually even out certain disproportions that have arisen over this long period in various sections of the Parliamentary administration, to provide resources primarily to those services that are directly related to the work of the Parliamentary committees. We have noted other initiatives that can improve the functioning of Parliament, namely in the Parliamentary library, particularly the Knowledge Management System. We also note that the new Visitors’ Centre will unfortunately not be open at the time of the elections. It was announced that it would be open, but it will not be. We can count on it becoming operational towards the end of 2009, which is also reflected in our staffing reserves.

Keeping to the budget is a philosophy common to Parliament and the other institutions, and particularly during an election year we should avoid presenting the European institutions as excessively ambitious as regards the cost to the European taxpayer. The same applies to other institutions, where we weighed up all of this, all the decisions taken by the Council, and added to it our own assessment of the needs of these institutions. There are two undertakings I would like to underline: for the Court of Justice, we have 39 new posts connected with the new agency procedure, and in the Court of Auditors we have three new posts which increase the organisation’s potential, but which also make it possible to finance its new headquarters by means of frontloading.

This heralds a smooth, rapid vote tomorrow, which is the result of excellent cooperation with the coordinators of the political groups, the draftsmen of the opinion of the committee, not forgetting the running of the committee by Mr Rainer Böge. My particular thanks to the people who helped me in this, namely Richard Wester and Marrianna Pari.

Dalia Grybauskaitė, *Member of the Commission*. – Madam President, I am very happy to see how quickly and efficiently Parliament has finalised its first reading and that it is ready to vote tomorrow. This huge job was done by the Committee on Budgets, by their leaders and coordinators and, of course, by the political groups. This largest portion of the job to be done forms the basis for our future negotiations. We will be starting serious engagement between the two arms of the Budgetary Authority and the Commission in the next two months.

The Commission in general very much appreciates and shares the political priorities for which the European Parliament proposes budget reinforcement and restorations. Regarding payments, the European Parliament intends to approve the level of appropriations up to the ceiling. However, this is not convincing enough for us, because we think that the preliminary draft budget corresponds better to the actual absorption capacity, notably in Member States. I will this week send out the information on the execution of the budget, and you will see that our calculations are based on very serious grounds.

The Commission is largely in agreement with the new process on the pilot projects and preparatory actions proposed by Parliament. On this occasion I would like to stress my appreciation for the excellent collaboration between our institutions, which is thanks to a new and successful approach promoted by the general rapporteur, Mrs Haug. This is the first time in our history of negotiations that we have already been able, before the summer, to receive and agree on the broad scope of these pilot projects.

I would also like to draw attention to a number of issues which still, at first reading, give rise to serious concerns for the Commission.

The first and most important concerns Heading 5. We appreciate that Parliament has restored the amounts requested by the Commission for staff salaries. However, at the same time, EUR 37 million have been put in the reserve, subject to certain conditions for its release.

On top of that, an additional reserve of some EUR 16 million for two specific policy areas, namely transport and environment, has also been reserved. It will, of course, be very difficult for the Commission to respond to this, especially the last one, because there is only one employer in the Commission – namely the Commission – and it is not possible, for example, to stop payments for one or two DGs and continue to pay the others.

These reserves – in total about EUR 50 million – would stop the recruitment of 250 posts reserved for enlargement and prevent the replacement of retiring staff as from next January. But of course we understand that our negotiating and explanatory skills will come into play with your people as soon as possible after the first reading. We will try to give all the necessary explanations and to fulfil all the conditions set on these reserves.

Regarding the administrative support for operational programmes, this year Parliament has followed the Council and confirmed the cuts. I understand that additional technical explanations will be needed, and we will try to solve this via negotiations about these lines in general.

Another problem we see is that Parliament has not restored the appropriations requested for publication of procurement notices. This, we think, undermines the Commission's ability to meet its obligations stemming from the public procurement directives, especially in the current environment. We are solving and trying to solve state aid and other problems in Member States in this fluctuating economic situation, and this can place the Commission at risk of legal challenge in the courts.

To sum up, the Commission will analyse in detail each amendment adopted by Parliament and will give its reactions in early November through the 'letter on executability' – as it does every year – explaining all the necessary details. Before the conciliation in November, and before the second reading, we will try to solve as far as possible anything that we still consider to be a problem in the first reading.

As usual, the Commission will try to be the honest broker between the two budgetary authorities, especially in negotiating the problems which arise in Heading 4, in Heading 5 and in the total ceilings of payment appropriations in the budget. We will try to be helpful by seeking favourable conditions and a good budget for the whole of Europe, especially in these difficult times that we are facing together.

Jean-Pierre Jouyet, *President-in-Office of the Council*. – (FR) Madam President, Mrs Grybauskaitė, ladies and gentlemen, first of all I would like to apologise for the absence of Mr Woerth, who has been held up in Paris in a good cause, since in France, too, it is budget season and time to present the finance bill to Parliament within the framework of the first public finance programming bill. I am aware, having discussed this with Mr Böge too, how important this debate is in Parliament, and also how important it is for the French Presidency. I would therefore also like to thank my assistants and those of the Council and of Mr Woerth who have helped me prepare for this important debate.

So far, our work has been carried out in a very positive atmosphere of cooperation, and I can assure you that the Council is prepared to continue this high-quality dialogue with a view to securing an agreement on the 2009 budget that is balanced and satisfactory to all. I listened carefully to the speech of Mrs Haug and that of Mr Lewandowski, which was particularly communication-oriented. In this connection, this very morning we reached a political agreement on the plan concerning the strategy for communication with Parliament and the Commission, and I am delighted to note that, differences aside, we share the same goal, namely we intend to ensure the financing of the European Union's policy priorities, whether in terms of competitiveness, cohesion or growth.

Obviously, as you and Mrs Grybauskaitė pointed out, in the current international climate, we have to ensure that Europe has the resources to fully play its role in the international sphere. All this must, however, take place in accordance with the financial framework established for the 2007-2013 period.

I would therefore like to briefly mention three issues of particular importance: the first concerns payment appropriations and their amounts; the second concerns the rules of budgetary discipline and sound financial management; and the third concerns the food facility.

As far as payment appropriations are concerned, I will not hide the fact that the Council is seriously concerned by the large number of payment appropriations that the European Parliament intends to vote on at first reading, since this intention goes well beyond the Commission's initial proposal in its preliminary draft budget. The payment appropriations should be adjusted in line with actual requirements and, in particular, we should draw lessons from the previous budget outturn so as to be able to determine our real ability to implement sectoral policies.

Now, what we have seen since the establishment of the Financial Perspective, which I followed from a different angle for a certain period of time, is that the Community budget has always been subject to an under-utilisation, and this has been the case since 1988. The 2008 Amending Budget should show that once again this year, payment appropriation needs have been greatly overestimated, especially when it comes to a policy as vital as the cohesion policy, and at this point, there is no evidence to suggest that 2009 will be any different.

As mentioned by Mrs Grybauskaitė, and at her behest, improvements have been made in recent years, but uncertainties related to the financial year 2009 remain considerable. On 1 October, out of the 433 programmes of the cohesion policy, there were only two for which interim payments had been made, and you will appreciate that, in the current economic and financial climate – we cannot compare the European Union budget with things that are not comparable in the context of the steps taken to save the financial system for savers and to protect European citizens – we must, above all, uphold the interests of European taxpayers and avoid, as far as possible, entering in the budget any payment appropriations that cannot be utilised.

The second issue is compliance with the rules on budgetary discipline and sound financial management. The Council will take care to implement the Interinstitutional Agreement of 17 May 2006 in full. Expenditure must respect the limits laid down by this Agreement and sufficient margins under the ceilings of the different headings must be maintained. These ceilings, as you know, are not objectives to be met. Their systematic saturation is not acceptable in our view, since this would completely compromise our ability to deal with unforeseen situations which may arise during the 2009 budget year.

In this regard, I would like to briefly mention Heading 4, in relation to which Parliament is about to vote on an amendment which would go far beyond the ceiling of the Financial Perspective. We are well aware of the real tensions surrounding this heading. We need to find a coherent response to the different priorities of the Union in the international arena, and fine tune our level of intervention, particularly under the common foreign and security policy, and we know that, in this area, circumstances can change very quickly. Therefore, here too, we should leave ourselves sufficient margins to tackle any developments in this area, as well as any developments linked to interventions carried out under the CFSP.

The third issue concerns financing of the food facility. This will clearly be an important element in discussions within the Council over the coming weeks. The European Council of June this year provided a strong political boost by congratulating the Commission on its wish to present its proposal, but the Council's mandate is crystal clear: we have to find a funding solution which fully complies with the current Financial Perspective. I am aware that Parliament shares this view but, nevertheless, the Council is endeavouring to find every appropriate financing arrangement so that we can give practical effect to the political wishes that have been expressed, including by the Heads of State or Government, and by the European Commission.

What I meant to say – to avoid what I said being put down to a translation error – is that I am aware that Parliament does not share this view. I made a mistake, a slip of the tongue of course. I wish, however, to also mention that there were points of convergence between Parliament and the Council on this important issue of the food facility, particularly regarding the fact that we both had reservations over the Commission's proposal to fund the whole of this facility from margins under the Heading 2 ceiling.

Clearly we must – and the Council is aware of this – aim for an optimum combination of funding sources so that agreement on the overall amount proposed by the Commission can be reached, within the framework of the Council, during conciliation in November. I am convinced that the three institutions will make every effort to secure a comprehensive agreement on the 2009 budget, on the financing of the new initiatives I have just mentioned, during conciliation in November. This agreement must be the best possible compromise for the Union, its citizens and its institutions.

A brief word on the regulation implementing decisions on own resources, which Parliament will be deciding on during this session. I wanted to thank, both personally and on behalf of the Council, Alain Lamassoure for his report, along with this House for its diligence and speed in dealing with this question. For our part, we shall not rule out the Commission's proposal. Ratification of the decision on own resources in the various Member States is going well, and we hope to be in a position to achieve the objective of its full and comprehensive entry into force by 1 January 2009. This is what I wished to tell you.

Ana Maria Gomes, *draftsman of the opinion of the Committee on Foreign Affairs*. – Madam President, it is an endless political bone of contention that Heading 4 is chronically underfinanced. It prevents us from fulfilling our external commitments in crisis areas: in Kosovo, Palestine, Afghanistan and Georgia. We are completely unable to build up a solid common foreign and security policy on a long-term basis as long as the Commission and the Council keep on adopting this budgetary strategy of under-financing external relations and just giving ad hoc responses to the latest crisis, which attracts all resources and attention, such as Georgia today. The latest priority overshadows the previous one.

For the EU to become a global player, more money is needed in Heading 4. With the current financial envelope, it is impossible to satisfy the needs of the different budgetary lines. This is the reason why the Committee on Foreign Affairs strongly supports the strategy of the Committee on Budgetary Control seeking to restore the PDB on all budget lines and thus increase the budgetary lines for Kosovo by EUR 40 million and Palestine by EUR 139 million.

We also support the asterisk amendment. In other words, the Council and Parliament must allow utilisation of the flexibility instrument, and of all other available instruments provided for in the Interinstitutional Agreement, to allocate EUR 250 million on the food facility instrument, EUR 40 million on Kosovo, EUR 80 million for Palestine and EUR 20 million for Afghanistan.

Maria Martens, *draftsman of the opinion of the Committee on Development*. – (NL) I am speaking as a member of the Committee on Development, and would, on behalf of my committee, like to make three comments, firstly, about the food crisis, secondly, about the system for assessing development policy and thirdly, about the lack of resources under Heading 4 – foreign expenditure that has been discussed before.

I should like to start with the food crisis, which is, of course, a huge problem, as millions of people are in danger of losing their lives, and a joint European approach is desperately needed. We do, however, need an approach other than the one which the Commission suggested in the first instance. The budgetary agreements will need to be respected, while the powers of the Council and the European Parliament may not be overlooked. I am therefore pleased that the Commission is willing to review the first proposal – to use unused agricultural funds for this.

We need to achieve food security for the countries involved. Needless to say, food aid is needed for people who are in immediate peril of death, but ultimately, it is about the long term, which is why food production should return to the EU's development agenda as an area of attention that should be given priority.

We will, in this context, also need to talk about a re-evaluation of the thematic programme on food security, and we will need to look at how we can grant small farmers better access to crucial production factors. This is why we are glad that the proposal has met with approval for a trial project for micro-credit, because this will probably make it easier for small farmers to fund food production.

Secondly, the system for assessing development policy needs to be improved. The assessment is focusing too much on where the money is going and too little on results. If we wish the public to continue to support development cooperation, we will need to gain more insight into the results of our work.

Thirdly, the lack of resources for foreign expenditure, Heading 4, has been discussed previously. This concerns not only resources for development cooperation, but also for Kosovo, the Middle East, and so on. We have great ambitions. Rightly so. This is why this item deserves a structural increase

Helmuth Markov, *draftsman of the opinion of the Committee on International Trade*. – (DE) Madam President, Commissioner, Mr President-in-Office of the Council, I would like to raise two points regarding Mrs Haug's report.

The first is that, at Parliament's initiative, a separate budget line has been included under the heading 'trade policy for trade-related aid' – in other words 'aid for trade' – amounting to EUR 1 billion per year. Unfortunately, the Commission has not yet been able to provide us with any detailed information on how these aid commitments will be implemented and whether they are operational. It is heartening that the Committee on Budgets has incorporated an amendment proposed by the Committee on International Trade, withdrawing the Council's proposed 50% reduction in the figure for aid for trade.

My second point relates to the support for developing countries in pharmaceuticals-related technology transfer and capacity-building. Over the last year, Parliament has taken specific steps to help the poorest countries with the supply of pharmaceuticals, and corresponding financial aid is clearly a part of that. Unfortunately, it is clear that neither the Commission nor the Council shares this view, and, if I understand it correctly, the Committee on Budgets has, regrettably, also not included an amendment in that connection.

On Mr Lewandowski's report, my committee has raised an important aspect of the EP's work in the field of international trade relations: its involvement in the Inter-Parliamentary Union in the World Trade Organisation in Geneva. As our Parliament is one of the organisers of its annual meetings, and given that important ministerial conferences will undoubtedly be on the agenda in the coming year in connection with the Doha round, it would be worth boosting funding for this in order to ensure that we have appropriate infrastructure options for participation. In addition, we are particularly keen to assist representatives of the ACP countries to pay their travel and subsistence expenses in connection with the Parliamentary Conference. Both of these elements can, and should, help to increase transparency and strengthen dialogue between parliaments, governments and the general public, and ultimately lead to greater fairness and legitimacy in the negotiations and decisions as part of the discussions within the WTO.

Pervenche Berès, *draftsman of the opinion of the Committee on Economic and Monetary Affairs*. – (FR) Madam President, Mrs Grybauskaitė, Mr Jouyet, on behalf of the Committee on Economic and Monetary Affairs, I would like to express satisfaction, regret and hope.

My satisfaction stems from the fact that the Committee on Budgets agreed to take up our proposal, namely that supervisors, whether for banking, insurance or securities, need greater funding in order to work together better. This goes without saying, and even those who are not members of the Committee on Economic and Monetary Affairs will agree that it is vital.

My regret is that in the current crisis, the euro is our cornerstone, our very foundation, yet the Commission has drastically cut the resources for communication activities relating to our wonderful currency.

My hope is that tomorrow, the plenary will realise that the resources of the Eurogroup, regardless of the level it meets at from now on, should be increased. It must not be a lightweight structure, without substance. It has become a reality. This is why I hope that tomorrow, Parliament will agree to vote in favour of the principle of increased resources for the Eurogroup.

Karin Jöns, *draftsman of the opinion of the Committee on Employment and Social Affairs*. – (DE) Madam President, I would like to start by thanking the members of the Committee on Budgets for the fact that they broadly share the Committee on Employment and Social Affairs' approach to the budget.

Nevertheless, I would like, once again, to make the case for increasing funding for social dialogue appropriately, as we proposed. We cannot keep talking about how social dialogue is a pillar of our European social model, and then on the other hand reduce funding in exactly this area.

At this point, I would also call on the Council to work with us to find a solution for the problem of the degressivity clause. It has a particularly dramatic effect on the work of the trade union institutes, and, over the long term, continual funding cuts are simply no longer sustainable.

With regard the Committee's two pilot projects, allow me to say one thing: there was a broad consensus in favour of a pilot project relating to posted workers, and I am sure that the results of this project will bring us important insights for our future political decisions on the Posting of Workers Directive. We will therefore certainly pay close attention to ensure that the Commission, in turn, turns its attention to those aspects that are important to us in this project, to prevent wage dumping and social dumping.

The second project relates to violence against the elderly. This project confronts a taboo subject, and this is particularly important.

Péter Olajos, *draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety*. – (HU) Thank you very much, Madam President, as the draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety regarding the EU budget for 2009, I wish to express my satisfaction with the material before us. One of the most important changes is that next year, there will be 10% more resources available for environmental purposes than in 2008. Thus, we will be able to allocate EUR 14 billion to environmental uses.

I welcome in particular the fact that one of next year's priorities is climate change. Europe must retain its leading role in the international struggle against climate change, as President Sarkozy also emphasised yesterday. I would like to emphasise as well that the budget for LIFE+ will also be increased by 9%. I also welcome as outstanding opportunities the launch of so-called preparatory, or pilot projects, for which three of our proposals this year on environmental and public health topics are to receive support from the European Commission to the tune of EUR 7.5 million. Never have so many projects devoted to climate change or its effects been launched in the course of a single year.

From the perspective of the agencies, I consider the figures recommended by the Commission fundamentally acceptable, and I am pleased that the extent of support to both human resources and tools has increased; nevertheless, I would recommend adjustments on two points. The first has to do with the European Centre for Disease Prevention and Control, for which we would advise freeing up the 10% in reserve, since only then will that agency be able to fulfil its mandate. The second case is that of the European Food Safety Agency, where our initiative is the exact opposite, that is, we recommend putting 10% in reserve until the agency can demonstrate that it is operating appropriately. My suggestions in this regard have also received the support of Parliament's Committee on the Environment and the Committee on Budgets. I call on my fellow Members to likewise lend their support with their votes at the plenary sitting. Finally, I wish to thank Jutta Haug, the rapporteur, and László Surján, the shadow rapporteur for the European People's Party, for their valuable assistance in my work. Thank you very much.

Gabriela Crețu, *draftsman of the opinion of the Committee on the Internal Market and Consumer Protection*. – (RO) The budget is not a policy issue; it is not a technical problem, but an extremely profound political problem. Through the budget, we establish what resources are required to meet the objectives. We also give a measure of sincerity to the commitments we are undertaking. The provisions relating to the internal market seem to be adequate.

We would like to thank Mrs Haug for her enormous efforts in coordinating the extremely diverse requests submitted with more general political objectives. Problems persist, however, in spite of these efforts. The financial market is showing its limits. We can see the shortcomings that are hidden behind rules which ordinary citizens find difficult to understand. They are still showing a certain fragility.

The proposed amendment, which is calling for resources to be allocated to educate consumers on financial matters, has been rejected by a majority in the Budget Committee. The reason for this is not to make savings. A larger sum than was requested has been approved for an unspecified purpose linked to consumer protection. We would like to ask the committee to consider the use of the sums approved for the relevant chapter on financial education programmes. The lack of information affecting some people provides a condition for promoting speculation on the market and for making others rich. However, this is not the time to be removing protection. It is preferable for well-informed citizens to defend themselves on their own.

Miloš Koterec, *draftsman of the opinion of the Committee on Regional Development*. – (SK) I would first like to thank both the rapporteur, Mrs Jutte Haug, and the coordinator for a highly sensitive approach to the needs of EU citizens and also for accepting the recommendations of the Regional Development Committee, of which I am a member. The policy of cohesion must continue to be a medium-term budgetary policy of the EU.

When I, as rapporteur for the Regional Development Committee, drafted its opinion on the EP report into the aforementioned budget, I also wanted to contribute towards solving a problem which the Member States were trying to solve through their development programmes in the absence of a consolidated European approach in this area. It concerns the problem of integrating the Roma communities within the European Union. In proposing a pilot project which might assist in solving this problem at a European level, my aim is to encourage European awareness of the possibility of addressing the problem from a regional development perspective.

This matter is particularly apparent in the new Member States, where small enclaves of Roma communities constitute a serious developmental and social problem. The project should also cover the development of adequate resources at European institutions, without which the problem will continue to be left to the Member States, leading to a situation where millions of European citizens of Roma nationality may become victims of patchy economic and social development and very poor integration.

Kyösti Virrankoski, *draftsman of the opinion of the Committee on Agriculture and Rural Development*. – (FI) Madam President, Heading 2 in the Commission's Preliminary Draft Budget, which the Council cut again, did not reflect Parliament's priorities. In it, direct agricultural subsidies and marketing costs were overly conservatively estimated at EUR 2 027 million below the ceiling for the multiannual financial perspective. The Committee on Agriculture proposed that the Committee on Budgets revise the estimated expenditure, which it did.

New features of the budget are the distribution of fruit and vegetables to school children and the Structural Change Fund for the dairy industry. For the former, the Committee set aside EUR 181 million, with EUR 600 million being set aside for the latter.

As there is a huge reserve of outstanding commitments, or RALs, in the rural development programmes, EUR 9 billion in total, and because the Commission's proposals showed a 30% discrepancy between commitments and payments, the Committee increased payments by EUR 898 million.

The Committee recommends providing some prompt food aid and for it to be financed under Heading 4, depending on its nature. This means there will have to be interinstitutional talks.

Emanuel Jardim Fernandes, *draftsman of the opinion of the Committee on Fisheries*. – (PT) I want to start by congratulating the rapporteur, Mrs Haug, on her efforts in preparing Parliament's position. The overall appropriations allocated to fisheries over the years must be considered a negative development given that previous budgets already represented the minimum necessary to implement a common fisheries policy and a maritime policy with the requisite resources.

For the fishing industry, the increased external economic pressure of fuel price increases and the stagnation and reduction in fishery product prices are resulting in substantial losses for the sector and critical social problems for fishermen in general.

Although the Commission proposes restructuring the fisheries sector in line with the current macroeconomic situation, concrete measures are needed to help ensure the survival of the sector. The draft budget and Parliament's current position make provision for major cuts, particularly in the areas of fish stock monitoring, international cooperation, fisheries research staff and data gathering.

On the other hand, I welcome the fact that Parliament's current position includes the pilot project that I presented for a fisheries market price observatory and continues to support the European maritime policy and all related projects by increasing the appropriations for research.

Helga Trüpel, *draftsman of the opinion of the Committee on Culture and Education*. – (DE) Madam President, ladies and gentlemen, back in 2004, at a major cultural conference in Berlin, President Barroso stated that European cultural policy was all about a soul for Europe. However, the culture budget shows us that these great challenges have met with little success. It is true that we have now managed to launch a pilot project to provide more money to promote artist mobility, and we also want to increase spending on lifelong learning and youth exchanges, but seen against the fact that we need to inspire European citizens to get to know

Europe, we spend far too little in this area. As Mr Barroso has already stated, the people of Europe are not exactly thrilled with the single market, but they do want to learn more about Europe's cultural treasures.

We have just awarded Parliament's prize for European cinema. We also need to spend more on European film production, because we need to give our citizens a better understanding of the European narrative and European visions of Europe's history and future.

Monica Frassoni, *draftsman of the opinion of the Committee on Legal Affairs*. – (IT) Madam President, ladies and gentlemen, justice that is slow, scarcely accessible and unclear is hopeless. We believe that the staff of the Commission, of the European Parliament and of the Court of Justice should be increased and reinforced in the areas of legal management, monitoring of the application of Community law and in better regulation in general, precisely because the current procedures are too lengthy and too opaque.

We feel that the Commission does not yet have a clear enough understanding of the need to invest in adequate staff in these sectors and it seems entirely inappropriate that the Commission continues to leave us completely in the dark over the number of people working specifically on infringement procedures and continues to claim that everything is going swimmingly.

As regards the European Parliament, I would like to point out the problem posed by the legislative quality of our texts and the need for more and better investment in the work of lawyer-linguists. The same applies to the whole issue of internal reorganisation with regard to monitoring the application of European law. Finally, we call on the Commission to report to us and to quantify, including from an economic point of view, the measures taken to make our institutions more green and sustainable.

Bárbara Dührkop Dührkop, *draftsman of the opinion of the Committee on Civil Liberties, Justice and Home Affairs*. – (ES) Madam President, I firstly want to thank the Committee on Budgets for having supported our amendments.

Due to time constraints, I will just briefly mention two points. The first concerns the traditional amendment of the Frontex budget. As you all know, due to the Commission's lack of initiative, and particularly due to the Council's inconsistency, Parliament has had to define Frontex's scope of action through the budgetary procedure.

This year, we have agreed to increase its budget by EUR 10 million and to try and ensure that its missions remain permanent. To this end, not only are budget appropriations needed, but also, Mr President-in-Office of the Council, the Member States must fulfil their duties in this regard.

My second point concerns the approval of a pilot appropriation for the integration of the Roma. The European conference organised this month by the Commission cannot mark the end, but rather the beginning, of a coherent policy on the integration of the Roma into our European society.

Costas Botopoulos, *draftsman of the opinion of the Committee on Constitutional Affairs*. – (FR) Madam President, I shall speak in my capacity as draftsman of the opinion of the Committee on Constitutional Affairs but also as a socialist member of the Committee on Budgets. It is for this reason, moreover, that I have two minutes instead of one.

(EL) Madam President, ladies and gentlemen, as far as the Committee on Constitutional Affairs is concerned, what we have unfortunately observed is that, in a year in which we had the referendum in Ireland on the Constitutional Treaty, which demonstrated – apart from its result – the need for politicians to communicate with the citizens of the European Union, the Irish tell us that the main reason for the 'no' vote was precisely a lack of communication. Obviously, therefore, we need more communication in the run-up to the forthcoming elections.

Most of our proposals were accepted. However, the fact that the proposals to strengthen two basic new political institutions, namely the European political parties and the European political institutions, were not accepted is unsatisfactory. Next time perhaps.

I have a few political comments to make on the actual budget which we are voting on this year and I say political, because the political role of the budget should ultimately be to allow us, through the budget, to play our part as the European Union. As Commissioner Almunia said yesterday, and I quote him in French because he spoke in French, '*Il faut commencer à imaginer le budget de l'Europe*'. We have barely started to imagine the budget and we need to do so.

So what do we see this year? We see a budget of low payments, with a huge gap between commitments and payments and with an unsatisfactory answer to the actual political priorities of the European Union. Yes, there are problems and yes, as Minister Jouyet said, we must leave a margin so that we can respond to the crisis. However, the actual political choices of the European Union are important. For example, I do not believe that, in an election year, so little money should be earmarked for communication and that, in a year of geopolitical crisis, so little money should be earmarked for foreign policy.

Lidia Joanna Geringer de Oedenberg, *draftsman of the opinion of the Committee on Women's Rights and Gender Equality*. – (PL) In view of the ambitious aims the European Union has set itself, the further reduction in the already low budget for 2009 by the Council is surprising. These cuts will lead to a greater imbalance between the level of undertakings and paying for them, which is contrary to the principle of a balanced budget.

The amount approved by the Council – a mere 0.89% of GDP – for appropriations for payments, does not tally with the many political priorities and commitments of the European Union. The result will be that only some of the important pilot projects which will benefit citizens will be implemented in practice.

As draftsman of the opinion on the 2009 budget for the Committee on Women's Rights and Gender Equality, I am concerned by the unsatisfactory use of the budget for the needs of existing programmes such as the Progress or Daphne programmes. The European Commission should also make considerable steps towards implementing the principles of equality in planning its budget, while the Member States must effectively promote these when using structural funds and the European Social Fund.

Mairead McGuinness, *draftsman of the opinion of the Committee on Petitions*. – Madam President, I would also like to thank the rapporteurs for their diligent and very efficient work in what is a difficult task, and speak specifically on the issue of the Ombudsman's Office, where there will be an increase of almost 6% in the budget. This, we believe, is appropriate, recognising that half of this may not be required if there is no actual change in the Office after the elections in 2009. I think we should also recognise that there has been some work within the Office of the Ombudsman to reorganise staff and resources in a more efficient way.

While I am on my feet, as a member of the Committee on Agriculture I should just like to say that the issue of food aid – and I say this also to the public who are gathered here – is something which touches people really deeply. I think that the public would like us to help in a generous way with food aid. I can understand that there are budgetary concerns, rightly so, about the rules. Perhaps this says something about the work we do in the background, before we pronounce, so that we do this in a good way and send out the proper message to the public that we are supporting the developing world and the hungry and the needy.

But it is also worth pointing out that our development aid in the past did focus on agriculture and food production, as other speakers have mentioned, and, tragically, in latter years we have drawn away from looking at the importance of production agriculture in the developing world. Perhaps we are missing that point here too in the European Union. If this food crisis has done one thing, it has alerted us to the fragility of food production and the need to nurture it within the developing world.

Finally, on this particular point, a colleague of mine, Esther De Lange, and I are supporting a pilot project to link up young farmers in Europe and the developing world. I think out of this we might see some good results because they need help and we need to understand their plight.

László Surján, *on behalf of the PPE-DE Group*. – (HU) Madam President, ladies and gentlemen, first of all, on behalf of my group, I would like to thank the rapporteur for his work and his cooperation. The budget is a joint task, and the result meets with the demands of several political groups. The message of the People's Party is as follows: let the lives of EU citizens be more secure. Security means many things, not only the protection of the borders of the Schengen zone, the prevention of illegal immigration, the struggle against terrorism, but, in particular, the preservation of jobs by means of increased support to small and medium-sized enterprises along with research and development, as well as food safety and food security. In the interests of security, we need several mutually independent sources of energy. All this requires more money than has provisionally been set aside by the Council.

In order to secure banking operations, a few days was enough to come up with EUR 2 000 billion. Fine. However, we should realise that it takes the EU 20 years to spend that sum of money. Parliament is planning on less than EUR 10 billion additional funds for next year's programmes, all of which serve the real economy, and that is still 1.5 billion below the amount we provided for in the seven year framework budget. It is not inappropriate therefore if, in the current situation, instead of budgetary restraint, we spend 10 billion more on growth, job creation and the safety of our citizens. The crisis is not only a financial, but also an economic

issue. The Council should be our partner in more vigorous economic development. Member States, for their part, should abolish those obstacles – such as excessive demands for their own share – with which they artificially render more difficult the use of support for European development. The EU must help our citizens who are in trouble as a result of the worldwide crisis. Let us demonstrate that the European Union can not only prevent wars from breaking out in Europe, but can also overcome the financial and economic crisis affecting Europe. Thank you for your respectful attention.

IN THE CHAIR: MR MAURO

Vice-President

Catherine Guy-Quint, *on behalf of the PSE Group*. – (FR) Mr President, Commissioner, Mr President-in-Office of the Council, I should like to begin by thanking all of the rapporteurs, and especially Mrs Haug and Mr Lewandowski, as well as the entire budget team, elected representatives and administrators alike, for this traditional financial exercise for the year 2009. This is the third financial perspective, and it demonstrates just how much the annual budget procedure has become an unnatural and somewhat surreal exercise faced with the situation in Europe. It is an exercise in juggling the accounts, making it impossible to provide a genuine Community-wide solution to the problems of our society.

After the Commission's very modest draft, the Council did what it invariably does and sent us a limited proposal that does not enable any of the promises it made during the year to be fulfilled. You are right, Mr Jouyet, the European budget has been under-utilised since 1988. As in sport, regular training leads to better performances, and, as an athlete, the EU budget, by becoming smaller, becomes more inefficient and more under-used. This is the vicious circle that leads to political disasters.

Admittedly, we cannot spend without calculating such expenditure, but, in view of these continued promises, it is commitment appropriations, not payment appropriations, that are being recorded. This is the beginning of budget fraud! We ought therefore to know whether the European Union wants to achieve its objectives and whether the Member States are willing or not to contribute to common policies.

Faced with this impossible task, Parliament, through the work of our rapporteur, is assuming its authority. The budgetary framework is very tight, and the Commission's lack of initiative has led the European Parliament to create new PPs and APs that will underpin future innovations. However, it is vital that, at a time when Europe is deciding to inject EUR 1 700 billion to help the euro zone's banking sector, we manage to find EUR 250 million for the food facility for 2009. Parliament is very attached to this food aid fund.

Thus, on 21 November, the ball will be in the Council's court. Parliament has respected the authorised procedures in all their forms: respect for the Financial Perspective, the call for flexibility under the EUR 530 million ceiling and the call for an emergency aid reserve that features in the financial perspective. We are acting within the scope of our prerogatives and we therefore expect the Council to adopt a responsible political attitude that is similar to our own. This is crucial when it comes to ensuring the credibility of Europe's work in the eyes of each and every citizen.

Mr Jouyet, I appeal to you: politics is about anticipating; Parliament's position enables us to anticipate while respecting the rules to which the three institutions have chosen to submit. Prove that you are equal to your commitments!

Anne E. Jensen, *on behalf of the ALDE Group*. – (DA) Mr President, I would like to begin by thanking Mrs Haug for her sterling efforts in keeping all the different aspects of this budget procedure together. The Group of the Alliance of Liberals and Democrats for Europe support the result of the vote in the Committee on Budgets. For the ALDE Group, energy and climate policy, as well as research and innovation, were important priorities for the 2009 budget. We share Mrs Haug's view that climate and energy policy are not adequately reflected in the budget, and we look forward to the Commission coming up with a clear proposal in the spring as to how this area can be given budgetary support at EU level. In view of Russia's invasion of Georgia, it was important to the ALDE Group both to secure reconstruction aid for Georgia and to support the development of the Nabucco gas pipeline, which is intended to ensure a supply of gas to Europe outside Russian control. We are pleased that a majority has supported these priorities.

The present draft budget eliminates a number of the Council's savings and gives a more realistic assessment of the needs for payment over the coming years. We will hit the ceiling in the multi-annual agreement for the budget in three headings, namely 1a for research, education and transport and Heading 3b for legal policy, and we will go beyond the ceiling in Heading 4, foreign policy. The budgetary ceilings for foreign

policy go on being too restrictive, and every year we have to fight to fund new priorities. It is strange to see heads of state writing out bills for the EU budget that their own finance ministers will not honour. The Commission has proposed funding the food facility for developing countries using the money saved from the EU's export refunds. The money has, of course, been saved as a result of the high food prices which, in turn, create problems of starvation in poor countries. The idea is right, but in terms of the budget we must do things differently so that we comply with the agreements entered into between the institutions. Therefore, we are now proposing that the food facility and extra appropriations to Palestine, Kosovo and Afghanistan be found by using reserves, for example, the flexibility reserve. It is not fair to obtain this money by cutting down on important programmes for poor countries.

The ALDE Group has tabled a proposal to place 12% of the funds from the Structural Funds programmes in reserve. The background to this proposal was that we wanted to pressure the Commission into doing more to avoid the errors in the region of 12% that emerged during the debate for the discharge of the 2006 budget. It was our intention for this reserve to be used as an instrument to follow up on the 2006 discharge, but we could not get sufficient support to take this path, and so we will have to take note of this, but I hope the Commission will take action.

Mr Lewandowski had an interesting task in preparing Parliament's and the other institutions' budget. I think he has managed to obtain a good compromise in which Parliament's budget stays below 20% of the administrative expenditure.

Helga Trüpel, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Mr President-in-Office of the Council, Commissioner, ladies and gentlemen, the European Union's budget for 2009 can only yield minor successes, because we are working within the straitjacket of the Financial Perspective. The Group of the Greens/European Free Alliance made it quite clear, when we voted on it, that the Financial Perspective bore no relation to the new challenges and tasks with which we were faced.

We have just from heard from all the speakers that the European budget for foreign policy is underfunded. However, with regard to the challenges of global climate change as well, our European budget does not even begin to allow us to respond appropriately.

I would like to remind you all of President Sarkozy's great speech yesterday, in which he pointed out how much needed to change in the European Union in view of the economic crisis and the climate change disaster. The 2009 budget reflects all of this to only a very limited extent, and that is our shared problem: our European budget is simply not up to the challenges of the present time. In agricultural policy, too, it is high time for energy generation to be linked to environmental targets, and we must also – as Mr Barroso said yesterday – do more for research and development and, above all, in educational policy. After all, those are Europe's assets. We need to get away from a reactive budget, towards a proactive budget and a new political concept.

Finally, we need to do more to combat hunger: in Africa, in the sub-Saharan region, famine is once again on the rise, and that is unacceptable. We also need to do more to promote fair trade, so that the developing and emerging countries finally get a fair chance.

I now come to the political result. As Mr Sarkozy said yesterday, we need to relaunch capitalism in green form; we need a Green Deal. Only then will we also be able to relaunch the European budget.

Wiesław Stefan Kuc, *on behalf of the UEN Group*. – (PL) Mr President, Commissioner, the draft budget for 2009, like previous draft budgets, not only fails to meet our expectations, but more importantly, does not meet the expectations of our electorates. Its main failing is too few appropriations for payments. If we want to meet all expectations, it should be at least twice as much.

The Council of Europe has limited funding and made it necessary to reduce a number of items – these cuts affect Section III in particular, which includes agriculture and rural development – but also affects the European agencies and the remaining sections. It is unlikely that there is any committee or political group in the European Parliament which will be satisfied by this budget.

Although the political priorities for 2009 have been set, it has not been possible to keep any of the priorities at such a level as to make it clear that they have been favoured financially. Officially the budget retains all the indicators set out in the multi-annual financial framework, but we all expected it to be higher. That is why the draft budget proposes returning to the original draft, and removing the reductions made by the European Council. In voting for the proposed draft, we are counting on pushing through an increase in the reduced budgetary expenditure. We may succeed.

Esko Seppänen, *on behalf of the GUE/NGL Group*. – (FI) Mr President, Commissioner, it can be rightly said that next year's budget shows budgetary discipline. The low national income it proposes will bring law and order to the EU.

The expenditure under external actions in Heading 4 is inadequate by any budgeting criterion. We all know that this is not enough money for everything the Council considers important, as Parliament has its own legitimate preferences for the use of these funds.

We in our group are not very anxious to support the growth in external expenditure in itself. We are not in favour of Georgia's rearmament after its attack on the civilians of South Ossetia and Russian peacekeepers, and its pitiful defeat later. We do not support the Council's priorities for a Common Foreign and Security Policy. We do not agree that a Common Foreign and Security Policy should be developed in the direction of a European Security and Defence Policy, as if the Treaty of Lisbon had not been rejected. Let the Member States be satisfied with the Athena Financing Mechanism for that.

We do not support the assistance of Iraq, Afghanistan and Georgia, via international organisations, without the possibility of monitoring the use of the Union's money. Obviously, we are in favour of aid for oppressed nations, such as the Palestinians, but at the same time we say that the Council's priority areas are eating into the reserves for the targets of financing that Parliament deems important.

All those who were involved in drafting the budget know that the ceiling for external actions will not hold up but collapse during the budgetary procedure, the way the ceiling in this House did last August. Let us be able to stay under the ceiling. If that is done by cooking the books, that goes against good budgetary practice and is a culture of governance that is not transparent for EU citizens, the people who have to foot the entire bill.

Although our group believes that there is no great sense of confidence among us in the Union's external actions, we want the facts to be recognised. That is now a job for the Council.

Nils Lundgren, *on behalf of the IND/DEM Group*. – (SV) Mr President, this is, in a certain sense, a well worked-out draft budget. The skilled and thoughtful rapporteurs deserve all credit for their work within the current framework. All this is nonetheless completely wrong, however – for what should the EU in actual fact do? In this context, at least two thirds of the money goes on agriculture and on structural funds, including waste and corruption. What the EU should invest money in, for example, large-scale research such as the fusion project in Barcelona, or common infrastructure such as Galileo, or the separation and storage of carbon dioxide etc., are small fry in this budget.

What we find here is a Globalisation Fund that now gives EUR 2.4 million to Portugal and EUR 10 million to Spain. In both cases, we are concerned with fractions of a per mille of these countries' gross national products. There is no reason why they should receive money from other countries in this connection. We have a Solidarity Fund from which EUR 13 million is going to France following the havoc wrought by Hurricane Dean in Martinique and Guadeloupe. Again, this is a fraction of a per mille of France's Gross National Product. The whole thing makes no sense. We are talking about rich countries that would have no difficulty dealing with these matters, without receiving scraps from other Member States.

Why is this being done? I would maintain that it is because it is PR money designed to be used as advertising for the EU. There is no other obvious reason for it. Next time, funds will no doubt go on snow clearance. I repeat: we are on completely the wrong track. We are debating a budget that is technically well designed, but politically idiotic.

Sergej Kozlík (NI). – (SK) Last year, we were similarly appalled at the low levels of expenditure in the EU budget for 2008. As a fraction of Gross Domestic Product, it amounted to 0.95%. At the time, I compared the curved line of the year-on-year decline to a falling leaf. We thought it could not get any lower. We were wrong.

Expenditure for 2009 represents 0.89% of GDP. This is no longer a curved line; it is free fall. Who cares that the level of expenditure is far out of line with the political priorities and obligations of the European Union? Who cares that there is a growing gap between levels of obligations and payments? The total volume of unpaid obligations today represents EUR 139 billion, which is more than the annual budget of the Union.

The internal discord in the policy of the European Council has been revealed for all to see. The governments of most Member States will not manage to secure a full drawdown of EU funds in the current year. The aforementioned gap has translated into a reduction in expenditure in the budget for next year. The gap is

widening between the financial framework for the years 2007-2013 and the actual budgets, to the detriment of citizens and the regions, which are not receiving the necessary resources, especially from the structural and cohesion funds.

This is also a matter of the weakness of the European Parliament. We will not find in our own countries an effective way to put pressure on governments, ministries and other bodies within the public administration to direct appropriate levels of funding into these areas. I support an increase in expenditure from the EU budget, as is proposed in the excellent report of Jutta Haug. At the same time, however, I wonder whether we are just tilting at windmills.

Salvador Garriga Polledo (PPE-DE). – (ES) Mr President, Mr President-in-Office of the Council, Commissioner, rapporteurs, ladies and gentlemen, what is the ultimate goal, the *raison d'être*, of an EU budget in a year of real and total financial crisis?

The first goal is to ensure that this budget does not simply represent an added burden on national purses. In other words, it must not be a superfluous expense, but must go only where the Member States cannot or must not go.

The second goal is to ensure that it is a budget which provides added value. The programmes for which financing is approved must be adequately supported by the political authority – the Council and Parliament – and technically supported by the executive authority, which is the Commission.

The Commission's role has never been more important than in this year of deep crisis. Its responsibility is greater than ever, because we must squeeze every possible drop of return from every euro invested by European taxpayers.

Thirdly, at a time when liberal is becoming social democrat and social democrat is tending to become liberal, the EU budget must be effective and even contracyclical.

A study headed by the Spanish economist, Rafael Flores, has proven that the public expenditure with the greatest impact on public investment and employment is expenditure on transport infrastructures and communications. What is good for my country should also be good for the whole of Europe.

The EU Structural and Cohesion Funds are the key Community component for reinvigorating European infrastructures and, consequently, employment. For that reason, my Group supports, among other aspects, more funding for the trans-European networks irresponsibly forgotten by the Council, in particular, more funding for the energy networks, and also more funding for payment appropriations under the convergence heading.

Thijs Berman (PSE). – (NL) Mr President, the budgets of the other institutions boast a reasonable balance between the ever huge demand, an almost chronic demand, for more staff and the need to restrict expenditure.

The European Parliament, being the cautious budgetary authority that it is, remains within the agreed boundaries (one fifth of the budget of the institutions), but invests in knowledge nevertheless, by increasing staffing levels within the groups and by increasing capacity in the library. This is necessary, because the questions we are faced with are invariably complex and related to globalisation and worldwide issues. The foundations are being laid for the introduction of the Members' and Assistants' Statutes, and this is a question of social justice that has been a long time coming.

There will be more staff to liaise between the European Parliament and national parliaments, which is essential, even though the numbers involved are small. It is about exchange with national parliaments, which needs to improve. In our capital cities, there is often a huge lack of knowledge about Brussels' agendas and about issues of subsidiarity, while the European citizens, more so than before, are asking critical questions about what should be regulated at national level, and what at European level.

As for the other institutions, allow me just to say this: access for citizens should be paramount. This is why it is important to increase the staff of the Ombudsman, just to mention one aspect. The European Union must be open to every citizen, not least, and particularly, for citizens who have complaints.

Nathalie Griesbeck (ALDE). – (FR) Mr President, ladies and gentlemen, firstly, many thanks to our two fellow Members from the Committee on Budgets – Mr Lewandowski and, of course, Mrs Haug – who have overseen our work passionately and effectively.

Firstly, I should like, very briefly, in the time I have available to me, to say to you that I am delighted overall with a number of guidelines that have been preserved within the framework of a budget that is very constrained, even tight, as some of our fellow Members have said. Fundamental guidelines relating to growth, employment and climate change have been preserved, and we even have an increase in the total level of payments on these priorities, at any rate.

Moving on, secondly, I am delighted with regard to a more specific point: the fact that we have managed, through the Committee on Budget's proposal, to make lines concerning research and innovation and all that which concerns the Structural Funds more understandable, thereby providing our fellow citizens with practical answers.

In this time of crisis, the scale and effects of which are stressful and will unfortunately be long-lasting, I should like to highlight the importance of Europe's coordinated response. The latter is not only more obvious now than it has ever been before, but it is also crucial when it comes to providing support for investment in major infrastructure projects, in order to stimulate our European economy.

Gérard Onesta (Verts/ALE). – (FR) Mr President, it is clear that we will unfortunately not have the Treaty of Lisbon in force next year, but, for all that, we will nevertheless require regulation. There may be no new treaty but there are new needs, all the same. There are tasks that do not follow the institutional tempo. We need only look at the news, with the financial crisis and the environmental crisis. We will need resources in our flow chart.

The year 2009 is also a little bit special since we have an appointment with a very sensitive animal known as the European citizen, namely the electorate. Thus, we should not skimp on resources for communication and cooperation. On this subject, too, let us find the proper resources for our Web television, the electoral campaign, the visitors' centre, the citizens' forums, and so on.

In terms of buildings, we now own nearly all our buildings. I am referring here to our three main work sites. Regarding the one that we do not yet own, the Luxembourg site, we are going to start work there in the next few weeks. This is a large, very ambitious construction site where we are going to build one of the largest buildings in the world, with a fully autonomous energy supply. We can be proud of this, we can be proud of our property, but, as this room can testify, property requires upkeep! Thus, as owners, we are now going to have to find the resources to have high quality property.

With regard to environmental policy, in 2008, we were one of the first institutions to receive EMAS certification – we can be very proud of that. We have had the result of our study on our carbon footprint for two days now. This House consumes 200 000 tonnes of CO₂ each year. If we want to meet and achieve the objective of less than 30% in 12 years, we will need some resources.

I shall conclude simply by commending the quality of the work done by our friend, Mr Lewandowski, because, in the new conciliation method we have put in place, we have been very, very lucky to have him as a leader.

Zbigniew Krzysztof Kuźmiuk (UEN). – (PL) Mr President, Commissioner, in this debate there are four matters to which I would like to draw your attention. Firstly, even though the expenditure in the budget of EUR 124 billion for appropriations is the highest in the history of the European Union, it is the lowest in terms of the Gross National Product of the 27 Member States. This, incidentally, is the level proposed by the European Parliament's Committee on Budgets, as the European Commission proposed even lower allocations, and the Council made even more cuts to this modest budget.

In the Financial Perspective for 2007-2013 the ceiling for appropriations for payments was 0.97% of Gross National Product, in other words, we are dealing with a significant discrepancy between what we intended to fund three years back, and what the Union wants to fund now. Fourthly, we can have neither a larger Europe, nor deeper integration, for so little money, nor can the European Union be a reliable global partner, as it is threatened by the failure to meet its own commitments in this area.

Pedro Guerreiro (GUE/NGL). – (PT) This debate on the Community budget for 2009 should be marked by the decisions not taken by the European Council this month. What absolutely should have been discussed was the urgent budgetary measures needed to effectively support small-scale and family-based agriculture, fisheries, the textile and clothing industry, the shipbuilding industry, and micro-, small and medium-sized enterprises. In addition, other measures are urgently needed to defend the productive sectors of each Member State, particularly the cohesion countries, employment with rights and decent wages for workers.

What absolutely should have been discussed was the necessary break with the Community budget policy. This policy underpins an economic policy that is one of the causes of the structural crisis which has been dragging on for so long in the European Union and which lies at the root of the downgrading of the productive sector, unemployment, precarious work, increasing social inequalities and deep differences between the Member States.

Ashley Mote (NI). – Mr President, I see that millions of euros of public money are still being allocated to social engineering and to buy popular support for the EU itself in candidate countries, Member States and elsewhere. We still have roads and bridges that lead nowhere, we are replacing the pavements in Karinia outside the Turkish casinos no less, and EUR 400 million provide electricity in Kosovo, where the subsequent receipts simply disappear.

These are highly questionable political uses of public money. No wonder the taxpayers in net-contributor countries like mine are increasingly objecting to EU funds being given to countries whose tax burden is lower – sometimes much lower – and which effectively replace the lack of local tax revenues.

Given the nature of these irregularities, I wrote to the Court of Auditors recently to clarify the legality of payments from public funds which are being qualified under international financial accounting standards.

Esther de Lange (PPE-DE). – (NL) Mr President, one of the main advantages of speaking late is that you can leave out a considerable number of things that have been said before. This is why I shall immediately cut to two points that are particularly close to my heart. Firstly, now that there are an increasing number of obese children in Europe, we as a society will need to invest more in teaching healthy eating habits.

The increase in the budget for school milk, as proposed by us, fits in perfectly with this ambition. With the additional EUR 13 million we should like to set aside, we should like to increase the number of schools and also extend the range with a number of healthy products. What is unfortunate is that the Commission's response to initiatives such as the school fruit programme is, in my view, too slow.

The European Parliament would have liked to have had money in the kitty for this programme in 2008. It will now be 2009 before fruit will be provided in schools free of charge, and a mere EUR 1.3 million has been earmarked for networking and the provision of information. This is regrettable to my mind. School fruit will not simply rain down on schools after the summer break. A great deal of groundwork will need to be done for this programme, and money will be needed for this next year as well. A little more dynamism would certainly not go amiss therefore.

Secondly, I should like to draw your attention to a proposed investigation into returns in the food production chain. For example, were you aware, Commissioner, that the economic return on this apple is 22% in your supermarket, and 23% in the distribution trade, while the primary producer of this apple, the farmer, without whose efforts this apple would not have been here, has, over the last few years, suffered a negative return of -4%?

Via the study we propose, we would like the position of farmers to be monitored. After all, if we want to retain agricultural production in Europe, we will need to monitor the positions of the primary producers and concentrations of power in the chain, such as large supermarkets. I hope, Commissioner, that together with your colleague for Competition, you will want to get your teeth into this issue.

Göran Färm (PSE). – (SV) Mr President, as the Committee on Industry, Research and Energy's rapporteur for the budget, I should like to thank Mrs Haug for having listened so carefully to our priorities, which genuinely make their presence felt in the budget. To my fellow Swedish Eurosceptic Member, Mr Lundgren, who spoke just now and who characterised the budget as idiotic, I would just say that it is not improved by the fact that he himself proposes the total discontinuation of some of the best parts of the budget, relating to, for example, the maritime safety authority and the Youth In Action programme.

Certainly, the EU budget has problems, however. The threefold crisis we are experiencing shows what is at issue. I am talking about the climate crisis, the food crisis and the financial crisis. The Committee on Industry, Research and Energy proposes increases of at least 5% in all the operational appropriations relating to climate and energy, but this is still a drop in the ocean. As a socialist, I see the need for Food Aid, but the debate on funding shows the weaknesses in the budget system. It shows how difficult it is to engage in more significant re-prioritising. President Sarkozy yesterday pointed out the need for common efforts directed at European trade and industry as a result of the crisis, but there are no such resources in the EU budget. The Committee

on Industry, Research and Energy indicates the need for more funding for small and medium-sized enterprises, but this, too, is a drop in the ocean.

Instead, we are forced to invent one temporary instrument after another. We have flexibility instruments, the Globalisation Fund, the Solidarity Fund and Food Facility, and we shall soon have a special mechanism for looking after the income from the future auctioning of emissions rights. I think it is time to carry out a more ambitious and forward-looking review of the long-term budget. Now that we are to carry out a mid-term review, we have the opportunity to ensure that it is better adapted to dealing with the ever more complicated reality in which we live and in which radical measures are required. (debate)

Seán Ó Neachtain (UEN). – Mr President, the most important aspect of this budget is how it aids and supports the economy of Europe in its entirety, as well as developing and strengthening the economy – something which is really needed at present. That is why I welcome the support in the budget for research programmes and the development of new technologies, because without the development of such technologies, we cannot hope for competitiveness in our economy.

I would also like to see this support being made available to all regions throughout Europe, not only in more urban areas, but also in rural communities. I would also like to see strong support for the CAP health check in the coming years in order to ensure a healthy food supply locally and not to have to depend on food imports from faraway lands.

Margaritis Schinas (PPE-DE). – (EL) Mr President, in an election year, the budget should have two distinctive characteristics: firstly, resources that reflect the ambition of the European Union and, secondly, responses and political messages to the expectations of the average citizen, especially in the current difficult economic climate.

If we evaluate the draft budget before us against these criteria, the amount, which corresponds to payments of 0.96% of Community GDP, is basically adequate, but only if the Council does not chop it down at second reading. I trust that the minister will pay particular attention to this point.

Things are better in terms of political messages and political targets, where we have indeed covered society's basic priorities. Without going into greater detail, I should like, if I may, to mention one particular major issue which concerns my country and other countries in the south of the European Union, namely the question of illegal immigration.

At present, thousands of Iraqis, Kurds, Afghans and Georgians are collecting in Turkey and trying to enter the European Union en masse. Greece and other countries in southern Europe have to make a huge effort with scant resources to control illegal immigration. In 2007 alone, we had 110 000 illegal immigrants in Greece and there have been over 80 000 up to September of this year.

I am therefore delighted that, for the first time, the Community budget has a separate point for the solidarity of the European Union with its Member States in the south and I trust that we shall make a good start and maintain it over time.

Brigitte Douay (PSE). – (FR) Mr President, on the very day in which the political declaration 'Communicating Europe in Partnership' has just been signed by Parliament, the Commission and the Council, with the latter thus indicating their common will to enhance and to harmonise information on the European Union that is intended for the citizens, we are debating the 2009 budget and the 'Communication of the institutions' budget.

For this electoral year and at a time of growing scepticism regarding the Union, raising the citizens' awareness of European issues is crucial. We hope, in actual fact, that there will be a very strong turnout at the elections. For this to happen, all initiatives designed to explain Europe and its added value in terms of everyday life and of preparing for the future are important. The forthcoming visitors' centre in Brussels is part of this, but I fear that certain amendments adopted in committee will delay its highly anticipated opening.

On behalf of my group, I should like in fact to point out how keen we are to see substantial investment in all communication initiatives concerning the citizens and the media, especially at local level. Parliament and the Commission must be encouraged in all policies designed to increase support among the citizens for the European project.

Michael Gahler (PPE-DE). – (DE) Mr President, I will focus on Heading 4, which relates to the EU's external activities. In current or former conflict zones such as Georgia, Kosovo, Palestine, Afghanistan or Pakistan, we want to achieve improvements for people, and peaceful and humane development.

As our financial plans have not provided sufficient funds, in 2009 we once again need to obtain additional resources from the Member States for our increased work. In particular, there must be no cutbacks in our commitments and payments in our immediate neighbourhood: it is important for candidate countries, our east European neighbours, and our partners on the Mediterranean, to see the EU as a reliable partner that they can count on.

Looking at the implementation of the 2008 budget – for example, for Palestine alone – and the number of amending letters, I can already tell that we are going to end up in a similar situation in 2009. I would therefore make an appeal to the Presidency of the Council, in relation to the conciliation meeting. On 21 November, we will, together, be mobilising the flexibility instrument in line with our proposals, which means that, next year, we will not be so easily available for amendments. As you know, we have elections coming up, so you also do not know who may be sitting before you following the elections.

We have placed additional emphasis on the field of foreign affairs, which I think is a positive move. We have allocated additional resources so that we can publish European news in Farsi, the language of Iran and Afghanistan. I believe it is important to disseminate our political viewpoint in these areas, so that the people know what position Europe is taking.

On another issue, I would like to ask the Commission to change their policy. As you know, there is now a network of political foundations covering five political groupings, and it is unfortunately our experience that these groups are effectively locked out of the implementation of our policies and of support for democracy. I hope that this situation will change next year.

Vicente Miguel Garcés Ramón (PSE). – (ES) Mr President, we have before us a draft general budget for 2009 which is attempting to reinforce the social and environmental dimension of the European Union as an area of peace and progress.

I must particularly highlight, due to their symbolic value, two parliamentary proposals incorporated during the discussion process. The first concerns the funding earmarked for European space research, focused on global monitoring of the environment, citizen security and the International Year of Astronomy.

The second is the pilot project on social tourism which will try to find ways of meeting the requirements for new forms of leisure. We regret that the draft budget does not include a special fund for rehabilitation and reconstruction in countries affected by hurricanes and typhoons in the Caribbean and Asia.

We do not want the current economic and financial crisis moving around the planet to adversely affect the EU budget.

Vladimír Maňka (PSE). – (SK) I am responsible within the socialist group for financial matters under the heading of 'Other Institutions'. From this standpoint, I can state that the process of drawing up the budget and ensuring the efficient use of funding is heading in a positive direction. Here too, however, there are reservations, for example, over the policy on fixed assets. Only a longer-term view coupled with planning measures can help us to achieve greater financial savings.

A further reservation concerns the use of studies into the energy consumption of buildings. The most recent studies into the carbon footprint of the European Parliament mention a carbon dioxide equivalent of 114 000 tonnes a year. We must adopt a series of measures aimed at reducing emissions by 30% by 2020. The main sources of pollution are heating and electricity in the buildings themselves, as well as the transportation of people between home and the workplace and also between the three main workplaces.

Before the end of the year, I am expecting the Secretary General of the European Parliament to submit an action plan based on a number of studies, so that we can take steps as soon as possible which will lead to financial savings and a cleaner environment.

Ville Itälä (PPE-DE). – (FI) Mr President, first of all I want to thank both rapporteurs for this excellent work, and it is interesting that this term we have been able to find consensus, perhaps even politically, and more so than in former years, even though the elections are forthcoming. That is excellent.

I would like to raise one matter, which is that the Committee on Budgets has now presented its own budget line for the Baltic Strategy. That is extremely important. The Commission is preparing its own Baltic Strategy for next year, but no strategy has any significance unless it also has funding, and funding has to be organised this way.

The issue here is mainly the environment. The Baltic is almost a dead sea. In this sense it is a blot on the European landscape. We have a lot of work to do. This is about our relations with Russia, energy policy, shipping, the economy: all very important matters, and we can use this budget line to help ensure that these issues will be put right.

Reimer Böge (PPE-DE). – (DE) Mr President, I would like to start by thanking the two rapporteurs: Mr Lewandowski, who has worked with great deliberation and composure to draft Parliament's budget; and Mrs Haug, who has worked with great commitment to present us with a very effective strategy for the Commission's budget. The broad agreement that we will, I hope, achieve in tomorrow's vote should send a very clear political message, in particular for the conciliation on 21 November.

It is abundantly clear that, particularly in the current climate, growth, jobs, trans-European networks, lifelong learning, the fight against climate change, European transport networks and the security of external borders must be shaped as we have set out. In foreign policy, too, a consistent neighbourhood policy and a global development, crisis management and integration concept for the European Union are more vital than ever. Hence, Commissioner, the question concerning payments. At the end of the process, the level of payments will be evaluated very differently depending on the category. You mentioned the issue of the reserves, and I simply note that, apart from that, you have no objections to Parliament's priorities and focuses. That is a good sign for the negotiations.

We are delighted that the French Presidency is here today, Mr Jouyet, because the Presidency has not always been present for October's debate on the budget. This is evidence of the good cooperation we have begun. Of course, you had to start off by speaking like a finance minister: everything is far too expensive, everything is far too high. We are operating here, including with regard to what we are voting on, far below the ceiling of the multiannual financial plan.

Between the lines, though, it has become clear that you are prepared to negotiate, as you have said: with regard to the food aid facility, and, I would stress, not only there but also in the other foreign policy priorities – GASP, Kosovo, Palestine, Afghanistan and Georgia – it is a matter of negotiating, and finding, the optimum combination of instruments. We are prepared to do so, using all the options open to us under the Interinstitutional Agreement and the budgetary principles. In this connection, we are looking forward to constructive negotiations.

Jan Olbrycht (PPE-DE). – (PL) Mr President, Commissioner, 2009 will be a very special period, as it will relate to the proper implementation of investments related to cohesion policy. It will be the third year in a row based on the $n+3$ principle. This means it will be a period in which we will pin our hopes not so much on signing agreements, but in the complete realisation of very concrete undertakings, which makes any attempt to reduce financing, when it comes to cohesion policy, very dangerous.

I would also like to draw attention to the fact that there are voices in the European Parliament that associate the results of the audit of the European Court of Auditors with budgetary planning and, as a result, some very well-known comments on the dozen or so percent of unqualified expenditure are now impinging upon the budgetary debate. I hope that neither this House, nor the Commissioner, will accept any associations and allocations to reserves of this nature.

Jean-Pierre Jouyet, President-in-Office of the Council. – (FR) Mr President, Commissioner, ladies and gentlemen, I have already gone on for too long, but, really, this debate was quite fascinating. I would like to say that we agree on the priorities as they have been expressed by your rapporteurs, and as they have been expressed by Mr Böge, and that it is in fact our wish to cooperate very closely.

I regret that I am unfortunately not speaking as a finance minister, Mr Böge, but, well, in this Presidency, that is how it is, in fact, and I can simply assure this House that we wish to reach an agreement within the scope of this procedure.

I wish to assure you, too, that the Council will demonstrate, within the limits that I mentioned, the constructive attitude that we are in fact aiming for, within the framework of the priorities mentioned – I am addressing the Commission and this House here. I observed the emphasis that was placed, in particular, on external

policy, on communication, and on subjects relating to financial regulation and to the euro. I noted these various points, as well as the needs of your institution, which have been pointed out, and that we need to single out two elements at the end of this debate.

The first is the discussion on the future of the European budget. I heard Mrs Guy-Quint and the others, but many of the observations raised need to be debated within the context of the clause for re-examining the financial framework. It is within this context that the Commission, the European Parliament and the Member States must take a stand and design the future multiannual financial framework. We had spoken about this with Mr Böge. Current circumstances have meant that we, as the Presidency, have also focused on other urgent matters.

The second is the issues at stake in the 2009 budgetary procedure. In this regard, we must work out a realistic and balanced budget and find solutions for financing the food facility – I say this on the record – as this remains an objective that we share. This is an important political priority for all the Community institutions today and, on this matter, too, we hope to ensure an optimum combination of the various resources.

Jutta Haug, rapporteur. – (DE) Mr President, I am grateful to all those who have taken part in this debate. To you, Commissioner, I would like to say that I know, as do we all, that the Commission is never particularly happy when the Parliament sets reserves. We do understand that, because you feel the pinch, but this year we wanted – and we will see this in the vote tomorrow – to lay down conditions for releasing the reserve that you will be in a position to meet quite independently.

These conditions are not a cloud cuckoo land where you have to rely on and badger other people in order to get your money – Parliament has been very reasonable here. In the great majority of cases, we will be able to release these reserves relatively quickly, by the second reading, because you will have met the conditions we have imposed – I am firmly convinced of this.

Mr Jouyet, I realise that you cannot make us any specific promises here and now, but I assume that you were serious about what you said about both recognising and wanting a climate of cooperation. Allow me to make one comment regarding your plea to take account of the financial policy context in which we are operating: I think this context is one digit too large. Our budget runs to just under EUR 130 billion; together, we have room for manoeuvre of a few hundred million. We can argue about that here, but it bears absolutely no relation to the larger context to which you referred.

Once again, I am much obliged to all my fellow Members. We will, I believe, be able to bring a well-prepared debate to pass relatively quickly tomorrow.

Janusz Lewandowski, rapporteur. – (PL) Mr President, I would like to use the extra time to speak in support of the many voices of Members of the various political groups regarding the critical situation under Heading 4 of the budgets, which are for funding the European Union's international ambitions. I well remember the end of the negotiations on the Financial Perspective well, and the verdict of Parliament was clear – that this part was inadequately funded. This happens year after year, and every time there are new sticking points in the budget negotiations. The situation has been the same this year too, when we have huge commitments regarding food aid, Kosovo, Afghanistan, Palestine, which have been mentioned frequently in this House, as well as Georgia, where the question is not just of the country's orientation, but also of the security of alternative energy supplies, has been raised. The response must be an agreement to revise the Interinstitutional Agreement rather than patching up edges of the financial rules every year when our backs are to the wall. I thank everyone who has spoken on the issue of the Parliament's and other institutions' budgets.

President. – The debate is closed.

The vote will take place tomorrow, Thursday, 23 October.

Written statements (Rule 142)

Louis Grech (PSE), in writing. – The question is whether the EU has sufficient resources and will create enough funds to adequately implement measures on mitigation, stabilisation and adaptation on emissions.

Generally speaking, the EU budget, in its present format, cannot deal efficiently and effectively with issues related to climate change. With the exception of a number of initiatives and programs, the EU budget does not have a clear and integrated strategy to address climate change issues.

In this respect, therefore, I am arguing that the creation of a specific "Climate Change Fund" or a dedicated budget line would significantly improve the EU's capability to effectively address climate change issues from a budgetary and financial perspective.

The main source of funding should be coming from the auctioning of emissions under the European Emissions Trading Scheme. It is estimated that the scheme would have the potential of generating annually billions of euros in terms of revenue. This scheme would be dealt with and coordinated by the EU, thus ensuring regional arbitrariness.

Cross border pollution is best managed at supranational level, especially when it comes to allocation of resources and support, which should be based on needs and highest impact, not pre-allocated to countries or regions.

12. EC-Bosnia Herzegovina Stabilisation and Association Agreement – EC-Bosnia Herzegovina Stabilisation and Association Agreement (debate)

President. – The next item is the joint debate on

- the report (A6-0378/2008) by Mrs Pack, on behalf of the Committee on Foreign Affairs, on the proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part (COM(2008)0182 – C6 0255/2008 – 2008/0073(AVC));

- and the Council and Commission Statements – EC-Bosnia and Herzegovina Stabilisation and Association Agreement.

Doris Pack, rapporteur. – (DE) Mr President, Commissioner, Mr President-in-Office of the Council, ladies and gentlemen, I read recently that Bosnia is a well-meaning state, but a state that is not working. This country has to live with the Dayton Agreement which, thank God, ended the war in 1995, but which contains too little for the state as a whole to function and too much for it to perish.

The country has a political class which is as good as useless when it comes to taking responsibility. Two politicians in the country dominate the political scene and affect each other like interconnecting pipes. One wants to return to the pre-1999 days; in other words, he wants the break-up of the two entities. The other wants to make his entity into a state within a state.

However, the state of Bosnia and Herzegovina can only function if everyone faces the facts and realises that constitutional reform is only possible with the agreement of all three ethnic groups. Both entities must strengthen the state as a whole. Therefore, Bosnian politicians themselves all need to set about constitutional reform through the competent institutions, especially parliament, and ensure that they involve civil society in the process.

The Muslim-Croat Federation could set an example. The unworkable configuration of communities, ten cantons and a federal government was not its fault, but it is a nonsense. Decision-making levels must be reduced to the absolute minimum and brought as close to the citizens as possible, if the requirements of the Stabilisation and Association Agreement and for accession to the EU are to be met.

Around 167 ministers and all that entails are the biggest drain on the state. The rivalry between the two aforementioned politicians and their hangers-on is having fatal consequences. They are setting the ethnic groups against each other in the tried and tested manner by fomenting anxiety and mistrust. The ethnic divide has become wider rather than narrower. Instead of going all out to tackle a common energy supply, create a functioning common market, improve the general education system and attract investors to the country with credible policies, party political bickering and boundless mistrust rule current politics.

Does Sarajevo still need the High Representative? He has not used his wide powers for a long time. No one any longer fears his command, even if it were to come; we can therefore ask ourselves if there is any reason why the EU Special Representative should not take over his position and take care of the EU conditions, so that Bosnian politics can finally start on the most important reforms needed to push the country forward.

The politicians could not be more inactive than they are now, even after his departure. It only remains to hope that perhaps then they will wake up and take their fate into their own hands. The EU has been trying for years, with funding and know-how, to release the country from its agony, but the results are not

overwhelming. The people who want to return are unable to do so and, as a result, the ethnic divide is becoming more and more entrenched. Obscure privatisations and corruption, the lack of freedom of the press in parts of the country, the intimidation of NGOs: all this is making people lose heart and turn their back on the country.

The endless discussion about political reform ruled the political scene for over three years, until agreement was reached on a highly insubstantial bill. Nonetheless, the EU clutched at this straw and signed the agreement, so that other important political projects in the country could finally be pushed ahead.

We here in Parliament also support this step and are waiting for the politicians to take advantage of this opportunity. I should like to emphasise once again that only the overall state of Bosnia and Herzegovina can become a member of the EU. Anyone who undermines its ability to function does not want to achieve this objective, whatever they may say. I can therefore only appeal to all members of parliament in the region to come to their senses once and for all and predicate their policies on the welfare of their citizens.

Jean-Pierre Jouyet, *President-in-Office of the Council*. – (FR) Mr President, Commissioner, dear Mr Rehn, Mrs Pack, ladies and gentlemen, I should like to begin by thanking Mrs Pack very much for the quality of her report and for what she just said, as it will allow me to be more brief with regard to this difficult subject.

As you know, the Council sets great store by the European perspective on the countries of the Western Balkans, as I can confirm today. This movement in favour of the European integration of the Balkans was moreover launched on the initiative of the French Presidency, which remains very supportive of this objective. The movement was launched in 2000 when the European Union, for the first time, gathered together all of these countries at the Zagreb Summit and recognised their aspiration to join the Union.

Each of the Balkan countries has such a perspective today, which guarantees the stability of the region and the development, both political and economic, of each of the countries. Moreover, this perspective has meaning, and particular meaning with regard to Bosnia and Herzegovina, which is the country of the region that – need I remind you? – has suffered the most from the conflicts resulting from the break-up of the former Yugoslavia. However, today – as you pointed out, Mrs Pack – this country is at a crossroads between adopting the European perspective that will take it as far as accession to the European Union and withdrawing into itself, on the basis of backward-looking nationalist rhetoric.

It follows that the remarkable progress made during the first quarter of 2008 has enabled the Union to take the historic decision to sign this Stabilisation and Association Agreement with Bosnia and Herzegovina. This was the sign that, with will and determination, this country's politicians were capable of reaching a consensus and of undertaking the necessary reforms. It is this determination that the Council wished to recognise by signing this agreement in June, once the four conditions had been met. I shall remind you of these four conditions: good overall cooperation with the International Criminal Tribunal for the former Yugoslavia; the reform of public broadcasting; the improvement of public administration; and the launch of a police reform.

The signing of the agreement and the interim agreement, in Luxembourg, on 16 June, was a particularly important stage in the relations between the Union and Bosnia and Herzegovina. This should give fresh impetus to the country's efforts to join the European Union. It is impetus that should be capitalised on without delay.

I would remind you that the interim agreement came into force on 1 July. This is a first step, but I would say that it is not the end of the beginning! Much remains to be done. This is what we and Commissioner Rehn, who is present in this House, said to the country's officials when we met them on the fringe of the United Nations General Assembly and during the meeting of the Troika.

In key areas of the agreement and of the European partnership, we need not only to consolidate the progress made but also, as you emphasised, Mrs Pack, to accelerate the reforms. It is extremely important that the momentum of the reforms concerning the rule of law, on compliance with democratic rules and on matters relating to the reform of the police, as well, be much stronger than it is today.

Let it not be said to us that there are problems concerning a split between the politicians and the public in Bosnia and Herzegovina, because all the surveys show that the European aspirations of Bosnia and Herzegovina's population are extremely strong. Over 80% of this population genuinely want to join the European Union! What is it that is stopping Bosnia and Herzegovina's politicians from responding to the legitimate aspirations of the country's people?

For our part, within the context of the Union, we are doing what we can to support this country economically and financially, to help it to advance, to help it to progress on the road to security, and to help it to progress on the road to modernising the police force with the police missions we have put in place, together with the military missions.

The experience of the last accessions – and I shall conclude here – shows that the efforts made in relation to the European agenda do pay off. I would like the political leaders of Bosnia and Herzegovina to understand the following: the Stabilisation and Association Agreement provides a solid foundation and a lever for a profound commitment from this country. We will not give up helping them, but we have accomplished what it was our responsibility to accomplish. It is up to the politicians of that country to really understand what its commitments are and to fulfil them, in order to guarantee that which is the only possible route to take, namely an unbreakable commitment to closer links with the European Union.

IN THE CHAIR: MR McMILLAN-SCOTT

Vice-President

Olli Rehn, *Member of the Commission*. – Mr President, I would firstly like to thank Doris Pack for her excellent report. I welcome the opportunity to discuss Bosnia and Herzegovina with you today at a very crucial moment for the country and its European aspirations.

The signature of the Stabilisation and Association Agreement (SAA) last June was a significant step forward for Bosnia and Herzegovina. Together with the start of the visa dialogue, it gave a clear signal to the people of that country that their future lies in the European Union.

The EU was able to initial the SAA last December and sign it in June because the country's political leaders pulled together and reached consensus on the main conditions, particularly on police reform. This proves that progress can be achieved and crises overcome when the political will exists, as Mr Jouyet rightly pointed out.

However, this consensus has since collapsed and reforms have been halted. Nationalist rhetoric ahead of the local elections in October was one factor in this deterioration. Yet the country's political problems run much deeper than that.

The lack of a common vision among the country's leaders about its future and the absence of consensus on EU reforms seriously harm its European prospects. There is also open disagreement on most political questions, while there is no sense of urgency or responsibility to overcome this political stalemate.

I expressed my serious concern to the Presidency of the country during my visit to Sarajevo a few days ago. I underlined that Bosnia and Herzegovina now needs to put EU-related reforms at the top of its political agenda and address the priorities of the European partnership, including state- and institution-building.

Your resolution sends a strong signal to the leaders of Bosnia and Herzegovina to get on with the reforms and to get their country back on the road to Europe.

Likewise, Bosnia and Herzegovina must be able to speak with one voice to advance in European integration. Another litmus test of the country's ability to deliver on EU integration is the census. From an EU perspective – as we all know – census data are vital for social and economic planning and development and for most Community policies.

The Commission will offer its assessment on the situation in Bosnia and Herzegovina in the Progress Report on 5 November. Like you, we shall also point out the fact that the leaders of Bosnia and Herzegovina can either continue to quarrel and fall behind their neighbours, or get on with reform and move forward towards the EU.

Your resolution underlines that closing down the Office of the High Representative (OHR) and strengthening the role of the European Union should remain our ultimate objective. I agree.

The future of the OHR is a matter for the Peace Implementation Council to decide, but it is clearly in the interest of Bosnia and Herzegovina to reach a point where the OHR will no longer be needed, thus paving the way for a stronger EU presence and for realising the EU perspective of the country. In other words, as we move into the next phase of our relations, Bosnia and Herzegovina itself must assume full ownership of the reform process that underpins its EU perspective. The signature of the SAA this summer provided an opportunity that should not be wasted. The challenge for Bosnia and Herzegovina's leaders is to achieve a

degree of political consensus such as has delivered progress on EU integration elsewhere in the Western Balkans region. They have done it before so they can do it again. I hope our messages will now be heard.

Anna Ibrisagic, *on behalf of the PPE-DE Group*. – (SV) Mr President, in June of this year, Bosnia and Herzegovina signed a stabilisation and association agreement with the EU. The country thus took a substantial step forward on its way towards membership of the EU, but the work is very far from complete. The EU's commitment cannot and should not decrease in the belief that everything will now arrange itself automatically. A whole series of challenges remains. The constitutional reform has not been implemented. The issue of state property in the Brčko district is still unresolved.

There are clearly widely different views, both in Bosnia itself and within the international community, as to when and how the High Representative's office should be closed. I firmly believe that the closure of this office cannot be an objective in itself. Rather, the objective should be that the requirements and conditions imposed on Bosnia by the Council for Peace Implementation should be fulfilled so that it is possible to transform the High Representative's office into the office of the EU's special representative. In this connection, as in connection with the range of other challenges faced by Bosnia, it is very important that the international community should stand united. To believe that the local parties in Bosnia itself will be able to agree on, for example, constitutional reforms, is naïve and, I would say, downright dangerous.

The new constitution needs to lead to a strong and common state if the country is to be able to continue to draw closer to the EU. The political dialogue in Bosnia does not, however, indicate any interest in achieving this. It is just as dangerous to believe that the commitment of the international community can decrease now that Bosnia has made a certain amount of progress and that the international military presence is continually being reduced. On the contrary, it is now that the EU itself is assuming yet more responsibility. Certain measures, such as making it easier for people to travel and study abroad, together with help in developing democracy and implementing the necessary reforms, are just a couple of examples of areas in which the EU can and should become more active.

Our commitment and the way in which we handle the situation in Bosnia over the next few months and years will be decisive, not only for the future and security of Bosnia but also for the future and security of the region as a whole.

Libor Rouček, *on behalf of the PSE Group*. – (CS) The Stabilisation and Association Agreement is the first comprehensive international agreement between Bosnia and Herzegovina and the European Union. The agreement should facilitate and speed up Bosnia and Herzegovina's transition to a fully functional legal state and also to a fully functioning economy. The fulfilment of this agreement will put in place the essential preconditions for Bosnia and Herzegovina's full membership of the EU in future. The speed with which this agreement comes into effect, however, will depend mainly on the common desire and willingness of the citizens of Bosnia and Herzegovina and their political leaders.

The agreement has been signed with Bosnia and Herzegovina as a whole and not with its separate entities. If Bosnia and Herzegovina is to become a member of the European Union one day, it is in the interests of both entities and of all three groups to work together to create a united and properly-functioning state. The combined forces of Bosnians, Serbs and Croats, through their main political parties, should therefore aim to strengthen the administration of the country at all levels. One important part of this process is the question of future institutional arrangements. The international community, including representatives of the EU, can offer a helping hand here. Any institutional arrangements must, however, be the result of a voluntary agreement between the citizens of Bosnia and Herzegovina themselves. In my view, it is also important for the association process to take account of the country's economic performance. Here, too, there is a need for cooperation between both entities in order to create a common internal market for the whole of Bosnia and Herzegovina. It is an inconceivable situation for a country to be applying for membership of the common European market whilst its own market remains fragmented. I would like to end by expressing my appreciation for the report of Doris Pack and by calling on the Member States of the EU to ratify this agreement quickly.

Jules Maaten, *on behalf of the ALDE Group*. – (NL) Mr President, Commissioner, Mr President-in-Office of the Council, tomorrow, we will be voting on the resolution on the Stabilisation and Association Agreement between the EU and Bosnia and Herzegovina. While my group endorses the agreement, we do want it to be used to ensure that that country will reform and modernise in a number of crucial areas.

Bosnia is not ready for EU membership, not by a long shot. In terms of form of government and jurisdiction, a great deal needs to be done in Bosnia. Also, more attention should be devoted to tracing and trying war criminals, and the fight against corruption and international crime. More than anything, as has been said a

number of times here, what really needs to be tackled is the internal structures, bureaucracy and internal cooperation.

I have to confess that, on my recent visit to Sarajevo, I was absolutely shocked at the lack of responsibility on the part of the politicians in that country. The Commissioner touched upon this earlier, and Mrs Pack devoted much attention to this aspect in her fine report.

One is left with the impression that all the problems besetting that country are caused by the outside world and that therefore, all the solutions should come from the outside world. It is as if the internal ping-pong game that is being played there at different levels and in different dimensions is the fault of the outside world and that we should therefore solve it. This is not how it works, though. It is not only in our interest to get things back on track in Bosnia and for Bosnia to meet us halfway in its European fate, it is also in Bosnia's interest.

What I did find positive, and I should like to make a point of saying this, is the efforts on the part of all kinds of entrepreneurs, companies large and small, who try to get something off the ground economically over there – even though this is being made very hard for them due to a lack of an internal market – NGOs that pull out all the stops and do good, and particularly Europe's contribution in that country: the European troops over there, the High Representative and, not least, the Commission's work there. I think the Commission is doing a fine job there and it makes me proud to be European.

Gisela Kallenbach, *on behalf of the Verts/ALE Group*. – (DE) Mr President, first my thanks to the rapporteur for the usual excellent cooperation. This resolution should send a strong signal to our partners in Bosnia and Herzegovina, a clear cross-party 'yes' to the continuing EU integration process, a clear recognition of the progress made, but a clear 'no' to further nationalistic or even separatist trends with which officials defend their position and under which the people suffer.

For many years, serious return programmes have only been agreed on paper. The actual and political will to implement them in practice is rather under-developed. The right to and the possibility of return, reconciliation projects and the prosecution of war crimes at all levels are the basic precondition to the hoped-for peaceful, democratic development of the rule of law in this part of Europe. The deciding basis is the replacement of the Dayton Agreement by a constitution passed by democratically elected members of parliament in Bosnia and Herzegovina, with the involvement of civil society, not hatched between party leaders.

I have a request to make of the Commission: leave the well-trodden path and be as flexible as possible, so that EU funds can be used more efficiently and in a more targeted manner. Allow me to make one more final appeal to the Member States: ratify the Stabilisation and Association Agreement as quickly as possible, in order to prove your reliability.

Ryszard Czarnecki, *on behalf of the UEN Group*. – (PL) Mr President, it is our duty to speed up Bosnia and Herzegovina's accession to the European Union. The European Union should feel some guilt and take some of the blame for keeping quiet, taking shameful or inadequate action, or failing to act at all when, in the 1990s, blood was shed in the Balkans, including Bosnia and Herzegovina, and thousands of people lost their lives. That is why today we need to help Bosnia and Herzegovina, and make its march towards the Union easier, knowing at the same time that the road to Brussels is an uphill one that is not economically or nationally straightforward. We should not discourage Sarajevo but, at the same time, we should keep an eye on the authorities there. Let us show the green light to the Bosnian vehicle. Let us hope that Bosnia does not have an accident along the way, and that we as a Union will not have to impose penalty points on it, and let us not prejudge whether the vehicle that reaches Brussels will be the same one that set out. Let us give the peoples living there the right to decide their own future.

Erik Meijer, *on behalf of the GUE/NGL Group*. – (NL) Mr President, 16 years after the collapse of Yugoslavia, Bosnia and Herzegovina is still a protectorate with a foreign supervisor and foreign military presence. There is no agreement among the three peoples and their main political parties about the future government structure. Every effort by the European Union to impose a structure of this kind has failed and will do so in future. Serbs, Croats and Bosnians will have to find their own way. Anyone who wishes to keep this pocked-sized Yugoslavia together will need federal or confederal solutions in which all three peoples are equivalent and carry their own responsibility for government and for their areas.

My group supports the association agreement which, in our view, should have been approved much sooner and without the requirement for administrative reform. In the Committee on Foreign Affairs, my group has submitted amendments to look for long-term solutions that are carried by each administrative unit and for

protection of the domestic economy. This will ensure a quick withdrawal of the European Union from every domestic area. A majority rejected these solutions and wishes to stay in Bosnia. This means, unfortunately, that my group is unable to endorse the final outcome of the Pack report.

Bastiaan Belder, *on behalf of the IND/DEM Group*. – (NL) Mr President, allow me to start with a general comment. The two Dutch parties that I represent are very much in favour of a European prospect for Bosnia and Herzegovina.

I have two questions for the Council and Commission. Last Saturday, an article appeared in the Dutch press with an alarming headline: 'Bosnia about to explode'. The article was an interview with an insider, a real authority on the Bosnian situation. I would ask the Council and Commission if they agree with this alarm signal that Bosnia is actually about to explode, also on account of the widespread possession of arms in that country.

The second point I wish to make is even more serious, to my mind. I have, for some time, been reading up on the phenomenon of Salafism and Muslim radicalism in Bosnia and Herzegovina, supported by scientific research, including in my own country. I would ask the Council and Commission how they view Bosnia as a refuge and operating base for radical Muslims in the Balkans and in Europe. Experts claim that the European institutions simply disregard this serious problem. Caution is therefore called for. What I would like to know from you is how you view this problem. This is, after all, quite serious: Bosnia is about to join and with these radical Muslims... Internally, externally, also active in EU Member States, including Austria, the Netherlands, Scandinavia – we should not go over this lightly. I would appreciate your reaction to this.

Philip Claeys (NI). – (NL) Mr President, I believe that we should exercise extreme caution and should reconsider whether it is wise to offer Bosnia and Herzegovina the prospect of EU membership. It was pointed out a moment ago that many of the conditions have yet to be met.

Even though it is self-evident, I should like to mention the problem of the growth of Islamic fundamentalism in Bosnia. It is becoming more and more apparent that the Salafist networks are being developed with financial and logistical support from Saudi Arabia. Not only do these networks form a threat to peace in the country itself, they also put the safety of the whole of Europe in the balance.

I would therefore like to endorse the questions raised by Mr Belder. Could the Council and Commission respond to the measures that are being taken to prevent the problem of possible terrorist networks from spreading to the European Union?

Hubert Pirker (PPE-DE). – (DE) Mr President, Mr President-in-Office of the Council, Commissioner, the conclusion of the Association Agreement is, without doubt, a good thing for both sides – for the European Union and for Bosnia and Herzegovina – but only under certain conditions; namely if it is ratified quickly and, most importantly, if the implementation of reforms – especially of the administration in Bosnia and Herzegovina and of the political decision-making processes – takes hold quickly.

We all know that the Dayton Agreement has, on the one hand, brought peace; on the other hand, however, it has created a very complicated structure with various governments and parliaments and has again taken account of ethnicity. In other words, you have another ten cantons and need about 13 home secretaries to pass an asylum law in this country. The political process would probably take some beating in terms of complexity.

These difficulties became apparent during the reform of the police. It took years to remove the barriers and get to the point of implementing these police reforms as one of the preconditions. For me this means that Bosnia and Herzegovina must develop the will to cooperate over and above the limits which have applied to date and implement reforms themselves at all levels.

Following the police reform, we now have the opportunity in Bosnia and Herzegovina to take real precautions in relation to border protection, to decide on a visa regulation and to coordinate the fight against organised crime and drug and people trafficking better than before.

Security and stability are vital if the citizens are to put their trust in the state of Bosnia and Herzegovina. That is why, for me, Bosnia and Herzegovina need to overcome the internal barriers that still exist. The European Union has shown with the Association Agreement that it was and is prepared to help, but the real progress must come from the country itself.

Hannes Swoboda (PSE). – (DE) Mr President, firstly I should like to offer my hearty thanks to Mrs Doris Pack for her report and, most of all, for her commitment. I should also like to reject the charges made by some Members that Bosnia and Herzegovina are to be seen solely from the point of view of alleged or actual Islamic terrorist networks. That is absolutely unfair and it is also telling that our fellow Member who then asked the Commission what can be done about this has already left the Chamber. That is how seriously this problem is being taken.

Commissar Rehn has also said that 2009 could be a decisive year for the Balkans. Macedonia will hopefully begin to negotiate, Croatia will hopefully close negotiations, Montenegro, Serbia and, possibly, even Albania, will achieve candidate status. Then one asks oneself, what will become of Bosnia and Herzegovina? It would truly be a shame for the many committed people in this country if it were given no opportunity to take a leap forward here.

I would like to underscore what Mrs Pack said: the ability of the country to function must be established. As some honourable members have already said, the country must not be taken hostage by either Mr Dodik or Mr Silajdžić or anyone else. The starting point, including as far as the entities are concerned, must be the status quo, but reforms must be implemented. The preconditions must be created for the country to be able to join the European Union, whereby it goes without saying that only the whole country can join the European Union.

As far as the High Representative is concerned, I can only agree with what has already been said. It is not a question of the country no longer needing someone who effectively sees to the country's preparations for accession, but this duty can probably no longer be performed by the High Representative, who should be replaced by the European Special Representative. This is a task for the European Union, which must perform it with the support of this Parliament – specifically of Doris Pack and others who will continue to dedicate themselves to this country. We shall soon see that this country too has the possibility of joining the European Union.

Jelko Kacin (ALDE). – (SL) The return of refugees is a matter of crucial importance for all the countries of the Western Balkans, so I offer my sincere support to the amendments proposed by the rapporteur and by Anna Ibrisagic regarding the return of refugees to the Posavina region.

This also applies to the return of refugees from all communities to all other areas of Bosnia and Herzegovina.

If our appeals and our efforts are to meet with success, we also require additional measures and, in particular, investment in job creation.

Too many times, refugees and IDPs return temporarily with only one aim: to sell their property and go elsewhere. They leave also because they do not have adequate health protection or pensions and the political conditions are tense in their place of return. They also leave because of the delay in depoliticising and reforming the police and the lack of general security.

Those responsible for war crimes must be removed and barred from working in the police. Hence, the ALDE initiative to declare 11 July an international day of remembrance for the victims of genocide from Srebrenica. The draft text was delivered last week by the President of the Mothers of Enclaves of Srebrenica and the Žepa Association. This is something we really need for their relief.

Johannes Lebech (ALDE). – (DA) Mr President, Commissioner, Mr Jouyet, I see Bosnia's future in Europe. The creation of peace and stability in this country must, and shall, succeed where centuries of its history have combined to achieve this. However, there is a long way to go. Often, a good place to start is, however, with practical improvements and cooperation in connection with solutions to quite general and practical everyday problems such as trade, the structure of the police force, the energy supply and, in particular, allowing the many internally displaced people to have a home again. It is therefore important to invest in young people. They must be given a belief in a future in this country. Good educational opportunities must be ensured, including opportunities for practical and educational placements, both in existing EU Member States and in neighbouring countries. I believe that it is essential that young people in the Western Balkans see themselves as Europeans, because it is in a European context that the solution to the future of the area lies. From the EU's point of view, we must be prepared to encourage this process and reiterate that the perspective from which this must be viewed is membership of the European Union. The Stabilisation and Association Agreement is a tool to be used along the way. However, Bosnia's population and politicians must be active and positive, fellow players if our common hope and vision are to succeed.

Reinhard Rack (PPE-DE). – (DE) Mr President, I should like to join in the thanks which numerous Members have already quite rightly extended to the rapporteur, Doris Pack. In her, we have someone who is hopefully not wasting her time and effort and who truly is investing a great deal of time and effort in this area. I rejoice with her and with those who have also said that there has been some progress, including in the area of police cooperation. That is important if actual life on the ground is to be able to run along reasonable lines.

Nevertheless, I believe that we must keep pointing out to our counterparts in Bosnia and Herzegovina that they personally and their side still needs to do a great deal, even more than is already being done in numerous areas. Internal cooperation and a willingness to enter into internal cooperation between the ethnic groups is something which we must permanently demand. We do not want everyone trying to go their own way. Involvement in regional cooperation in the Western Balkans is also important.

Pierre Pribetich (PSE). – (FR) Mr President, they all lived in one of the most cosmopolitan cities in Europe, Sarajevo. Sarajevo was, at that time, the symbol of an open Bosnia, populated by Muslims, Serbs and Croats.

Meanwhile, nationalism struck blindly, massacring men and women, and indiscriminately destroying cultural symbols such as the library – the so very rich library – of Sarajevo, a victim of the folly of mankind. That was a very long time ago – 16 years.

If I take the liberty of recalling these tragic events, it is in order to assess the progress made, it is to put into perspective this long road towards the Stabilisation and Association Agreement. Everyone should therefore be delighted with this situation. True, 2 500 Eurofor soldiers remain in that country. True, in a country still guided by the fear of political domination by another community, the result of the municipal elections of 5 October is yet another reflection of the domination of the nationalist parties.

However, this afternoon's gesture reflects, on the part of the European Parliament, a sense of confidence and a future in the easing of tensions, a rediscovered cultural diversity, and a willingness to accept the peoples representing such cultural diversity. It is this message of hope that we must remember today, since let us never forget the words spoken by President Mitterrand in this House: 'nationalism is war'.

Metin Kazak (ALDE). – (FR) Mr President, ladies and gentlemen, I welcome the signing of this agreement, as it is going to contribute to the political and economic stability, not just of this particular country, but of the Balkans as a whole. Bosnia and Herzegovina has overcome an atrocious interethnic war, while Bulgaria has been cited as an example in the Balkans of the wisdom shown by its civil society, wisdom that has made reconciliation possible. The role of education is not insignificant. It is necessary, therefore, for the Bosnian authorities to focus on the teaching of peace. Moreover, they must promote intercultural and interfaith dialogue, to prevent conflicts between refugees, people who are returning to their own country and the local population.

The unemployment rate must be reduced by means of more importance being attached to training programmes and the brain drain among young people being reversed. Regional cooperation is extremely important when it comes to integrating the State into European structures. Improving the infrastructure must be a priority. I believe that the establishment of a free trade area may be beneficial and may prepare the country with regard to adopting European standards.

Justas Vincas Paleckis (PSE). – (LT) Recently I spent some time in Kosovo and I would like to draw your attention to the parallels between the situation in that country and those in Bosnia and Herzegovina. As we know, the European Union and the majority of Member States recognised Kosovo's independence, but the situation in that country is especially difficult, particularly in the northern part. Parallel structures have emerged there and conditions do not allow the forces of law and order to operate. There is increasing talk of the possible division of Kosovo. I would like to ask both the Minister and the Commissioner: does such a situation in Kosovo not echo the situation in Bosnia and Herzegovina? If we failed to glue together the fractured state model in Bosnia and Herzegovina, what is the European Union prepared to do in such a case?

Gisela Kallenbach (Verts/ALE). – (DE) Mr President, I should like to take this opportunity to ask Commissioner Rehn another question. Could you please advise us of the state of funding for demilitarisation and disarmament and for ensuring that surplus arms are legally destroyed?

Jean-Pierre Jouyet, President-in-Office of the Council. – (FR) Mr President, dear Mr McMillan-Scott, Commissioner Rehn, ladies and gentlemen, many thanks for this rich and interesting debate. I should like once again to thank Mrs Pack, who has shown herself to be very active, who has a very sound knowledge of the region, who is also very present on the ground, who has listened the most to what the local leaders have

to say – we therefore need her cooperation – and who is involved in bringing about a rapprochement with the European Union, but without any concessions being made in terms of values.

Like her, the Council is concerned – as I said before – about the political situation in Bosnia and Herzegovina as it has been described by several speakers. This country – as you emphasised – is at a crossroads and caught up in controversy with regard to relations between the central State and the bodies and with regard to the path that will lead to the European Union, as I said. Its leaders must assume their full responsibilities regarding the country's development and must ensure in this way that the stabilisation of the entire region is consolidated.

For all that, I shall respond to the question put to me, and the answer is that the security situation remains calm. Neither the independence of Kosovo nor the arrest of Mr Karadzic has caused unrest in the country. The deadline for the municipal elections of 5 October having lapsed, the European Union must henceforth apply pressure so that Bosnia and Herzegovina focuses on its European agenda.

Mr Swoboda was entirely correct in his response concerning the superficial comparisons made between terrorist fears and the multiethnic character of Bosnia and Herzegovina. The latter is precisely what makes this country rich and what could be its contribution to the European Union. Looking to the future, we shall be careful to prevent any suggestion that the European Union has abandoned Bosnia and Herzegovina. I should like to reassure Mr Czarnecki on this point: the European Union must give its verdict on the future of the Office of the High Representative, in the knowledge that we desire neither the premature closure without conditions nor the artificial extension of this Office.

On the subject of the future of the EUFOR-Althea military operation, we cannot extend it indefinitely. The Union will have to re-engineer this operation, and the foreign affairs ministers will have to debate it at the Council of 10 November.

To conclude, and to respond to several speakers, I would say that the Bosnia and Herzegovina situation needs to be placed within a regional framework. Our objective is to enable the entire region to progress towards a rapprochement with the European Union. A number of positive developments must be highlighted in this regard.

The fact that Croatia has entered into an active phase of negotiations is a good thing. The fact that, in Serbia, we have for the first time a government that is committed to forming closer links with the European Union and that, with the arrest of Mr Karadzic, has pledged its commitment, is an entirely positive element and one that must be commended.

The Bosnian leaders must take care not to stay on the sidelines of this development, by thinking only of settling scores inherited from past wars. Like Mr McMillan-Scott, I too heard the speech made by François Mitterrand in this House. I, too, remember his words, but it is important in fact to go beyond these conflicts, in the name of the same principles as those that were emphasised by President Mitterrand at the time.

To conclude, the aim of the reforms requested by the European Union is not only to enable this country to form closer links with the European Union but, above all, to ensure that its entire population benefits from the progress that we are trying to encourage. I agree entirely with Mr Maaten. It is clear that we can be proud of being Europeans, proud of what the Commission and the other institutions are doing to help Bosnia and Herzegovina on the only route with any substance, that is to say the route to rapprochement, in line with the values, with the European Union!

Olli Rehn, *Member of the Commission*. – Mr President, firstly I would like to thank you for a very substantive and responsible debate on the political situation in Bosnia and Herzegovina. I also want to thank you for your broad and strong support for the conclusion of the Stabilisation and Association Agreement with the country. It is indeed essential for the economic development and political stability of Bosnia and Herzegovina, as well as for its European objectives.

There were two issues in particular which came up in the debate today that I would like to comment further on. The first is the rule of law and its importance in underpinning the whole society and the economy. The rule of law and legal certainty are the cornerstones of the European model. This is, unfortunately, another Achilles heel of Bosnia and Herzegovina today.

Despite some progress which we recognise, organised crime and corruption remain a serious concern in the country and it should address these challenges as a matter of urgency.

Secondly, on constitutional reform, we all know that it is both necessary and delicate. From the Commission side, I can say that we envisage constitutional evolution rather than revolution, which can be done and should be done in respect of the Dayton-Paris Peace Agreement. The Commission does not have a blueprint for a certain kind of constitutional reform in Bosnia and Herzegovina but, at the same time, we are certainly stakeholders as the European Union.

We are all stakeholders in this constitutional reform in the sense that it is absolutely essential that Bosnia and Herzegovina be able to speak with one voice as a future Member State, as a candidate country, with the European Union and in the European Union, and that the country needs to have an effective and functional state structure, institutional structure, which is capable of implementing and enforcing European laws and rules throughout the country. This is what its citizens want and what they deserve.

It is up to the political leaders and citizens of the country to decide what kind of constitution they want, but I can assure you that the Commission is willing to assist a constitutional reform with both legal and constitutional expertise and with financial assistance.

In a nutshell, Bosnia and Herzegovina today needs urgently to overcome the current political stalemate, to move seriously towards the European Union. We cannot do this for them, but we can make the point to the citizens and leaders of the country that we want and expect them to succeed and we support them in this interval. The Commission, and I, will therefore continue to work with the presidency, with Javier Solana, with the European Parliament and all other partners and stakeholders to reinforce our engagement so that next year, 2009, could still, after all, be a year for the Western Balkans, and also a year for Bosnia and Herzegovina to make progress towards the European Union.

Doris Pack, rapporteur. – (DE) Mr President, Mr President-in-Office of the Council, Commissioner, I should like to say to our fellow Member, who is no longer here, and perhaps also to Mr Belder, that we should be cautious here: we should not localise the terrorist threat to Bosnia and Herzegovina. One can also go over the top, but this exaggeration only plays into the hands of the extremists and nationalists. I remember that it was precisely this sort of exaggeration that Mr Milosevic took in the same direction as he took everything else. We need to bear that in mind.

The path to the EU requires, among other things, a decisive fight against corruption, against organised crime, for transparency during privatisation and the creation of a common market, including an energy market. Only politicians who really want this and act accordingly deserve the trust of their citizens and the trust of the European Union. We should give the others a red card now and then. That is the only thing they understand there.

I sometimes see with horror that Bosnia and Herzegovina are choosing, at the crossroads described by Commissioner Rehn, to take the path towards isolation. The countries neighbouring Bosnia and Herzegovina – as Hannes Swoboda said – will most probably reach the target more quickly, which is why it is our job to keep helping Bosnia and Herzegovina to find the right path and to then join the European Union once the conditions have been met. The stability of Bosnia and Herzegovina, which lies in the middle of the European Union, is also our stability.

I sometimes wish that the politicians in Bosnia and Herzegovina had as many sleepless nights as I do when they think of their country. Perhaps then they would do a better job.

President. – I have received one motion for a resolution⁽¹⁾ tabled in accordance with Rule 103(2) of the Rules of Procedure.

The debate is closed.

The vote will take place on Thursday 23 October 2008.

Written statements (Rule 142)

Dragoş Florin David (PPE-DE), in writing. – (RO) I would first of all like to congratulate Mrs Pack for her efforts in carrying out the far from easy task of producing this draft resolution. The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and

⁽¹⁾ See Minutes.

Bosnia and Herzegovina, of the other part, demonstrates the EU's determination to continue to play an important role in the Balkan region, contributing to the region's political, economic and social stability.

This agreement offers Bosnia and Herzegovina a new prospect for economic development and especially, new opportunities for European integration, providing the region not only with stability but also opening up economic exchanges, marking a major step towards integration in the European market.

Tunne Kelam (PPE-DE), in writing. – I welcome the recent signing of the Stabilisation and Association Agreement with Bosnia and Herzegovina. EU enlargement to the Western Balkans is another crucial step in uniting Europe and ensuring that past escalations of violence will not be repeated in the region.

Therefore, I also urge the authorities of Bosnia and Herzegovina to pursue the reforms in a consistent and transparent way to ensure fast integration with the EU.

I note with concern attempts by some regional politicians to destabilise the country, and call upon the EU to demonstrate its political will and commitment towards Bosnia and Herzegovina to prevent any conflicts based on ethnicity or religion.

Considering that obtaining a visa for the EU still poses a great problem for the citizens of Bosnia and Herzegovina, I call upon the Commission to continue with the dialogue and to do its utmost to implement the road maps with the objective of establishing a visa-free regime with Bosnia and Herzegovina as soon as possible. I suggest that the Member States reduce the bureaucratic obstacles to a minimum when applying for a visa and set up a simplified system for granting visas to students and to civil society actors.

Dumitru Oprea (PPE-DE), in writing. – (RO) When you mention Bosnia, you are actually talking about another page in the history of the long-suffering Balkan peninsula. The war in Bosnia destroyed more than 75% of the country, caused the death of more than 200 000 people and resulted in 1.8 million refugees.

The signing of the Association and Stabilisation Agreement with the EU has taken place 13 years after the end of the war. 'The agreement offers an open door to a prosperous future for the citizens of Bosnia and Herzegovina while, at the same time, it calls on Bosnian politicians to leave the past behind them and move on,' stated Sven Alkalaj, the country's foreign minister, at one time. They certainly have something to move on for. Just think of Sarajevo, the one-time host of the 1984 Winter Olympic Games, the old Mostar Bridge, included on UNESCO's World Heritage List, the Kravica waterfalls, Sutjesk National Park or the mountains of Jahorina and Bjeslanica, where some of the Olympic competitions took place – so many places inviting you to travel to Bosnia and Herzegovina. This is a country, however, which needs, inter alia, to speed up its reform of the state and non-discriminatory access.

IN THE CHAIR: MRS WALLIS

Vice-President

13. Question Time (Commission)

President. – The next item is Question Time (B6-0475/2008).

The following questions are addressed to the Commission.

Part I

Question No 40 by **Armando França** (H-0733/08)

Subject: Anti-drugs strategy

The implementation of the strategic anti-drugs campaign is grounded in two action plans, for two distinct periods, i.e. 2005-2008 and 2009-2012. Also foreseen is an 'impact assessment' in 2008, to precede the action plan for 2009-2012, on the basis of a clear timetable.

The current state of affairs regarding drugs in the EU is disturbing, and the specific means chosen to fight the problem need to be extremely rigorous, firm, persistent and consistent.

What is the Commission's diagnosis, on the basis of the reports for 2005, 2006 and 2007, of the current situation, and what has been the level of execution of actions between 2005 and the present?

What is the state of play as regards the impact assessment which is to be concluded in 2008? What is the Commission's forecast for the period 2009-2013, especially concerning new instruments for combat and cooperation in police and legal terms, and also the participation of civil society?

Siim Kallas, Vice-President of the Commission. – Madam President, it is clear that nobody can be complacent about the issue of drugs. The Commission adopted on 18 September 2008 a proposal for a European Union Drugs Action Plan 2009-2012, and a report on the final evaluation of the EU Drugs Action Plan 2005-2008 was annexed. This is the impact assessment which was mentioned in the question.

Both documents were made available to Parliament on that date. The evaluation was conducted by the European Commission in the first half of 2008 in line with Action 45.3 of the subsequent Action Plan. The evaluation provided important input for the new Action Plan. Findings include the following:

Regarding the implementation of the new EU Drugs Action Plan, the conclusion can be drawn that progress has been made on nearly all specific objectives and actions with varying degrees of success. The EU Drugs Action Plan is adequately reflected in the national policies of the Member States and has been translated into national policy and/or these objectives were already reflected in existing documents.

Member States report that the Action Plan reflects the main policy fields at national level. The evaluation shows that the Action Plan supports a process of convergence between Member States' drug policies, which the Commission considers quite important.

Regarding the drug situation, there has not been a significant reduction in the prevalence of drug use but the use of some of the most prevalent drugs seems to have stabilised and/or fallen slightly. The use of cocaine is showing an upward trend in some Member States. The long-term EU trend in the prevalence of drug-related infectious diseases, especially HIV and AIDS infections, is that these have been reduced in recent years, as have drug-related deaths.

New trends in drug use, especially poly-drug use, have emerged in recent years. The numbers and size of cocaine seizures are rising while for herbal cannabis, heroin, ecstasy and amphetamines, seizures appear to be stabilising. Prices for illicit substances in general have fallen, while purity levels seem to be fairly stable.

Regarding the impact of the Action Plan on the drug situation, the impact assessment to which the honourable Member refers is, I presume, the evaluation report regarding implementation. The on-going reduction in drug-related infectious diseases and drug-related deaths, on the one hand, and the EU-wide implementation of harm-reduction measures, on the other, suggest a clear correlation with the Action Plans, even though such a link is notoriously hard to prove beyond any reasonable doubt.

Some Member States have achieved dramatic reductions in drug-related health harm after the introduction of harm-reduction measures. Similar conclusions can be drawn in the fields of supply reduction and European coordination and cooperation in anti-drugs law enforcement.

Armando França (PSE). – (PT) Thank you, Madam President. I must particularly thank the Commission representative, mainly for having answered my question, but also for the quality of the answer. I have very carefully read the Commission documents.

Firstly, I must say that we agree with the strategy and the Action Plan which primarily addresses supply and then demand. It is on supply that I should like to give my opinion.

In terms of supply, we are extremely concerned about the abundance of cocaine and also about the abundance of synthetic products. In addition, we are extremely concerned about the local disputes occurring between gangs which, in some Member States, are fighting for control of the drugs market. I would ask you to clarify for me, as far as possible, what specific actions are proposed with regard to cooperation between the Member States and between the police and judicial authorities of the Member States, on the one hand, and between the Member States and the producing countries, in particular, the cocaine-producing countries, on the other. This is an area of the strategy that we are very concerned about and on which we should like to hear concrete answers from the Commission.

Siim Kallas, Vice-President of the Commission. – Madam President, of course cooperation between Member States in fighting drugs, drug cartels and drug crime is extremely vital and also extremely difficult because of the huge amount of money in circulation. Our first priority, as you have seen in the Action Plan, is really to fight the cocaine supply chain. We have several initiatives which foresee and arrange cooperation between producer countries in Latin America and in Western Africa in order to stop cocaine trafficking. There are

special centres such as the Maritime Analysis and Operations Centre – Narcotics, and the *Centre d'Enquête et de Coordination de la Lutte Anti-drogue en Méditerranée*. Both initiatives target cocaine trafficking.

Hence, there is cooperation and there are initiatives, but the field is difficult and the fight is hard. I must stress that there cannot be any complacency. This is more or less an endless fight. However, I am happy to report some positive consequences. Diseases have decreased, as has drug-related death.

President. – Question No 41 by **Péter Olajos** (H-0755/08)

Subject: Import of poultry meat products from China

Commission Decision 2008/638/EC of 30 July 2008⁽²⁾ amending Decision 2007/777/EC⁽³⁾ on the import of meat products from third countries. Under the earlier decision, China was permitted to export only heat-treated poultry meat products to the Community which had been treated in a hermetically sealed container to a Fo value of three or more.

At the same time, at the request of the competent Chinese authorities, the Commission approved the import of poultry meat products from China's Shandong Province which had been treated at a lower temperature (minimum 70° C).

In the light of the above, does the Commission not consider that relaxing the rules will lead to a slackening of the European Union's rigorous animal health, food hygiene and animal welfare regulations? Does it not think that taking such a decision, which applies to just one province of a country, is cause for concern, and does it think that the poultry meat products in question can be completely verified as coming only from Shandong Province? Does it not consider that granting the authorisation to one province will lead to a torrent of requests for the rules to be relaxed in other provinces (of which there are already indications)? Do the measures introduced not pose a risk to the situation of EU poultry farmers?

Siim Kallas, *Vice-President of the Commission*. – Madam President, animal- and public-health rules applying to the export of poultry meat from China ensure an equivalent level of protection to those of the EU. These import rules guarantee that all imported products fulfil the same high standards as products from the EU Member States, not only with respect to hygiene and all aspects of consumer safety but also regarding animal health status. The principle according to which food must be safe, irrespective of its origin, is at the core of the EU approach.

The official control system in China was verified on the spot by three Commission inspections. The outcome was published on the website of DG SANCO. The inspections have shown that the competent authorities, in particular in Shandong Province, are sufficiently well structured to guarantee compliance with Community legislation as regards heat-treated poultry meat products. Furthermore, these inspection missions have also verified that the competent authorities are capable of enforcing the Community's import requirements.

As a result of this exercise, the Chinese authorities have demonstrated to the Commission services that they can certify that consignments of heat-treated poultry meat products being exported to the European Union were produced in accordance with Community requirements and come only from Shandong Province.

All approved plants in the Community list of establishments from which imports of heat-treated poultry meat is authorised are located in Shandong Province. This was verified by the three fact-finding missions on the spot: one in 2004; two in 2006.

According to the WTO agreement on sanitary and phytosanitary measures, any third country may request authorisation for export for the totality or part of its territory to the Commission, which is considered and evaluated according to the relevant Community requirements. If the guarantees given by a third country are deemed satisfactory and are effectively verified, such requests from third countries are accepted and authorisation for export granted.

Any risk of distortion of competition towards EU poultry producers is prevented by the fact that the measures in place provide for sufficient guarantees that the heat-treated poultry meat products from certain regions are compliant with the level of protection that the EU deems necessary. Informed choice by consumers would be the answer to competitive pressure.

⁽²⁾ OJ L 207, 5.8.2008, p. 24.

⁽³⁾ OJ L 312, 30.11.2007, p. 49.

The Chinese authorities expressed interest in the approval by the Commission of the imports of heat-treated poultry meat from Jilin Province. To get this approval, the Chinese authorities will have to guarantee that the sanitary conditions applied to the production of heat-treated poultry meat in Jilin Province meets EC requirements, and the Commission will verify these guarantees by on-the-spot inspections.

Péter Olajos (PPE-DE). – (HU) Thank you very much, Commissioner, for your reply. The problem is that this year, there were supposed to be six inspections conducted in China, and of these not one has been carried out to date. Now, in October, there was supposed to be an inspection of poultry, but this did not take place either, because the Chinese had no time for it. My question is, if we have been unable to carry out a single one of the six scheduled for this year, and yet we have planned 15 for next year, how will these 15 be carried out? If the Chinese do not cooperate with their European trading partner, then why are we opening our gates to imports from China, and why are we ruining European poultry breeders? If China does not cooperate, then we need not open our gates to their imports – that is my opinion. Thank you very much.

Siim Kallas, Vice-President of the Commission. – First of all, I want to say that China is willing to cooperate, and we have no indications that China is not willing to cooperate. Secondly, as regards the inspections and missions, these missions have been considered satisfactory so far. Whenever there are doubts or questions, we will have new missions. The time between the last missions and this year was due to administrative activities in China between two ministries. However – at least on the Commission side – we cannot say that there is any reluctance to cooperate with us concerning standards and the quality of the products.

If there are indications, the Commission is ready to organise new missions. So far, these have not been considered necessary.

Jim Allister (NI). – Commissioner, I hear what you say but it does have echoes of the Brazilian beef controversy when, for months, the Commission stood where you stand today and assured us that all was well, and then was finally driven to the position of having to impose a ban.

You have said that this meat will be subjected to similar tests. Can you say, without reservation, that every piece of meat imported will be equally subjected to the same rigorous veterinary tests as are required of our own producers? Will the same ratio of production be tested, and how will you know if the product is truly from Shandong Province? Is it enough if it is merely processed there? Those are the issues that give rise to resentment by our producers, that they are subjected to all sorts of requirements, including the phasing-out of cages. Will that happen in China at the same rate? They believe themselves undercut by cheap imports.

Armando França (PSE). – (PT) Many thanks, Madam President, I will be brief. My question is along similar lines to that of the previous Member. I agree that there has recently been an effort to inspect and monitor products and it is essential that this inspection and monitoring effort continues. However, surely there cannot be any relaxation of the rules? Rather there should be a reinforcement, with precise and clear rules being set by the European Union which should apply throughout China, and not just in some of the provinces, as the Member has just mentioned. I would appreciate clarification on this. Many thanks, Commissioner.

Siim Kallas, Vice-President of the Commission. – So far, all products produced in this province have been labelled. The authorities in this province are responsible for quality and also rules of origin.

Of course, there is always the question that not every chicken can be checked – this is also the case in the European Union. But what the Commission can do in its inspections – and I was told that the next inspection will take place next year, so it has already been planned – is to verify that the administrative systems are capable of controlling how this poultry is produced and what the level of animal health protection is. So far, the answers have been found to be satisfactory.

Of course, there will be a continuous checking of facts, but these are the World Trade Organisation's rules, and we always have benefited from openness. Quality is important; standards are important. So far, we are convinced that the quality of poultry products from China is satisfactory, and the next province is, as I have already mentioned, also willing to come.

President. – Question No 42 by **Ona Juknevičienė** (H-0786/08)

Subject: Implementation of the European Social Fund in the Member States

The European Social Fund (ESF), as one of the EU's Structural Funds, was set up to reduce differences in prosperity and living standards across EU Member States and regions, with the aim of promoting employment as well as economic and social cohesion. Over the period 2007-2013, some €75 billion will be distributed

to the EU Member States and regions to achieve its goals. Member States finance a number of different programmes, and in this regard it is important to know how the Member States, especially the new ones, are using the available funding and what results have been achieved in raising living standards and promoting employment.

Is the Commission planning to publish a communication on the implementation of the ESF in the Member States and if so, when can we expect such a communication? If the Commission plans to release such a communication, can we expect to see both qualitative and quantitative analyses of the use of the ESF funds? It is of crucial importance to know not only how much money was spent on implementing various programmes but to ensure that the EU citizens enjoy tangible and sustainable benefits as well.

If the Commission is not planning such a communication, why is this, and how can the Commission then guarantee transparent and efficient use of the ESF?

Siim Kallas, Vice-President of the Commission. – The Commission recalls that Article 146 of the EC Treaty establishes the European Social Fund in order to improve employment opportunities for workers in the internal market and thereby to contribute to raising the standard of living. The Social Fund also pursues actions leading to the strengthening of its economic and social cohesion.

The Commission agrees with the honourable Member on the importance of reporting on the concrete benefits of the European Social Fund. In this context, the Commission intends to present a series of thematic reports on the European Social Fund's support and activities, the beneficiaries reached and the results achieved. The first set of reports should be available in early 2009.

In addition, Article 159 of the EC Treaty provides that the Commission shall submit a report to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions every three years on progress made towards achieving economic and social cohesion. The last Cohesion Report was published in 2007 and paid particular attention to the issue of investment in people. The next Cohesion Report will be presented in 2010. In addition, the Commission will publish a so-called 'Progress Report' in the intervening years.

Ona Juknevičienė (ALDE). – I am very satisfied with your very precise and concrete answer, so thank you very much indeed. I do appreciate that the Commission considers that the question I raised is important, not only to parliamentarians, but to the Commission as well. I believe, however, that this is the most important to our people. They have to know about the transparency of use of these funds and the efficiency of use of these funds. I will, therefore, be waiting for the report in early 2009.

Could you please advise me which DG will prepare this report in 2009?

Siim Kallas, Vice-President of the Commission. – It is DG Employment, under my good colleague Mr Špidla, that is responsible for these reports. The numbers are interesting and we give training to nine million people in Europe every year, so the benefits are there.

Zita Pleštinšá (PPE-DE). – (SK) Expenditure related to construction or reconstruction can be controlled. In projects financed from the European Social Fund, the target groups obtain know-how, new skills and expertise and therefore the balance sheet is dependent on the subjective views of officials. The insolvency of NGOs and independent bodies caused by the bureaucratic practices of the Member States often prevents the recipients of funding from the European Social Fund from getting involved in other activities within the framework of this programme. What instruments does the Commission have in its hands for ensuring that Member States do not erect excessive administrative obstacles when reimbursing the costs associated with projects financed from the European Social Fund?

Gay Mitchell (PPE-DE). – Could I ask the Commissioner if he might, in these times when recession is snapping at our heels, look at the possibility of the Social Fund cooperating with local development partnership boards where these exist in Member States like the Republic of Ireland, but in other Member States as well? In that regard, he might have discussions with the OECD, which has carried out a study of the effectiveness of local development in promoting training, education, micro-job creation and an improved environment for people who find themselves unemployed.

I do not expect the Commissioner to be able to answer all of that today, but what I am really asking is that he would look at this possibility and perhaps consult with the OECD to see how the Social Fund and social partnership and local development partnerships might work hand in hand to improve the community training and employment needs of our citizens, particularly in urban areas.

Siim Kallas, Vice-President of the Commission. – Firstly, about bureaucracy and the administrative burden: they exist, no doubt. As I said, my colleague Mr Špidla is responsible for spending the money, and I am responsible for discharge: ensuring that no money is wasted. This is always a dilemma.

We try to be as flexible as possible but, at the same time, the benefits and possible outcomes are also carefully audited by national authorities, by paying agencies and probably by the ministry responsible. This also includes the European Court of Auditors and our DG, so there are different layers of control as well.

The result is assessed by large public participation, and projects must be seen, so now we have an obligation to have everything published on the website about the financing so that everyone can follow it. The Social Fund, however, is mainly financing training.

In response to the next question: there is cooperation between different sources of financing structural funds, including the Social Fund and regional development funds and, in my country at least, they are in very close cooperation with each other. This cooperation depends on national authorities. We can only support good cooperation and the efficient use of money.

Part II

President. – Question No 43 by **Dimitrios Papadimoulis** (H-0746/08)

Subject: Community co-financed projects and Siemens' slush funds

The Greek and German judicial authorities are continuing to investigate the case of the *Siemens*' slush funds, which were used by the firm to bribe political parties and persons in authority in order to obtain major public sector works and supply contracts. The German courts have already convicted a former senior executive of the company, who has admitted that slush funds also existed in Greece.

Given that these bribes may well relate to Community co-funded projects, will the Commission say whether OLAF or any other of its services is investigating the legality of the award procedures and implementation of such projects?

Siim Kallas, Vice-President of the Commission. – These issues are always very complicated and serious. The European Anti-Fraud Office (OLAF) is competent to investigate, where EU funds are involved, when there are sufficiently serious suspicions of fraud or irregularity having been committed against the financial interests of the European Union.

In cases where projects are co-funded by EU funds – such as is the situation with structural funds – the Member States and the Commission share the responsibilities in the management of these funds. In this regard, it is the Member States that are primarily responsible for distribution of the expenditure and the necessary controls. Moreover, resulting from such controls and investigations and the communication of possible cases of fraud or irregularity to OLAF, the honourable Member may be aware that there are regulatory arrangements in place under Regulation (EC) No 1681/94, which provides that the Member States shall report to the Commission, at the appropriate stage, the details of their investigation into such possible cases of fraud or irregularity. Moreover, whenever it is deemed appropriate, OLAF liaises closely with the competent national authorities on progress in such matters.

In the matters referred to by the honourable Member, the Commission has been informed by OLAF that it is aware of on-going cases in Germany and Greece but that, until now, OLAF's direct assistance in matters involving Siemens in Germany and/or Greece in respect of structural funds has not been requested by the judicial authorities of either Member State. In addition, the Commission would refer to the reply already given to the honourable Member's written question, which stipulated that, according to Article 3 of Regulation (Euratom, EC) No 2185/96, economic operators are not being controlled by both the Commission and Member States' authorities at the same time and on the basis of the same facts, according to Community sector regulations or national legislation. Besides, the Commission may, at any moment, start an infringement procedure against the Member States, on the basis of Article 226 of the EC Treaty, if there are sufficient elements indicating an infringement of Community public procurement law. In respect of the particular matters referred to by the honourable Member, the Commission has no such elements that could justify the opening of an infringement procedure.

Dimitrios Papadimoulis (GUE/NGL). – (EL) Commissioner, that is precisely what I am asking you. You know full well that Siemens, which is a large and historic company, has obtained contracts worth several

million euros from co-funded programmes. It is based in Germany and has obtained contracts in Greece and elsewhere. Accusations and admissions have been made of its using bribery and corruption.

How can you be so sure that it did not use the same methods and the same slush funds for co-funded programmes? Commissioner, how long do you intend to hide behind the investigations being carried out in Germany and Greece? You can act on your own initiative. Do you intend, as the competent Commissioner, to ask OLAF to investigate the matter or do you intend to do nothing, because you are afraid of the colossus called Siemens?

Siim Kallas, Vice-President of the Commission. – No, I am not afraid of Siemens and I will happily send OLAF to investigate these cases, but of course there is a clear legal framework in which we can operate and can go to investigate. We are following the situation, as I said, and we can urge Member States and we can demand that they inform us (they have, anyway, the obligation to inform us) and move actively. But there must, at present, be an indication and request from Member States for OLAF assistance. So far this has not been the case, but we will follow the situation.

We have clear and sometimes very sensitive divisions of responsibilities and obligations between Member States and Community bodies. This is particularly the case where the investigation rules are very precisely defined.

President. – As the author of Question 44, Mr Heaton-Harris, is not present, that question falls.

Question No 45 by **Nirj Deva** (H-0752/08)

Subject: Administrative affairs and the Lisbon Treaty

Could the Commission detail the changes to the EU competences held by DG Admin that the Lisbon Treaty would have brought in? Does the Commission have any plans to introduce any of those reforms?

Siim Kallas, Vice-President of the Commission. – The Lisbon Treaty contains three main provisions of the amended Treaty on the functioning of the European Union which deal with administrative affairs: Article 197 on administrative cooperation, Article 298 on an open, efficient and independent European administration and Article 336 on the Staff Regulations.

Article 197 provides for the Union to take measures, excluding any harmonisation, to support the efforts of Member States to improve their capacity to implement Union law. Article 336 is amended to change the procedure for adopting the Institutions' Staff Regulations to ordinary legislative procedure – that means normal codecision – currently, the Council acts by qualified majority vote on a proposal from the Commission, after consulting the other institution.

The new Article 298 requires the adoption of regulations ensuring an 'open, efficient and independent European administration', which is what we are already trying to do without waiting for the final entry into force of the Lisbon Treaty.

Nirj Deva (PPE-DE). – Can I thank the Commissioner for his very clear answer and congratulate him on implementing an open and efficient way of running the Commission, in spite of the fact that the Lisbon Treaty will never see the light of day?

But, having said that, does the Commission have any plans to introduce any of those reforms which may not need the Lisbon Treaty to be enforced – for example, on improving the capacity to implement EU law on the Staff Regulations?

Siim Kallas, Vice-President of the Commission. – I must say, honourable Member, that we are trying to improve the work of the administration every day, and at this moment I am having intensive debates with our staff unions about the regulations concerning parliamentary assistants, which is also part of the Staff Regulations. This definitely brings more transparency and more clarity to this – so far – problematic field. So we are very happy that we have opened many websites which tremendously improve the transparency of our activities.

So this work is on-going. Concerning the Staff Regulations – which is a solid document – this is a huge and complicated project if we really aim to make changes. We will probably discuss with Parliament possible changes during next term, but small reforms are on-going. Internally we have just changed the rules on the so-called 'career development reviews'. So there are on-going changes every day, practically.

Reinhard Rack (PPE-DE). – (DE) Commissioner, you referred to the fact that the Commission must, and will, make permanent changes and improvements to its Staff Regulations. One development over recent years which is a real cause for concern is that a great deal – in fact more and more – is being outsourced to agencies and other administrative units. Does this not breach the principle of a uniform administration, especially the uniformity of political control of the administration?

Siim Kallas, Vice-President of the Commission. – This is a good question, one which has often been discussed in the parliamentary Committee on Budgetary Control as well. As the Commissioner responsible for administration and audit and the fight against fraud I am, of course, very concerned; my colleague Dalia Grybauskaitė and I always ask questions about the necessity of the creation of new bodies, and we insist that the rules which cover the new bodies are as transparent and as clear as they are in our main bodies and headquarters.

Having agencies which can be more flexible and more precise in implementing EU policies is mainly a policy-making decision. It is very much discussed here in Parliament and supported on many separate occasions.

I can be the bureaucrat who always raises questions on how to audit and how to control these agencies, but at the same time I do not think that a certain distribution of EU institutions or a certain spreading of EU institutions in Europe is a bad idea. So let us balance and weigh both sides: the policy-making needs and gains on one side and administrative clarity and auditing clarity on the other. We have tried in all decisions to achieve a certain balance.

President. – Question No 46 by **Ryszard Czarnecki (H-0789/08)**

Subject: Abuses and corruption by EU officials

Every so often, European public opinion is rocked by reports of abuses and corruption by EU officials. Can the Commission provide details of the scale of this problem over recent months, over this year as a whole and over last year, and in comparison with previous years?

Siim Kallas, Vice-President of the Commission. – I must first say that the Commission has no indications that there are more cases of fraud than in other organisations. The Commission points out that the British House of Lords concluded in a special report that there was no evidence of widespread corruption within the Commission and that the level of fraud against the EU budget is no higher than in comparable public spending programmes, including in Great Britain.

On average, OLAF opens around 40 internal investigations per year involving officials from all Institutions. In around half of these cases it concludes there is a need for follow-up, which can be administrative, disciplinary, judicial, financial or even legislative or a combination of several of these.

The Commission's policy of zero tolerance and a formal obligation for officials to report serious wrongdoings without delay contributes to increased vigilance towards possible fraud or corruption. It may also lead to the opening of a significant number of investigations in which the initial suspicions ultimately prove to be groundless.

As concerns the Commission, 15 members of staff were subject to disciplinary measures in 2007, compared to an average of five staff members between 2004 and 2006. In 2007, sanctions were imposed in seven cases for a variety of breaches, including for external activities not in accordance with the dignity of the function, unauthorised absences and financial irregularities.

The staff rules provide a well-developed disciplinary system, with possible sanctions ranging from a simple warning to downgrading and, in the most serious cases, dismissal with or without reduction of pension rights. In addition, a member of staff may be held personally financially liable for the damage incurred by his or her serious personal misconduct.

Ryszard Czarnecki (UEN). – (PL) Madam President, Commissioner, you did not need to take such a defensive position. The present Commission can clearly be proud that compared with Mr Santer's Commission, it is on a par with St Francis. However, there is another point I would like to make, and that is to ask whether any European Union administrative staff have been arrested and prosecuted, rather than simply dismissed from their jobs.

Siim Kallas, Vice-President of the Commission. – As I said, we have some cases running but so far we have not completed any criminal cases during the last six years. No European Commission official has been convicted. We have some on-going cases but these are all in national judiciaries. In addition, since 2002, the Commission has lifted immunity. If an official is to be investigated, the Commission makes the decision to lift immunity. We have lifted immunity – for criminal cases in courts – from 35 people, and so far half of them have been acquitted and the cases have been closed. Some cases are still running and there have been no criminal convictions yet. This is the situation regarding criminal cases against Commission officials. We are quite convinced that there will also be some convictions, but in some national judiciaries it takes a very long time. We are definitely cooperating with all these investigations.

Reinhard Rack (PPE-DE). – (DE) Commissioner, you just referred to the fact that, as an offence punishable through the courts, corruption too has to be followed up and prosecuted by the national judiciaries. Are most of these cases – and I assume they are – Belgian cases or are officials in other Member States being prosecuted for corruption?

Siim Kallas, Vice-President of the Commission. – Most, maybe all, the cases are in the Belgian courts, because the officials are located in Belgium. Therefore most of the cases are in Belgium – and Luxembourg as well.

President. – As they deal with the same subject, the following questions will be taken together: Question No 47 by **Eoin Ryan (H-0712/08)**

Subject: CCCTB impact assessment

In his address to the ECON Committee in June of this year, Commissioner Kovacs referred to a CCCTB impact assessment, which he described as 'crucial' for his proposed legislative proposal. Can the Commission give us more details about this impact assessment and confirm that if it proves unfavourable to the CCCTB proposal the Commission will shelve the plans for such a legislative proposal?

Question No 48 by **Marian Harkin (H-0724/08)**

Subject: CCCTB

What is the current situation with regard to the deliberations on the introduction of a common consolidated tax base and, in light of the concerns expressed by the Irish electorate in the Lisbon vote on this matter, has the Commission modified its approach in any way?

László Kovács, Member of the Commission. – An impact assessment of the Common Consolidated Corporate Tax Base (CCCTB) is currently being carried out. This assessment will cover a number of possible options for an EU-level reform of the corporate income tax system.

In accordance with the current practice of the Commission, a proposal of this nature has to be accompanied by an impact assessment drafted in compliance with the key analytical steps laid down in the Impact Assessment Guidelines. The key analytical steps are to identify the problem, to define the objectives, to develop main policy options, to analyse their impacts, to compare the options and to outline policy monitoring and evaluation.

The assessment will provide a description and evidence of the existing cross-border company tax obstacles on the internal market, and will define the objectives to be achieved by the reform. A number of alternative policy options, including the CCCTB, that could address the obstacles will be analysed and their respective economic, environmental and social impacts assessed.

As regards the most relevant types of impacts of the various policy options, the assessment will aim to assess: (a) the economy-wide effects of the alternative tax reforms on the competitiveness of the EU, on growth of the EU economy and welfare; (b) their respective effects on companies' compliance costs; and (c), notably, their respective impacts on national corporate tax bases and on tax administration costs.

Significant progress has been achieved in preparing the impact assessment but the work is not yet completed. Once the impact assessment is finalised, and the different options assessed, the Commission will draw the necessary conclusions. The fact that the Commission carries out an impact assessment does not necessarily mean that a proposal will follow.

Eoin Ryan (UEN). – To say that I am disappointed in the answer is to put it mildly: that is exactly what you told us last June. You told us that we would have this in September. I have to say that there are very strong rumours that you have received an interim report on CCCTB. You have not officially accepted it, but I gather

that this report is not favourable towards the idea of CCCTB and the reason we cannot see it is because you have not formally accepted it.

I would like to ask you if that is the case, because it is extremely unfair since this is an issue that has been debated for some considerable time now. There is a lot of very strong feeling on both sides on it, and I believe that you should show us that report, or interim report, so that we can have a look at it to see where exactly that report stands on this very, very important issue. I would strongly ask you to do that. I think it is wrong if you have received an interim report and you are not showing it to us because it does not show what the Commission wants on this issue.

Marian Harkin (ALDE). – I want to echo Mr Ryan's comments. The specific question that was asked was: if the assessment proves unfavourable, will you shelve the plans for implementing CCCTB? And that question was not answered.

Also, there have been a number of other assessments – not, obviously, carried out by the Commission – which have shown that, in many ways, CCCTB would collapse under its own weight.

But, given that you have not answered the question that was asked, I want to put one or two others to you. Would you not agree that it is not simplification? At present, we have 27 tax bases. With CCCTB, we would end up with 28. If it were to operate, would you not agree that it would damage Europe's capacity to attract direct foreign investment, in that tax payable by multinationals in one country would no longer be determined by the law of that state but by reference to a complicated formula which can only be computed in retrospect? So, in other words, no policy certainty, and that will scare foreign direct investment like nothing else. I just want your view on that, please, Commissioner.

László Kovács, Member of the Commission. – Yes, it is true that we have been aiming to make a proposal in the autumn of this year, but you have to understand that, in a project as ambitious as the CCCTB, it is not possible to predict exactly when we will be ready to make the proposal, as the timing of the proposal depends on the finalisation of the impact assessments and its evolution by the Commission.

As far as the correlation between the Irish referendum on the Lisbon Treaty and the CCCTB is concerned, I want to emphasise that the Commission is taking a measured approach based on wide consultation and detailed study of all aspects of the CCCTB. The Commission is aware of the issues raised by the electorate during the referendum in Ireland relating to the Lisbon Treaty. However, I would point out that the provisions of the Lisbon Treaty do not have any direct influence on the process whereby Member States would eventually decide on any proposal on a possible Commission proposal for CCCTB.

(Interjection from the floor by Eoin Ryan)

President. – I am sorry, Mr Ryan. The Rules allow you a supplementary question. I will not give you the floor.

President. – Question No 49 by **Georgios Papastamkos** (H-0716/08)

Subject: EU-China customs cooperation

What is the Commission's assessment of the level of organisation and effectiveness of customs cooperation between the EU and China?

László Kovács, Member of the Commission. – Madam President, may I take the liberty of answering Mr Ryan's comments very briefly? I just want to tell you that you will soon receive a full, legally based answer from the Head of my Cabinet Office. Then you will understand our position.

Concerning the second issue, customs cooperation is an important part of the EU-China strategic partnership. The EC-China Agreement on Customs Cooperation and Mutual Administrative Assistance with China provides the legal basis for this cooperation. The EC-China Joint Customs Cooperation Committee meets once a year in order to manage and oversee the implementation of the Agreement.

Under the Customs Cooperation Agreement, the EC and China are developing substantial interaction in key customs areas, organised clearly to reflect the interest of the European Community.

The problem of counterfeiting is our key priority in relation to China, which is the number one source of fakes entering the EU external borders. During my visits to Beijing in January and April 2008, I agreed with my Chinese counterparts to develop an ambitious Action Plan for IPR enforcement with concrete objectives

and measures to be adopted by the EU-China Summit in December. It should include, among other things, an information exchange system on IPR risks, an exchange programme of operational officials, and collaboration on the development of partnerships with business communities in China and the European Union.

Securing the supply chain is another essential aspect of EC-China customs cooperation. The joint pilot project on Safe and Secure Trade Lane has been running since November 2007 with the participation of three ports, Shenzhen in China, Rotterdam in the Netherlands and Felixstowe in the United Kingdom.

This project aims at strengthening security while facilitating trade between the EC and China through the use of modern technology and the exchange of advance information. At the same time, it will help to better target the traffic in illicit goods. Furthermore, the pilot project aims at preparing the ground for a future agreement on mutual recognition of security measures and the Authorised Economic Operator (AEO) and its Chinese opposite number. It involves cooperation in such important fields as alignment of the Chinese security legislation, information exchange and risk analysis. China has, in the meantime, adopted and implemented, as of 1 April 2008, its own AEO legislation that appears very similar to the European Community concept.

The EC and China are also enhancing cooperation in other important areas. An EU-China agreement on coordinated controls of trade in drug precursors is expected to be signed at the upcoming EU-China Summit that will allow us to combat trade in illicit drugs more effectively.

We agreed to further enhance our cooperation to fight fraud through the established mutual assistance mechanism.

The European Anti-Fraud Office (OLAF) has posted one of its agents in China in order to support the anti-contraband and anti-counterfeit activities of the office, in particular, in relation to cigarette smuggling.

The EU is ready to continue to assist China in customs capacity building, including through the application of the recently published customs blueprints.

While we have made considerable progress in enhancing customs cooperation with China, further steps need to be taken, particularly with regard to combating counterfeiting and piracy. Proper implementation of the above-mentioned initiatives, in particular the proposed IPR enforcement action plan, will determine the level of effectiveness of this cooperation.

Georgios Papastamkos (PPE-DE). – (EL) Thank you, Commissioner, for your reply. The trade deficit between the EU and China totalled EUR 160 million in 2007 to the detriment of the European Union. To a large degree, this deficit is the outcome of incomplete customs cooperation between the EU and China. Apart from the language of numbers, we are also very interested – as is only reasonable – in public health, the protection of European consumers and, of course, the competitiveness of European products.

I believe that these controls will be stepped up in the near future so that we can protect the public interests to which I referred.

László Kovács, Member of the Commission. – I fully agree with your concern – in my view, counterfeiting is much more than a financial problem.

First of all, it is a legal issue: the violation of intellectual property right.

Second, it is a financial or economic problem as it undermines the revenue of the Member States and it also undermines the profit of the manufacturing company of the original products and it can even result in the loss of jobs in our Member States.

But third – and this is my real concern – it is a new threat to the safety and to the health – and even to the life – of our citizens, so, as you very clearly emphasised, it is an issue of consumer protection. When I first got the information that EU customs seized some consignments of medicines, pharmaceuticals, against cardiovascular diseases, and the capsules contained brick powder and yellow paint, I was really shocked.

So it is much more than a financial or legal issue. It is a problem of the safety of our citizens and we have got to do our best.

May I say that I am now more optimistic: in April, I met my new counterpart, the new minister responsible for customs in China. Even with my former counterpart, I felt some positive changes in the Chinese style,

the way they negotiated. Since 2005, it has become more and more concrete, more and more to the point and China has made some steps. For instance, they even changed the legislation concerning combating counterfeiting.

But, you are right that it is still not working in an optimum manner. That was the reason why we initiated an action programme and I made it very clear to my new partner that what we expect from China is concrete measures and concrete results in the market and I think that he understood the message.

One or two more reasons about why I am optimistic: first, China, which is an emerging power, which is playing a more and more important role in the world economy and world politics, I think simply cannot afford to be related, to be judged as the number one source of fake products. Second, China is more and more a target country. Quite recently we heard about Chinese fake milk powder which resulted in the death of some Chinese children. So they are not only a country of origin, but they are also a target country, a target of counterfeiters.

Avril Doyle (PPE-DE). – As a member of the European Parliament's Delegation for relations with the People's Republic of China, I have noted with interest your response.

Has there been any improvement at all in China's appalling record on counterfeiting or the stealing of intellectual property since it joined the WTO, and what pressures are being put on China to improve in this area?

You mentioned the EC-China Joint Customs Committee. Who is on it from the EC side, and what are the qualifications to become a member?

My final point: does this joint committee have terms of reference to handle trade of various waste products from Europe to China for dumping?

László Kovács, Member of the Commission. – One of the figures I can refer to in my answer is that in 2005, more than 80% of seized fake products came from China. Now this proportion is around 60%. I think it would be premature to say that it is due to the Customs Cooperation Agreement and is the result of the yearly meeting of the Customs Cooperation Committee, but I am pretty sure that there is certainly some correlation between the two.

As I have already said, there have been changes in Chinese legislation: production and distribution of fake goods are now an element of the penal code, which was not the case before, and export controls have also been introduced. I would not say that this export control is systematic and full-scale. It is rather sporadic and occasional, but it is a step forward. These are the concrete facts which show that China is becoming more cooperative and taking it more seriously. I have already spoken about Chinese motivation.

As far as the Joint Customs Cooperation Committee is concerned, the co-chairs are the Minister on the Chinese side, and myself on the EU or EC side, but also in the joint committee, all the Member States are represented at expert level. They have more than one meeting at expert level a year. Once a year, the two chairs of the joint committee also come together and discuss the issues.

President. – Question No 50 by **Sean Ó Neachtain** (H-0708/08)

Subject: Financing security measures at European regional airports

By the end of 2008, the Commission is expected to publish a report on financing security measures at European airports, which may lead to a new legislative proposal on this issue.

Given that security expenditure constitutes a heavy burden for European regional airports, can the Commission say what kind of solutions it considers necessary to help regional airports manage the increasing costs of security? In addition, does the Commission plan to introduce new measures that will oblige all Member States to finance in part security at Europe's regional airports?

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, in keeping with the commitment made in Article 22 of Regulation No 300 of 2008 on common rules in the field of civil aviation security and repealing the previous regulation, in December of this year, the Commission will present a report on the financing of the costs associated with security measures in European airports.

In light of the situation, the Commission is reviewing the results of the consultation with the interested parties and with the Member States in order to determine the content of a new legislative proposal on this

matter. The Commission will present its conclusions in the report in question and, to address some of the questions raised during the consultations, the Commission may also be called on to take further action on this subject.

Seán Ó Neachtain (UEN). – Madam President, I would like more information. What exactly does the Commission intend to do to assist the airports affected by this cost? There are five airports in my constituency of Ireland North West and they find it very difficult to survive economically due to the pressure exerted on them. These include two international airports, Shannon Airport and Ireland West Airport, along with three other regional airports. What can the Commission do to assist the survival of those airports and allow them to function economically?

Antonio Tajani, Vice-President of the Commission. – (IT) Mr Ó Neachtain, I am afraid that I cannot give you an immediate, concrete response as you would like. However, the Commission is reviewing the results of a consultation it held in order to examine the results and thus decide if, how, to what extent, with regard to Member States, if it is up to the Member States alone, we need to finish reviewing the consultations.

As soon as we have finished reviewing the consultations, if you would like, I will inform you straight away, and in any case we will be presenting our report on this whole sector before the end of the year, as I said earlier. It is only a matter of waiting a few weeks for our officials' final assessment of all the consultations. My office and my staff are available to provide you with all the necessary information to enable you to report to your electorate.

Manolis Mavrommatis (PPE-DE). – (EL) Commissioner, bearing in mind what you have just said, will it be possible to evaluate the security requirements of each Member State and of regional airports – because that was the question – where there is a large number of them, such as on the Greek islands and in Italy, Spain and Portugal?

You obviously know how many islands and how many such areas there are; as such, will funding from your overall budget be proportionate and differentiated?

Paul Rübig (PPE-DE). – (DE) We know that the costs are obviously passed on to passengers. That is why we also need to differentiate. There is not that big a difference nowadays between using the train, for example, be it the TGV or some other high-speed railway, or an aeroplane. If you look at the security precautions at train stations and in airports, there is perhaps room for harmonisation here. Do you think it possible to introduce identical legal provisions here?

President. – Commissioner...

(Interjection from the floor by Jim Higgins)

I am very sorry, Mr Higgins, I have taken two supplementary questions, which is all I can take, and we have dealt with it as appropriately as we can.

(Interjection from the floor by Jim Higgins)

The Rules provide for two supplementary questions. I am sorry but I cannot get into a discussion with you. It is unfair to those who have questions waiting to be heard.

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, I would like to say to those Members who cannot, due to the rules of procedure, receive answers to the questions they would like to ask, that my offices are available to provide any information they may require that it is in our power to give in response to their queries.

As regards the question from Mr Mavrommatis – in essence he asked whether the Member States can adopt more stringent security measures than those imposed by Regulation No 300 of 2008 – the Member States can, of course, choose to apply more rigorous measures than those set out in the regulatory framework. These more rigorous measures may, however, have repercussions for the internal aviation market insofar as they often vary from one Member State to another.

In the report that will, I assure you, be published very soon, the Commission will consider whether these more rigorous measures distort competition between airlines and airports. As regards the issue of island airports, the Commission is also reviewing this issue in the context of the answers that have been given. Island airports are, of course, included in the study, which concerns the general airport system. You know

how much the Commission values regions, such as the islands of your own country of origin, but also in countries that I myself am more familiar with, that can only be reached by plane or boat. The Commission therefore gives much consideration to these links.

As far as Mr Rübig's question is concerned, the Commission is reviewing the various options. It is possible to use public funds, which is one of the possible solutions for financing the costs of aviation security. Therefore it has not been said that ticket prices should be raised. Other forms of financing could also be used. However, to be honest and to give an answer that is more than just a formal response, I would like to emphasise that the Commission is examining carefully all the information gathered and, as soon as it has all been examined, reviewed and balanced, we will try to draw up a proposal that is balanced and is in keeping with the interests of European citizens.

Mr Rübig, I would say the same thing to you that I said to the other honourable Members, that my offices are always available to all Members for any clarifications and to arrange any meetings you would like to have with me on questions relating to the transport sector.

President. – Question No 51 by **Stavros Arnaoutakis** (H-0713/08)

Subject: High quality transport and small island regions of the European Union

What steps will the Commission take to ensure that the European Union has sustainable and high quality transport systems and to protect the rights of its citizens and their safety? How will it contribute towards establishing a reliable system of transportation (boat-aeroplane-helicopter) which covers the small island regions of the European Union?

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, this is, in some ways, a continuation of the question asked by Mr Mavrommatis. In order to guarantee sustainable, high quality transport in Europe and to protect the rights of citizens and their safety, we are proposing an appropriate legal and regulatory framework to the European Parliament and to the Council and, once the legislators have adopted it, we will ensure that it is implemented.

Allow me to give three examples: passenger rights, sustainable transport and passenger safety. You also asked me to be more specific about how these efforts will contribute towards establishing a reliable system of transport by boat, aeroplane or helicopter for the small island regions of the European Union. The fundamental challenge in this proposal is the funding. Thus, we return to the subject of the previous question.

Honourable Members – I could almost say fellow Members, since I am always aware of having been an MEP myself for many years – we must be clear on this point. It is up to the Member States and regional authorities to decide on the quantity and quality of connections within the small island regions and between these regions and the continent. Our role, the role of the Commission, is secondary and consists of two very distinct tasks. On the one hand, the Commission implements the European cohesion policy, which supports the development of regions with geographic and natural disadvantages. Within the framework of the cohesion policy, the Community can provide cofinancing to improve the accessibility of the island regions. On the other hand, the Commission has a duty to ensure that the financial support awarded to transport providers does not distort competition on the internal market, against the common interest.

This safeguard is guaranteed by Community legislation on the internal transport market. State aid for quality transport to and within the island regions cannot be authorised by the Commission, in particular in the form of compensation for a public service obligation. Legislation governing the internal market in the maritime and air transport sector leaves Member States ample scope to choose how to organise the public transport services that link the islands to the continent and to one another, provided that all potential transport providers have equal opportunity to provide the public service in question.

Costas Botopoulos, replacing the author. – (IT) Commissioner Tajani, since you have spoken in Italian I am tempted to do so myself, but I will hold back and speak in Greek instead.

(EL) Commissioner, my question did not relate so much to the question of funding, which my honourable friend Mr Mavrommatis has covered; it related to three specific points to which you referred and on which I wish to comment specifically. The first is the standard of transport, which is a very important matter. The second is the special case of the small islands; as you know, my country has an abundance of very small islands which are a special case, and the third point is the state of mind of the residents of these small islands, who feel a bit isolated, in this particular instance, from the rest of Greece and from Europe in general when we fail to attach particular importance to their problems, especially in terms of transportation. My question

is therefore a political question which goes beyond financing: do you believe that the European Union should also play a political role here?

Antonio Tajani, *Vice-President of the Commission*. – (IT) I would like to thank the honourable Member for having replied to me in my own language. I am tempted myself to reply to you in ancient Greek, having studied it for many years – my mother taught ancient Greek for many years as well, but perhaps I would make some mistakes and risk not being understood by you. Thank you all the same for the gesture.

Mr Botopoulos, I said this myself when I was a member of parliament, having been elected in a constituency that also included many small islands, and so I am well aware of the serious connection problems they face, far from terra firma, particularly during the winter. Since many of these islands are tourist destinations, during the summer there are boats transporting visitors and also the people who live on those islands, who therefore do not have difficulties for two or three months (June, July and August). The problems start in September, and then there is a real risk of feeling isolated.

I believe that the European Commission, not being able to decide directly on the matter – I mentioned this in my speech, we are always mindful of the principle of subsidiarity – can provide support, for example, by cofinancing certain transport systems, without distorting the internal market, to enable these citizens, who are European citizens and who have the same rights to mobility as those living in big cities or on the mainland, specifically to have the right to travel and to receive deliveries, because the issue also concerns the supply of food, as well as water for some islands.

Honourable Member, I share your concern and support it. The European Commission, with its sights set on protecting the rights of all citizens at all times, intends, wherever possible and insofar as provided for by current legislation, to work hard to support those living on the smallest islands, offering practical solutions to the needs of these citizens who do indeed experience unfavourable conditions, particularly during the winter months.

I am available to you and to all Greek MEPs – and not just Greek MEPs, of course – should you wish to discuss any initiatives you want to adopt in order to give practical answers to the citizens of small islands.

Avril Doyle (PPE-DE). – Could you elaborate further on the content of the appropriate regulatory framework which you indicated was in the pipeline, particularly in relation to economic sustainability of access transport to small island regions?

Can I get assurances from you, Commissioner, that the present public service obligation regime will not be impacted in any way by this future regulatory framework that you have in mind? That is essential for the economic sustainability of these peripheral regions.

Antonio Tajani, *Vice-President of the Commission*. – (IT) Thank you, honourable Member, for having asked the question. I think that I mentioned this during my main speech, with which I answered the question. Our intention is to prevent any distortion of competition. In any case, intervention of any kind should serve only to address the needs of citizens, without upsetting the internal market and without breaching competition but only, I repeat, with the aim of giving people who live in areas that are disadvantaged – above all in the winter months – the opportunity to be citizens like everyone else. Our assistance will be targeted, without causing harm to anyone, to enable these citizens to live in the same conditions as all the other citizens of the European Union.

I can therefore reassure you, as regards your concerns, that our aim is to help these citizens without distorting the market or competition.

President. – Question No 52 by **Marie Panayotopoulos-Cassiotou** (H-0715/08)

Subject: European legislative measures on shipping safety

Has the Commission assessed the implications for European shipping in the event of the entry into force of European legislative measures on shipping safety which will overlap with hitherto uniform international rules?

Why does the Commission not consider it sufficient for the Member States to ratify the IMO's international conventions so that matters over which they have sole competence and matters over which they have joint competence with the European Community are regulated only by international legislation, which the Member States establish by sole competence on the basis of their sovereign rights?

In seeking to establish sole Community competence and acquire new powers at a time when European citizens are particularly sensitive about the sovereign rights of their own country, especially in a sector under great economic strain, such as shipping, is the Commission not at risk of doing more harm than good overall?

Antonio Tajani, *Vice-President of the Commission*. – (IT) Madam President, Mr Mavrommatis is always very active and always involved in issues regarding transport. The Commission's proposals are always accompanied by an impact assessment. This is true in particular of the November 2005 proposals on the third maritime safety package.

The Commission's proposals in this sector take particular account of the relevant international conventions. In the majority of cases, the purpose of the legislative proposals is to invite the Member States to ratify the conventions or to implement them within the Community. They are never born out of an attempt to acquire new competences. I would like to clear up a common misunderstanding: the Community already has the necessary competences for maritime safety within the framework of the common transport policy. It is, however, inevitable that when the European Parliament and the Council legislate, Member States' ability to act in isolation at international level is therefore limited.

Nonetheless, this is not to Member States' disadvantage. Indeed, it serves to strengthen our collective influence within the international community, thereby increasing the level of protection of the life of citizens and of the environment. Sometimes, Europe must simply take the initiative. This happened, for example, when we introduced the accelerated withdrawal of single-hull oil tankers and our decision was then followed by a similar one on the part of the International Maritime Organisation.

Mr Mavrommatis, you are well aware of the problems with the International Maritime Organisation: we cannot always take decisions on our own. There are competences that do not concern Europe, and continual comparison with this organisation is therefore necessary, not least because our seas are frequented by vessels flying the flags of countries that do not belong to our Union.

With the proposed new legislation on maritime safety, the Commission hopes, though, to redress the balance of the global dimension of maritime transport, which calls for global solutions while taking account of the limitations of the global legal framework.

Mr Mavrommatis, Community action is a tangible expression of the collective effort and commitment of the Member States, not an imposition from the outside, running counter to their interests. Thanks to our efforts and yours, the number of vessels in European waters that do not comply with current standards has dropped dramatically. The Commission will continue to pursue a balanced but proactive policy, with the protection of the life and livelihood of our citizens as its main objective.

Manolis Mavrommatis, *replacing the author*. – (IT) Commissioner, you know how much I enjoy our discussions and debates. Moreover, you always have an answer for me. Naturally, I would like to thank you for those points that concern all the countries of the European Union.

(EL) At a time when European citizens are particularly sensitive about the sovereign rights of their own country, especially in a sector under great economic strain, such as shipping, do you not think that seeking to establish sole Community competence and acquire new powers for the Commission will do more harm than good overall?

Antonio Tajani, *Vice-President of the Commission*. – (IT) Mr Mavrommatis, I do not think there is a risk of inflicting damage, but the aim is to try to harmonise, within a framework, that which is always complicated in maritime law because, unfortunately, we always find ourselves faced with IMO decisions and, as I have said, thankfully Europe sometimes takes the lead and the international organisation follows us.

Our intention, I repeat, is not to limit the rights of Member States but merely to try to achieve harmonisation that can serve only to provide EU citizens with faster and more robust responses.

Colm Burke (PPE-DE). – I was wondering if the Commissioner is satisfied that enough action is being taken by Member States in relation to implementing existing legislation and regulation. I had my own experience in acting in a legal capacity where a very serious accident occurred, and, even 12 months after the accident, the shipping company still had not complied with the regulations that were then in place and had been in place for over three years.

Antonio Tajani, *Vice-President of the Commission*. – (IT) I would like to thank the honourable Member for this question, because it gives me an opportunity to point out the very positive outcome we obtained at the

Transport Council two weeks ago in Luxembourg, when the Council finally gave the green light for approval of the third maritime package. This success was also down to the European Parliament's insistence, its commitment, the fact that it made its voice heard, together with that of the Commission, in order to achieve a more comprehensive regulation safeguarding public safety, in all senses, including on our seas, environmental protection, and accident liability.

When these rules enter into force, Community control will definitely be stepped up. I can assure you that, as far as the Commission's commitment is concerned, we will continue to monitor the situation with care and attention, including through the work of our agency in Lisbon, to ensure that all Community legislation is always complied with and, above all, to ensure that our seas are ever more secure, with joint legal and operational action in all seas within the competence of the European Union.

President. – Question No 53 by **Emmanouil Angelakas** (H-0717/08)

Subject: Improvement of urban transport

It is a fact that urban transport is not currently the best it might be for European citizens. The stress caused by intense congestion, the high level of pollution and journeys within towns, which are responsible for 40% and more of total CO₂ emissions from road transport, together with the lack of safety for drivers and vulnerable groups, such as pedestrians and cyclists, are just some of the problems encountered every day by European citizens in major towns and cities. What are the Commission's objectives and plan of action in response to this situation so that more sustainable forms of urban transport may be established and what timetable has it set for measures to achieve its objectives?

Antonio Tajani, *Vice-President of the Commission.* – (IT) Madam President, the topic of urban transport, I would like to inform the honourable Members – ‘fellow Members’ always comes to my mind first, it must be force of habit; I have only been a commissioner for a few months whereas I was an MEP for many years and evidently I still feel part of this Parliament – was one of the topics at the informal Council in La Rochelle on 1 and 2 September 2008, and was discussed at length. The Commission and the Member States gave the issue a great deal of attention, inviting experts, mayors of large and medium-sized cities and specialists in the sector to talk about urban transport.

I spoke on this subject myself at the Road Safety Day that took place a few days ago in Paris – the official Commission and Council day during Road Safety Week – emphasising that road safety must also mean a good urban transport system: our roads will become safer, above all in big cities, if there is a good urban transport system. In my view, this will inevitably reduce the number of victims of accidents that occur in big cities, where there is the greatest number of accidents and the greatest number of victims.

The Commission is drawing up an action plan on urban mobility based on the consultations that followed the publication of the Green Paper. We intend to present the plan before the end of this year. This plan will include proposals for definite actions at European Union level for the coming years.

Clearly the European Commission does not have jurisdiction on this: these are areas that concern the Member States, but we, on the basis of the principle of subsidiarity which, as you all know, is derived from the word *subsidiium*, want to help the Member States and the mayors of large cities. The former mayor of Milan, Gabriele Albertini, Vice-Chairman of the Committee on Transport and Tourism, can testify to all this: through this action plan, we will ensure that all of the information we have, all of the advice, all of the ideas, all of the suggestions, can be made available to all cities, above all the big cities with traffic problems.

The action plan will also assist policy makers at local, regional and national level, in full respect – I repeat, full respect – of the principle of subsidiarity. The actions we will propose will help to cut costs, to guarantee the proper funding of the single market and to create new markets for new technologies, developing sustainable urban mobility. It is no coincidence that only yesterday evening, the debate was concluded and a vote taken on a directive that should encourage, that is aimed at encouraging, local authorities to purchase means of public transport with reduced harmful gas emissions.

Today, however, it is still too early to outline or be specific about the content of the action plan, but we nonetheless expect, and you can expect, it to cover the breaking up of rules on access to green areas, urban goods transport and logistics, better information on public transport systems in European cities or broad plans on sustainable urban mobility and proposals on ways to integrate urban planning and mobility. The action plan may also include proposals on information sharing and for improved data collection and research practices, and may even tackle the issue of funding, which is an extremely delicate question. This, I repeat, will all be based on respect for the principle of subsidiarity.

Emmanouil Angelakos (PPE-DE). – (EL) Commissioner, we shall await the action plan you propose with great interest and then we shall have an opportunity to talk again.

However, I would like to hear your personal opinion on the following matter: there is a great deal of discussion about the congestion charges which have been introduced in cities such as London, Rome and Stockholm and which appear to have helped reduce congestion and increase the number of passengers using public transport. In other cities, however, where there is no organized network, there is still scepticism and I should like at this point to hear your personal opinion, as an experienced Commissioner, as to if and to what extent you are or are not in favour of congestion charges.

Antonio Tajani, Vice-President of the Commission. – (IT) Honourable Member, the question is an extremely delicate one: if Mr Albertini, who is always very generous, would like to buy us a coffee, we could discuss it and hear the experience of a mayor of a large European city.

There can be no easy answer to this question. I was a municipal councillor in Rome for five years whilst I was an MEP and I dealt with these same issues. These things have to be looked at on a city by city, case by case basis, because some cities – I am thinking of Rome – have an historic centre with very narrow streets, where it is difficult for traffic to circulate. Other cities have a different urban environment and so it is not easy to have one rule for everyone.

I think that, always using the principle of subsidiarity, mayors should choose, with the consensus of municipal councils, to impose a congestion charge if they think it useful and if the city they administrate needs to restrict traffic because in very old cities, the centre becomes congested very easily. Therefore the situation varies from city to city and it is difficult to find a solution. I would definitely say that it is not an option to be disregarded, even if it can sometimes cause confusion. You have to look at where the perimeter would be. I would reiterate that it is a choice to be made by individual cities. Personally, I am not against it in principle but, in certain cases, it can be unfair to impose it whilst in others, it can be entirely appropriate.

Given, therefore, the diversity of European cities, I believe that especially in this case, the final decision should always be left to local authorities, although in the action plan, we will still offer suggestions and ideas. The important thing is that citizens are always informed and that they know what is going on and the decisions that are taken, because when it comes to paying taxes, it is always good for citizens to understand what they are paying for.

I regret that I cannot give a definitive answer of principle. I truly believe that we have to examine the facts and the impact, including on the urban environment, and take the decisions one case at a time. To conclude, I would like to say again that, in principle, I am not against it, but that there could be cases in which it would be pointless to impose a tax of this kind.

Mairead McGuinness (PPE-DE). – Commissioner, I was struck by two words that you used: that finance is a 'delicate' issue; and you repeated 'subsidiarity', which is important.

Is the Commission concerned that the economic difficulties in Member States will impede the necessary investment in effective public transport systems? At the same time, Member States might be imposing congestion charges in large cities on hard-pressed motorists who have no choice.

Paul Rübzig (PPE-DE). – (DE) My dear Mr Tajani, we are of course delighted to have the opportunity here of asking questions, especially on invitations to tender for urban transport. Are there any plans to put urban transport out to tender, as has happened in numerous cases in Sweden, where there is now competition in urban transport?

Secondly: are there really plans for uniform control systems throughout Europe? When you arrive in a foreign city, it is often difficult to understand how their system operates and perhaps a Commission proposal is needed here.

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, thank you for the question. First of all, I think that in the action plan we are to present, we should insist on the need to give information to European citizens when they move from one city to another, so that they know what the situation is and what they will find when they travel from Stockholm to Madrid as opposed to from Rome to Vienna; so that they understand the set-up, what taxes they may need to pay, and can organise their trips, be they for work or as a tourist. This is already important and I believe we have work to do.

Of course, honourable Members, I would stress the issue of the principle of subsidiarity, because it is not for the European Union to intervene in matters that fall strictly within the remit of local authorities. The same goes for financial aspects; the Commission has no place to intervene. Funding is a problem. Of course, in our action plan, we will seek to gather all the suggestions that have been put forward at the various hearings, in order to provide a service and assistance to local authorities, who are then at liberty to accept or reject them. Our aim is to try to harmonise the system, at least in terms of information for citizens, and to provide the different local authorities with as much information as possible regarding experiences from other cities, for them to make use of if they wish. This is important.

As regards funding, I believe that each local authority is free to do as they see fit, without, of course, disrupting the market or the free movement of citizens. In each case, the most suitable solution must always be chosen. As regards the last question from Mr Rübig, however, the directive on public service obligations leaves local authorities the freedom to decide whether or not to call for tenders. I think that the European Union, from this point of view, has once again insisted on the principle of subsidiarity.

I think that this is right, because our work should not be invasive: we should not regulate everything and anything, we should be concerned with the big issues, giving big answers and, if anything, helping local bodies and Member States to solve problems, where they can, perhaps with the aid and support of the European Union, without this support being dominant or invasive. In my opinion, in local public transport, this should be a principle that we all keep to, and I believe we want to do so.

President. – That concludes Question Time.

Questions which have not been answered for lack of time will be answered in writing (see Annex).

(The sitting was suspended at 7.45 p.m. and resumed at 9 p.m.)

IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

Vice-President

14. Commemoration of the Holodomor, the Ukraine artificial famine (1932-1933) (debate)

President. – The next item is the Commission statement on the commemoration of the Holodomor famine in Ukraine (1932-1933).

I should like to take this opportunity to welcome to the European Parliament a delegation from Ukraine headed by the Ambassador.

(Applause)

Antonio Tajani, Vice-President of the Commission. – *(IT)* Madam President, honourable Members, I am honoured to take part in this debate to commemorate the great famine of 1932 and 1933, which was one of the great tragedies of the 20th century. After many years of silence, testimonies of the suffering call for our attention, together with the accounts of many survivors who found themselves caught up in that terrible event.

It is vital that the experience of the Holodomor is not forgotten. The story of the great famine illustrates not only the tragedy of the Ukrainian people, but also reminds us again of what human beings are capable of. The Holodomor has something important to teach us, however: the sacrifice of so many has not been in vain. Their sacrifice reminds us never to accept that any state should subjugate individuals, whatever the cause or purpose for what takes place. That disastrous famine has shown the superiority of a constitutional state over one in which no form of dissent is permitted. Tragedies like the Holodomor only happen in those human societies that violate the rights of citizens, the rule of law and democratic principles.

The European Union rose from the ashes of war and numerous totalitarian regimes, those dictatorships that deeply scarred the history of Europe and of the whole world. Out of those same tragedies and catastrophes, however, sprung forth the democracies of Europe and, in the last fifty years, a season of peace has been built on those ruins, a peace that we have a duty to defend, and to carry beyond the borders of the Union: fifty years of peace that have been the greatest achievement of a united Europe.

Today, Ukraine has also changed. As an independent country, a member of the Council of Europe and signatory to the European Convention on Human Rights, as well as many other international instruments for the safeguard of these fundamental rights, Ukraine has an extraordinary opportunity to consolidate itself, to bolster its position as a democratic state that respects human rights and the rule of law. It is certainly an ambitious and difficult task. We have witnessed many troubles; many political battles have marked recent years in the history of this country, which has become stronger in its democracy.

At this historic time, we must all lend our political support and encouragement to the independence of the judiciary. It is important that Ukraine continues to fight corruption and to take account of the results of the recent elections so that democratic principles are complied with. Nor must it omit to safeguard the most weak and marginalised, whatever their race, ethnicity or religion, or indeed their sexual orientation or state of health.

The European Union will continue to support Ukraine in these important efforts. At the same time, we will continue to work together with our Ukrainian partners to raise the prosperity of all the citizens of that nation, by opening new markets and increasing the prospects for economic activity and investment, in addition to deepening relationships between our citizens.

I would like to add, as Commissioner for Transport, that as regards trans-European networks, we should remember that these can serve not only to strengthen our internal market, but also as a tool to extend the frontiers of Europe, to open Europe up to new horizons and to strengthen links with near and friendly countries which border the European Union, like Ukraine.

For the victims of the Holodomor there can be no better tribute than the creation of a prosperous, stable and democratic Ukraine, founded on solid institutions and on an engaged civil society. Only if this goal is reached will the sacrifice of so many innocent victims not have been in vain.

Charles Tannock, *on behalf of the PPE-DE Group*. – Madam President, the European Union is founded on reconciliation: the belief that we can create a better future by acknowledging our past in all its brutality.

Germany has rightly confronted and sought to atone for the unspeakable horrors of the Nazi era and the Holocaust. The newer Member States of our Union are finding their own ways to seek truth and reconciliation through a frank and uncompromising analysis of their Communist totalitarian past. But some countries still seek to hide from their history. Turkey, for example, in my view still denies the genocide perpetrated on the Armenians and the Assyrians under cover of World War I. Russia has also struggled to come to terms with the brutality of Stalin's Communist dictatorship.

The purpose of this resolution tonight is to express our horror at the Holodomor, the period of deliberately engineered famine in 1932-1933. The resolution reflects our determination to remember its millions of victims, some of whom are still alive today to tell their gruesome tale. Their evidence is vitally important, because soon they will all have gone. Only by reminding ourselves of such heinous crimes against humanity can we try to ensure they never happen again. This resolution does not contain the word 'genocide', because other political groups in this House do not think the strict definition of that term should be applied to the Holodomor. After all, it was only after the Second World War that the Genocide Convention was actually established. But also, perhaps – and perhaps more regrettably, in my view – because of a fear of offending modern-day Russia.

But none of us wish to belittle the unimaginable suffering inflicted upon Ukraine. No word or words can properly describe the atrocity of the Holodomor. What is important is not so much the text that we use but the sentiment that we are trying to express in our resolution – solidarity with Ukraine on the 75th anniversary of the massacres perpetrated on its long-suffering people.

One lesson that history teaches us is the importance of robust international law and judicial structures, which are now extant, if the authors of such misery are ever to be punished. Nuremberg was the start of that long, drawn-out process. The war crimes court for the former Yugoslavia, which is soon to try Radovan Karadžić, shows that these principles are as important today as ever. Yesterday this House voiced its strong support for bringing the leader of the Lord's Resistance Army in Uganda, Joseph Kony, before the International Criminal Court. Tyrants, wherever they are, in this case it is Joseph Stalin we are debating tonight, bent on mass murder and destruction, should have no sanctuary anywhere.

Ukraine has borne much grief throughout its history, and I do hope now that the next stage in that glorious history involves Ukraine rightly taking its place, in the not-too-distant future, as a full member of the European

Union. After the crisis in Georgia, there can be no doubt that many Russian nationalists are not happy about, for instance, Ukrainian sovereignty over Crimea. But I am sure that, if we all stand together in solidarity with the Ukrainian people, one day it will take its place in the European family of nations.

Adrian Severin, on behalf of the PSE Group. – Madam President, this is a very special debate. As a political body, the European Parliament is asked to legislate and to provide executive decision-makers with political guidance for properly coping with the challenges, opportunities and dangers of our present times. In other words, we are history-builders and not historians. We are not asked to judge the past, but to build the present, and are supposed to be judged by the future.

Therefore, the Socialist Group reluctantly accepted to subscribe to a resolution which apparently aims to establish a historical truth about a tragic event that took place in Ukraine in the past.

We did that, however, because we understood that solidarity with the Ukrainian people and their sufferings could mobilise Ukrainians in their efforts to unite their country, to democratise it, modernise it and bring it inside its natural family which is the European Union. At the same time, we understood that if the tragedies and crimes of the past are forgotten, the danger of their being repeated is overwhelming. Historical condemnation of crimes cannot provide reparation for the victims thereof or their heirs, but it is moral compensation. Moreover, it is an intellectual and political guarantee against repetition of the crimes and resurrection of the bad instincts that lay at their origin.

By condemning old totalitarian crimes, we not only shame the criminals of the past, but also those who might think to apply the same criminal methods in the future. Awareness that impunity is impossible might very well stop them doing so.

We must proclaim today that there is no state rationale, no social objective and no ideological principle that can excuse a crime such as the Holodomor, the artificial famine which caused so much suffering for so many innocent people in a crazy attempt to destroy the moral dignity, national pride and biological existence of the great Ukrainian people.

At the same time, while condemning the crimes, expressing solidarity with the victims, and denouncing this attempt to destroy a whole people, we cannot put the blame for those crimes on another people.

The Holodomor was the product of a totalitarian political regime. All the peoples that were subject to that regime were victims of various similar crimes and hardships. The discussion today should not only remind us that we must always stay united against totalitarianism, but also that the present Ukrainian generation, on behalf and in the memory of the Holodomor victims, must eliminate from their country and their history all authoritarian instincts, inclinations and practices. They have to consolidate their national unity and accomplish together their democratic ideals.

Likewise, our expression of solidarity should inspire the Ukrainians to solidarity and reconciliation, both inside and outside their country. Inside, with their countrymen, who belong to different ethno-cultural groups, and outside with our neighbours.

That is one of the best ways in which they could become members of the European Union, and, if they choose to take that way, it means that our debate this evening has not been futile. EU membership for Ukraine would be the best historical reparation that the Ukrainians themselves can offer to the victims of Holodomor.

Grażyna Staniszewska, on behalf of the ALDE Group. – (PL) Madam President, the Holodomor, or the artificial famine in Ukraine, is one of the largest-scale crimes committed in Europe during the 20th century. In order to prove that collective economies worked, and to destroy the main threat to the communist Soviet Union, Ukraine's independent farmers, Stalin's regime effected an artificial famine which resulted in the deaths of several million Ukrainians. All the food people had was confiscated. The famine drove large numbers of peoples from the countryside to the towns, which the authorities blocked by issuing internal passports and banning rail travel. Those who remained in the villages were forced to forage illegally for food in the fields of the collective farms, which carried a sentence of imprisonment or even execution. They were not allowed to keep a single handful of grain for themselves. A rule of 'five ears of grain' was imposed, by which anyone who picked more than five ears of grain faced the death penalty.

Unfortunately, the Holodomor, or the great famine, is an event in history that is still practically unknown in many countries of Western Europe. Until recently, these historical facts were completely denied by the USSR. Any mention of the matter was, before the fall of the Soviet Union, treated as a crime of 'anti-Soviet

propaganda'. Active means of disinformation were used against Western journalists. Only recently have documents from the population registers come to light, revealing the numbers affected by the mass starvation.

The famine in Ukraine has been recognised as genocide by the governments or parliaments of 26 countries, including Poland. I am deeply convinced that the European Parliament will not remain inactive on this issue. We have to recognise that the Holodomor was a crime against the Ukrainian people and a crime against humanity, and firmly condemn the actions of the Stalinist regime against Ukrainian farmers.

I also believe that it is high time that all information on the famine is made public. The countries of the former Soviet Union should open their archives on the Holodomor in Ukraine in 1932-1933 to scholars so that impartial studies can be carried out.

This year is the 75th anniversary of this shocking crime. I would like to use this opportunity to extend my deepest sympathies to the Ukrainian people, which had to undergo this huge tragedy.

Rebecca Harms, *on behalf of the Verts/ALE Group*. – (DE) Madam President, I have chosen almost the same introduction to my speech as Mr Tannock. That does not happen very often. 'The past is the prologue of the future' is the maxim displayed at the entrance to the National Archives in Washington and with good reason. This phrase encapsulates the hope that people can learn from history. Sometimes they do, but not always. We can but try.

I have noticed time and again – and the motion on the Holodomor was an occasion to do so once again – that not all chapters in the history of eastern and western Europe in the last century are equally common knowledge. When the groups were debating whether or not to in fact table today's resolution, the overriding opinion was initially one of scepticism; when questioned, most Members admitted to having no idea as to what Holodomor actually means and what it stands for. Perhaps this is the start of a joint learning curve about such a terrible moment in history which took place at the heart of Europe not even a century, just a little over half a century ago, and which will give us the chance to write history accurately with the help of the survivors.

For the Group of the Greens/European Free Alliance, the commemoration of the victims of this tragedy needs to be the focal point of the avowal we make in signing this resolution. We believe that proper commemoration of the victims depends on our knowing about this tragedy, this massive crime on the part of the Soviet regime.

Secondly, we hope that this history will be processed jointly in Ukraine and Russia. What we do not want – and I say this as a German born in the 1950s – is for this processing of history and this proper writing of history to deepen the rift between nations. We do not want that either within Ukraine or between Ukraine and Russia.

I therefore believe that opening up the archives is an important prerequisite. This is the demand that must be met. The Council of Europe should also discuss this, so that Moscow opens up these archives.

I am delighted that the European Parliament has managed to find a position of unity. I truly hope that the writing of history and commemoration of the victims is the main focus in Ukraine and that this catastrophe is not manipulated for political purposes. Then we will have taken a big step towards making the wish that people really would learn from the past come true.

Adam Bielan, *on behalf of the UEN Group*. – (PL) Madam President, this year we mark the 75th anniversary of the famine in Ukraine in 1932-1933. The famine was not a natural disaster, but the result of Joseph Stalin's genocidal plan by which, having dealt with the Ukrainian intelligentsia, he aimed to destroy the rural population of Ukraine. Some 10 million men, women and children died as a result of this genocide. It was a purposeful and systematic extermination carried out by the authorities of the Soviet Union. The criminal intentions of the communists were clear. While Ukrainians were starving to death, the Soviets exported millions of tonnes of grain, and sealed the borders of Ukraine to prevent the devastated population from entering Russia. They turned down offers of international humanitarian aid, claiming that the famine did not exist.

In the present Russian Federation, there is hypocrisy over the history of communist crimes, and Stalin is presented as an effective manager. Some Western countries kept quiet during this huge tragedy for the Ukrainian people, as they were in the process of establishing diplomatic ties with the Soviet Union, which

they wanted to make dependent on economic cooperation. Today we cannot keep quiet, and it is our duty to honour the memory of the victims of the Holodomor.

Helmuth Markov, *on behalf of the GUE/NGL Group.* – (DE) Madam President, Commissioner, I speak to you as someone who has spent many years of his life in Ukraine, who has lived there and who is therefore, naturally, very emotionally involved.

There is not one reason, not one excuse for qualifying or justifying the famine in 1932 and 1933. It affected Ukraine, Russia, especially areas along the Volga, the Don and the Kuban, Western Siberia, the Southern Urals and the northern part of Kazakhstan. Millions of people of various nationalities, Ukrainians, Russians, Kazakhs, Jews, Germans, Belarussians, Tartars and many others, starved to death. We must commemorate these victims and clearly state that this famine was the expression and result of an inhumane policy, of the crime of exporting cereals while allowing one's own people to die of starvation.

Why then can I not agree with this resolution? Firstly, because this resolution links this catastrophe and this crime to Ukraine and people of Ukrainian nationality alone. As I said at the beginning, this does not reflect the historical truth. Anyone who does not consider the other socialist republics of the Soviet Union and the other various nationalities at the same time is guilty of racism and of contempt for the suffering of all those affected.

Secondly, this resolution recognises the Holodomor as genocide. Genocide is defined as extermination according to ethnic criteria. This applies in particular to the Holocaust. To equate one with the other undermines the argument of the singularity of the national socialist crime of the annihilation of Jews in Europe, the recognition of which has, to date, been the subject of broad democratic consensus.

The severity needed in condemning these events in the Soviet Union requires no such equation. I am convinced that this was the main reason for the declaration by the Israeli ambassador to Ukraine, Mrs Kalay-Kleitman, who stated in an interview with the *Serkalo Nedeli* that Israel cannot recognise the Holodomor as an act of ethnic genocide.

Thirdly, 10 December 2008 marks the 60th anniversary of the UN Declaration of Human Rights. Human rights are universal and indivisible. You cannot take a selective, circumstantial or expedient approach to them. The 20th century saw a devastating multitude of horrendous crimes which are not comparable but which nonetheless caused the death of millions of innocent people: the First World War, the fascist invasion, the aggression of Japan towards China and Korea, the atomic bombs dropped by the USA on Hiroshima and Nagasaki, Stalin's policy against his own people, the ravages of various colonial powers in their spheres of influence, the terror of the Khmer Rouge, the slaughter of Tutsi and Hutus. This horrifying list is almost endless. The European Parliament should have an interest in castigating such inhumanity in all its permutations.

Fourthly, there should never be starvation ever again – either for political or for economic reasons. In view of the billions given to aid the banks, Ingeborg Schäuble, the outgoing chairwoman of *Welthungerhilfe*, has called for a rescue package against world hunger. EUR 14 billion a year are needed for agriculture in development countries in order to achieve the Millennium Goals and halve the number of hungry people by 2015. In 2007, this figure stood at 923 million people.

We must do everything so that hunger is eradicated like the plague.

Bastiaan Belder, *on behalf of the IND/DEM Group.* – (NL) Madam President, holodomor is an amalgamation of the Ukrainian words *holod* (starvation) and *moryty* (put to death) and therefore means 'death by starvation'. Holodomor refers to the death by starvation of 6 to 7 million people, 3.5 million of whom were in Ukraine, 2 million in Kazakhstan, and hundreds of thousands in the North Caucasus by the Volga and in Western Siberia in 1932 and 1933.

Holodomor stands for the forceful despoilment of the Ukrainian farming population of their cereal harvest by Stalin and his henchmen as effective Bolshevik means of educating the people in the country in the spirit of forced collectivisation of agriculture.

Holodomor stands for the deliberate denial of the acute famine in Ukraine and elsewhere in the Soviet Union by the Stalinists, so that millions of victims remained cut off from any form of internal or external aid.

Holodomor stands for uninterrupted cereal exports by the Soviet leadership during the years of starvation 1932-1933, even though these would have fed about one and a half million people for a whole year.

Holodomor stands for the genocide of Ukrainian villagers by adopting a starvation policy pure and simple in the form of a complete economic blockade of the Ukrainian countryside by meting out penalties in kind, and by introducing a freeze in supplies and blacklists on the basis of the Decree of 18 November 1932, as prescribed by Molotov, Stalin's then envoy in Charkiv.

Holodomor stands for Stalin's paranoia about Ukrainian nationalism, which the great leader considered to be the main cause for what he saw as insufficient cereal supplies from Europe's granary.

Holodomor stands for Stalin's intentions of dashing all Ukrainian dreams of autonomy, or even independence, for ever.

Today, we know that he failed in his demonic plan.

Bruno Gollnisch (NI). – (FR) Madam President, from Lenin's Soviet Russia to Kim Il-Sung's present-day North Korea, via Mao's China, Mengistu's Ethiopia and Pol Pot's Cambodia – and this list is, unfortunately, not exhaustive – it can be said that famine is consubstantial with communism.

However, the famine that killed almost 10 million Ukrainians between 1932 and 1933 was not only the result of the economic and social absurdity of communism, or of the hatred that it feels towards the peasant community, but was planned by the Soviet authorities who, on the one hand, requisitioned all the peasants' food stocks, including their grain, and, on the other, used the police to prevent, by all means, the departure en masse of Ukrainians who were trying to escape death as a result of the requisition. This is what is still happening today in North Korea.

Article 6 of the Statute of the International Criminal Court defines genocide as the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such, and also, I quote, 'deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part'. The extermination by famine, the Holodomor, decided on by the Soviet communists in 1932, fits this definition, whatever the view of our fellow Member, Mr Markov.

On 28 November 2006, the Ukrainian Parliament described the Holodomor as a genocide. It is regrettable that the United Nations, due to the Russian veto and the cowardice of the French and United Kingdom Governments, has refused to give it this description. The latter does not, moreover, call into question the honour of the Russian people, who were also victims of communism, but it does denounce the horror of this totalitarianism, which has killed 200 million human beings worldwide, and which we are, it must be said, denouncing very belatedly.

José Ignacio Salafranca Sánchez-Neyra (PPE-DE). – (ES) Madam President, today's debate is intended to commemorate (meaning to keep alive in our memories) the sacrifice of so many millions of people who fell victim to a demographic disaster, unprecedented in peacetime, due to Stalin's policies.

Madam President, I believe that the famine suffered by those people was a direct attack on the Ukrainian peasantry who were firmly opposed to collectivisation.

As recalled in this House, in particular by Mr Bielan, this was a deliberate act because the 1932 harvest, although below average, would have been sufficient to feed the entire population, as proven by the fact that in that year, the Soviet Union exported more than one million tonnes of grain to western Europe.

The result, as highlighted by all the speakers in this debate, was the deaths of between six and eight million people in the whole of the Soviet Union, and between five and six million in Ukraine. The gravity of this event stemmed not only from the deaths of so many people, but also from the silence and concealment.

That is why I believe, Madam President, that it is vital for the European Parliament, as other institutions such as the United Nations or the OSCE Parliamentary Assembly have done, to today raise its voice in homage and to keep alive in all our memories the sacrifice of all those people who fell victim to a totalitarian and criminal ideology.

However, Madam President, and this too has been said in this House, the most important thing is to look to the future and ensure that the children being born today in the great country of Ukraine have to resort to newspaper libraries and history books to discover the horror experienced by previous generations in the Holodomor.

Józef Pinior (PSE). – (PL) Madam President, today the European Parliament is marking the 75th anniversary of the mass famine in Ukraine, one of the greatest crimes against humanity of the 20th century. The famine in Ukraine, the Volga region, Kazakhstan and other parts of the Soviet Union in 1932-1933 was not the result of natural causes, but of Stalin's system of wielding power. Forced collectivisation of agriculture and fighting against private ownership in the countryside, destruction of the middle classes and private enterprise under a totalitarian dictatorship, violence by the state against farmers, meant defeat, starvation and death in horrifying circumstances for millions of people. The European Union honours the victims of this crime, and salutes those who survived it, the last living witnesses to this tragedy.

The great famine affected the Ukrainian people in particular. Stalin's policy in Ukraine involved, on the one hand, the inhumane conditions of collectivisation and, on the other, the destruction of national culture, churches and repressions against the intelligentsia. Many Ukrainian writers were shot, imprisoned or sent to labour camps during the 1930s. In 1932, the existing writers' groups were dissolved. Many national cultural figures perished. The *Rozstriliane Vidrodzenniya* ('Firing-squad Renaissance') symbolised Ukraine in the 20th century.

The mass famine in Ukraine, as well as in other regions of the Soviet Union, is a fundamental research task for historians, political analysts and scholars of totalitarianism. The great famine cannot be the subject of ideological manipulation or other nationalist policies. All archives on the Stalinist system must be opened, and meticulous studies carried out to determine the numbers of the victims, with precise academic descriptions of the causes, the course and the consequences of the famine. Knowing the truth about the past will serve unity, the establishment of democratic culture as a permanent foundation for Europe.

I would like to use the occasion of this debate to remember the great works of the Polish emigré, Jerzy Giedroyc, whose *Kultura* published in Paris brought understanding between Poland and Ukraine. I would like to hold up the Ukrainian language anthology published in *Kultura* in 1957 concerning the persecution of Ukrainian writers, *Rozstriliane Vidrodzenniya*, which was edited by Lavrinenko, and the Polish-Ukrainian chronicles from 1952 written by Professor Bohdan Osadchuk in the same journal, to the European Parliament as an example of Europe working together to overcome historical fatalism, and to create agreement between the nations regarding a future democratic community.

Šarūnas Birutis (ALDE). – (LT) Ladies and gentlemen, the great Holodomor famine which occurred in Ukraine is an episode in the history of Europe which we must not forget. I am convinced that the famine must be recognised as an act of genocide implemented by the Soviet Union against the Ukrainian nation. This is one of the worst crimes against humanity committed during the period of the Soviet Union. The tragedy of the people of Ukraine was a guarded secret; even in Europe, few people know that one of the most savage crimes of the 20th century was committed not in some distant land, but here in Europe and during peacetime. Millions of Ukrainians became victims of the famine engineered by the Soviet authorities. The annihilation of the peasants by the Soviet totalitarian regime also represents an identity crisis for Ukraine. Thus, firstly, we have to condemn the defenders of the regime in the former Soviet republics who deny this and other crimes of the Communist period; secondly, we must support Ukraine's aim, the aim of our future colleague to have this genocide of the Ukrainian nation recognised at an international level. Thirdly, the Holodomor is just one of the crimes of communism, communism whose crimes inevitably must still be heard at a second Nuremberg.

Milan Horáček (Verts/ALE). – (DE) Madam President, the European Union, together with numerous other countries, has recognised the catastrophe known as the Holodomor which took place in Ukraine in 1932-1933 as a crime against the Ukrainian people. Even the United Nations passed a resolution at its General Assembly in 2007 commemorating the victims of the Holodomor and condemning the regime.

The Stalinist regime in the Soviet Union artificially provoked a food shortage to force Ukraine – but not only Ukraine – into its planned agricultural economy. This objective was prized more highly in the eyes of the rulers of the time than preserving human life. No consideration whatsoever was given to the people and millions suffered an agonising death. This means that the Holodomor was not a natural disaster; it was planned by man and executed in cold blood.

I welcome today's debate. Consistent rehabilitation and the publicising of crimes are the only way to come to terms with the past. Opening up archives is a first, important step in the right direction. This applies not only to Ukraine, but to all other countries which lived under Soviet communist rule and, of course, to Russia itself.

As experience from dealing with archives has shown, general and public access alone does not suffice. On the contrary, support needs to be provided during the search for information. This can be achieved, for example, by opening documentation centres and employing historians.

Crimes cannot be undone, but they – and more importantly their victims – should never be forgotten. The worldwide recognition of the Holodomor as mass murder of the people of Ukraine and elsewhere is of huge significance to world politics. This could create a precedent for many other nations in whose past mass murder was committed.

In all events, the European Union is sending Russia a clear message by recalling the crime committed and deeply condemning it, thus making it perfectly clear for the forthcoming partnership and association negotiations that one of the basic pillars of the EU, namely respect for human rights, is non-negotiable.

Wojciech Roszkowski (UEN). – (PL) Madam President, in 1932-1933, the authorities in the USSR started forcibly requisitioning food from collective farms in Ukraine, leaving the farm workers without food. This resulted in the famine known as the *Holodomor* and the deaths of millions of inhabitants of a country which had previously been a breadbasket. Given that the object of this operation, for which Stalin and his minions were responsible, was Ukraine's farmers as a social group and as a nationality, the *Holodomor* meets the definition of genocide contained in the UN Convention of 1948.

The resolution we have drawn up for the 75th anniversary of the *Holodomor* is a compromise which largely concedes the truth of this crime. All it lacks is clearly calling the *Holodomor* a crime of genocide. This is the result of a number of groups in this House. During the compromise negotiations, I noticed that the group of socialists is generally opposed to historical debates. This is a fine stance to take when you consider how the European socialists are always eager to condemn Nazism and General Franco, while they emotionally refuse to do so in the case of the Soviet authorities or the Spanish republicans.

During these negotiations, I also heard how commemorating the victims involves deference, thereby avoiding words such as genocide. This kind of moralising and selective memory among the European socialists shows that historical materialism has been superseded by hysterical relativism. I remain hopeful, however, that this does not apply to all members on the left of this House.

I also heard that the socialists are against voting on historical truth. That is the honest truth. The problem is that here we are not talking about the truth of the *Holodomor*, but only voicing the truth about our own selves. A resolution on matters of history is always an acknowledgment of values, while the lack of position is also, in itself, a position. It means that the phrases spoken are hollow. How is it possible to express one's relation to values other than by assessing events from the past? Genocide is genocide, regardless of whether it was perpetrated by Hitler or Stalin, or of how the present Russian government sees it. If anybody today said that the victims of the Holocaust deserve less attention than the gas chambers, they would put their credibility in question. We are all equal before the law and the truth!

Georgios Toussas (GUE/NGL). – (EL) Madam President, the arrow of the famine in Ukraine is being withdrawn from the quiver of anti-communism in order to serve the needs of the anti-communist campaign and rewrite history, to criminalise the communist ideology and ban actions by communists. There are, moreover, numerous examples which we could cite of countries in which the symbols of, and action by, communist parties are still banned, countries which belong to the European Union.

Thus, an undisguised attempt is being made to distort historic facts and interpret them in an arbitrary and unscientific manner because, quite simply, the basic objective is to underpin the strategic defamation of socialism and communism.

Anticommunism has always accompanied the harshest and most savage attacks against the people. As the anti-grassroots attack by the European Union against the fundamental rights acquired by the working class through hard struggle and sacrifice becomes stronger, as its exploitation by capital becomes more savage and barbaric, as the imperialist policy of the European Union against countries and nations becomes more aggressive and criminal, so anticommunism, the reactionary defamation of socialism we saw in the 20th century, and the attack on the vanguard of the working class and the oppressed sections of communist parties intensify.

This vulgar propaganda is a sequel to the attempt to use coarse lies and slander in order to blacken, in the eyes of the mainly young people, the massive contribution of the socialist system; its contribution to the defeat of fascism and to the construction, for the first time in the history of mankind, of a society free from

the exploitation of man by man. An attempt is being made to equate socialism, that is, everything progressive born of human thought, with the reactionary and inhumane fascism which is the true child of the barbaric capitalist system.

This specific famine in Ukraine was mainly due, as all objective historians agree, to massive sabotage by the rich peasants who, in reaction to the new Soviet power and collectivisation of the land, first caused a civil war and then destroyed machinery, killed animals, set fire to the property of the kolkhoz and generally sabotaged the sowing and harvesting of crops in any way they could, and to the huge drought and typhus epidemic which broke out in that area of Ukraine at the time.

Obviously, a debate such as this to uncover the historic truth cannot be held in this manner. If you really think that you have arguments, organise a debate in which all the scientific facts which will help to uncover the truth can be expressed.

Zbigniew Zaleski (PPE-DE). – (PL) Madam President, the Holodomor is a fact and symbolises one of the most inhumane methods of slaughter. An ideology called upon to serve the ordinary people took a form which today beggars the imagination. It was a simple method – it required no armaments or men, no gas chambers. All it took was to gather up everything the earth had given, and the “disobedient” population would disappear from its villages, because it did not fit into the system. People were pushed into a Utopian vision, and despite its horror and its cost, many still find it attractive and it is defended by some members on the left side of this House. The Bolshevik ideology used methods which cannot be justified in any way. My PhD on Ukraine dealt with the traumas of people who had survived this socialist horror, even though survivors were the exception. The accounts provided by survivors reveal that starvation led to cannibalism; for example, we are aware of the case of a mother who sent her six-year-old son into the forest in winter, because he would not have survived in the village but been eaten.

On the one hand, we have the 1930s, with Joseph Stalin, the wise father and friend of the peoples heralding world revolution and, on the other, we had millions dying in the streets with swollen stomachs. It must have been a horrifying sight even for the political commissars serving the authorities. That was how it was in eastern Ukraine. 10 years later, however, a tragedy of the same nature befell the Poles in what was then eastern Poland, albeit on a lesser scale. The nationalist ideology of the Ukrainian UPA, which colluded with the Nazis, resulted in the ethnic cleansing of Poles. The methods were equally savage: burning alive, cutting open pregnant women’s stomachs, beheading children with axes. The men were at the front then. Today, this Golgotha of the east, as the survivors call it, is a subject of taboo and embarrassed silence and, most ironically, statues are now being erected to the nationalist leaders of that time. Perhaps now is an occasion – and there are observers from Ukraine here – while honouring the victims of the Holodomor – also to honour the Poles and Ukrainians who were so savagely murdered for not agreeing with that ideology. It is not easy to admit to such facts, but failing to do so will make it difficult to bring peoples closer together, to accept Ukraine into the sphere of the European values for which we strive in this House.

I understand Russia’s protests against the European Union. If we are going to speak of the Holodomor, as they propose, we should also talk about the extermination of the Indians in the New World by the colonists. The Holodomor is worthy of particular condemnation. However, let us also add the millions sent to labour camps, i.e. death camps, in Siberia during World War II – Ukrainians, Poles, Tartars. Just for the benefit of this gathering, I would like to add that of the 100 000 POWs of General Paulus’ army sent to Siberia following Stalingrad, only 5 000 survived up to 1955. For the sake of Europe, its Parliament cannot trivialise these tragedies of the 20th century.

Csaba Sándor Tabajdi (PSE). – (HU) The greatest Hungarian poet of the 20th century said that ‘We must confess the past!’ Yes, we must confess the past, but not in order to foster tensions between peoples and countries. Every people must face its own sins; the way in which the Germans have faced their own role in the Second World War is exemplary. Mr Zaleski, as a Pole, alluded to the fact that many people have sins to confess, and that the Holodomor is not the only one. I speak as a representative of a people whose parliament in 2003 was the first to condemn the Holodomor. At the same time, I would very much like it if this debate was not an anti-Russian one, because those present in this House, those who take the floor, should be familiar with the ethnic map of Ukraine, and should know which counties were affected by this Stalinist horror, by means of which the Communist dictatorship strove to exterminate the peasantry – for the most part those who died were Ukrainians, but not exclusively Ukrainians. In those town and cities – Donetsk, Dnepropetrovsk, Odessa – there were also Romanians, Russians, Jews and other groups who died. In these places, it was the peasantry that they sought to exterminate.

We must recognise that this was genocide, but not on ethnic grounds. Based on the principles of an unacceptable, failed 20th-century Stalinist, Communist dictatorship, they sought to wipe out an entire class, the peasantry, the peasant farmers. The victims of this campaign were mainly Ukrainians, but we must pay tribute to all the victims, regardless of nationality. What Mr Roszkowski said is not true, namely that the Social Democratic group is trying to whitewash something. No, we are simply honouring the facts, and insisting on the facts, because by taking sides on behalf of the Holodomor, we are not prepared to take part in a condemnation of Russia – although Russia has a lot of soul-searching to do on account of Stalinism, the massacre at Katyn – but neither should we forget that the Russian people suffered at least as much from the Stalinist dictatorship, and had as many victims as other peoples.

Therefore, I say that we should pay tribute, but let us also try in these debates to show some respect for historical facts. We bow our heads before the victims of the Holodomor, but we cannot serve Ukrainian nationalism; rather, we must work to ensure that Russia, Ukraine and every country face its past and make peace.

István Szent-Iványi (ALDE). – (HU) Madam President, after many years of denial and silence, no one today disputes that the Holodomor was one of the most serious, deliberately caused and politically motivated mass murders of the 20th century. The European Parliament is fulfilling a longstanding obligation when it bows its head in memory of the victims. The closest ally of sin is indifference and forgetfulness. We must not forget! Millions died in order that Stalin might fulfil his dictatorial plan. That plan was not only to collectivise agriculture forcibly – that was one of his aims – but equally to break Ukrainian national self-awareness and destroy the institutions of national identity. During the years of the Holodomor, and in the course of the 1930s, 80% of Ukrainian intellectuals were killed. The independent Ukrainian church was abolished. The Ukrainian language was squeezed out of public life. Therefore the Holodomor is an indelible part of Ukrainian national identity and collective memory.

We must recognise the sacrifice that Ukraine's citizens made in order to live in freedom and be able to decide on their own future. The European Parliament recognises Ukraine's European ambitions. By adopting this resolution, we are sending the message that not only Ukraine's past, but its future is also inseparably bound up with that of Europe. Thank you for the floor.

Inese Vaidere (UEN). – (LV) Ladies and gentlemen, the artificially provoked famine in Ukraine, or genocidal famine, is one of the greatest crimes against humanity in world history. According to all the criteria, it meets the definition of genocide. Firstly, it is of an ethnic nature, since it was directed against the rebelling Ukrainian people, who had displayed their opposition to Russification on more than one occasion. Secondly, it was also a social genocide against prosperous Ukrainian farmers, although the famine killed everyone, regardless of their level of prosperity. This crime was completely cynical. Stalin's totalitarian Communist regime found the cheapest way of killing a large number of people. Millions died in Ukraine at the hands of the slow, terrible famine. Now, documentary evidence is accessible which shows that the Nazis themselves in the 1930s went to Moscow to acquire experience in the organisation of mass murder. The decisions at that time about the expropriation of food were taken in Moscow. The decisions about the 2006 gas war between Ukraine and Russia were once again taken in Moscow. Contemporary Russia, through its conception of foreign policy, is clearly demonstrating that it is recapturing its position in its part of the world. Moscow's court historians are not ashamed to say that the artificially created famine in Ukraine was exclusively man-made. It is to be hoped that Ukraine will not be the next state, after Georgia, upon which Russia will be able to inflict brutal aggression. We must clearly say that the events in Ukraine were genocide. My country, Latvia, has already done so, just as many other states have also done, through statements by their parliaments. I would like to stress, once again, that the crimes of totalitarian Communism ought to be considered to be subject to condemnation in just the same way as Nazi crimes. We need another Nuremberg, because innocent victims are victims, regardless of who has committed crimes against them. Although our peoples have varied experiences, nonetheless a uniform understanding of historical events in the European Union is an absolute necessity. In fact, this is the foundation of our common future. Thank you.

Tunne Kelam (PPE-DE). – Madam President, artificial, man-made famines were used systematically as a tool by Communist totalitarian regimes. Seventy-five years ago, Stalin decided to uproot the Ukrainian national identity and resistance by creating such a famine in the very bread-basket of Europe.

Regions struck by famine were not merely denied assistance. Even worse, hundreds of villages were cordoned off by the Red Army. Starving people were denied the most elementary human right – the right to escape from certain death. People who tried to flee were hunted down like wild animals and shot. Only today are

we reacting to one of the most appalling crimes by the Communist dictatorship. An authoritative assessment of such crimes is long overdue.

All victims of the crimes against humanity deserve the same status. There cannot be first-class Nazi victims or second-class victims of Communism just because Europe still lacks an integrated approach to all totalitarian regimes and has hesitated to take a concrete stand on crimes that took place in the eastern part of the continent.

We have a duty to know what happened under Stalin just as well as we know what happened under Hitler. We need to extend not only our solidarity to the Ukrainian nation and, indeed, to all nations that have suffered under totalitarian crimes, but also to pass a moral verdict. Only in this way can we reach the goal of these debates: to guarantee that this monumental, destructive disregard for human lives and dignity will never be repeated in any part of Europe.

We need an all-European reconciliation, a reconciliation that can result only from truth and justice. Our duty is to make sure that the famous 'never again' will equally apply to the Ukrainian nation.

Janusz Onyszkiewicz (ALDE). – (PL) When asked whether it was worth risking nuclear war to overthrow capitalism, Mao Zedong said it was worth sacrificing even a hundred million lives so that the rest of humanity could live happily under communism. Joseph Stalin had the same gruesome, criminal logic. When resistance against collectivisation among the peasants grew, he decided to physically eliminate those living in the most rebellious regions. These regions were inhabited by Ukrainians. Eliminating these also solved the problem of nationality, because as Stalin said on another occasion, 'the problem of nationality is basically a peasant problem.'

Hence, as a result of the planned criminal campaign, in Ukraine itself, millions of people died. It is telling enough that official population statistics for Ukraine put the population at well over 31 million in 1926, while in 1939, despite significant natural population growth, the population was only 28 million.

It was not only the population of Soviet Ukraine that died. Administratively-ordered food requisitions, accompanied by bans on food imports from other regions, resulted in famine in the Volga region, the Kuban and the northern Caucasus. The majority of the population of these areas was Ukrainian, but there were also Russians. Today, we are also raising the issue of the famine in Ukraine to manifest our conviction that this fragment of the dramatic history of our common Europe is still not sufficiently well known.

(Applause)

Andrzej Tomasz Zapłowski (UEN). – (PL) Madam President, the last century saw huge numbers of terrible massacres. Some were conducted by shooting, gassing, with axes and pitchforks, while others were committed through starvation. In the territory of the then Soviet Ukraine, it took the form of condemning millions to starvation in an area that has the richest soil in the world. This was done deliberately, and not caused by the weather or natural disaster.

It is worrying that, over the years, this genocide against Ukrainians, Poles and Russians was not called by its proper name, as it is worrying today that the genocide committed against hundreds of thousands of Poles, Jews and Ukrainians who resisted the fascism of the Ukrainian nationalists on the former and present territory of Poland during World War II is not termed genocide. It is also all the more worrying that a lack of condemnation today justifies and legitimises organisations which refer to the heritage of these murderers. These organisations are operating legally in Europe today. There is no politically justified genocide. All must be named and condemned.

Ari Vatanen (PPE-DE). – Madam President, we are talking about this man-made famine now, 75 years after the events, because, if we do not talk about it now, then it could become like the dark midnight of justice. It is still two hours to midnight now, but we are building the future. We cannot build that future on wobbly foundations. It has to be built on a solid foundation, and a solid foundation means the truth. The future cannot be built on lies, which would be like building it on sand.

It does not really matter how many people died in Ukraine. What matters is that the victims of that man-made famine – the Ukrainian populace – feel that justice is being done, because we have to restore people's faith in justice. Otherwise, we cannot build a just society and they cannot believe in a future. All victims' cries have to be heard, regardless of whether they are the victims of Nazism, apartheid, slavery or Communism.

This House stands for the fundamental values of humanity. We cannot send out an ambiguous message. That is why we have to be truly unbiased, however painful that might be politically for us. Otherwise we are

not defending human dignity. It is very alarming that, in Russia today, history is being rewritten, so how can we build a common future? It is a fitting time for us to discuss Ukraine now, because at this very moment, in 2008, Ukraine needs help. It needs hope for a better future, which means accession to the EU one day.

Jana Hybášková (PPE-DE). – (CS) The famine was the result of a carefully planned systematic policy of J. V. Stalin aimed at a clear set of objectives: the voluntary surrender of land ownership, the establishment of agricultural collectives, the diversion of all agricultural products and seed stocks to feed the Russian army and the deliberate starving of Ukraine's towns and cities. The main aim was to suppress and destroy Ukraine as a nation. It was genocide. It involved the persecution of the civilian population within the country for reasons of politics and race and it therefore meets the legal definition of a crime against humanity. This is not simply a question of commemorating the famine. It is a question of symbolic redress for the victims, of careful study, analysis, knowledge and acceptance of shared responsibility and along with that a shared closing of accounts at a European level. Communism is a crime against humanity. Its consequences are comparable with those of fascism and Nazism.

Let us therefore establish a European Institute of the European Conscience and let us also celebrate 23 August as the Day for Victims of All Totalitarian Systems. Let us understand communism as a terrible part of our common European history. Only through a shared recognition of responsibility for the past will we find the way to the future. Situations such as those faced by Iraqi society, and other parts of the world today, for example, teach us that the deeper the damage to the fabric of society the more painful, costly and difficult in human terms it is to repair it. Ukraine still bears heavy scars. Let us offer her our help.

Urszula Gacek (PPE-DE). – (PL) Madam President, today the European Parliament is remembering the victims of one of Stalin's greatest crimes, the victims of the famine that was deliberately caused by the despotic Bolshevik regime that ruled the Soviet Union and whose intention was to weaken and destroy the Ukrainian nation, and thereby strangle its desire for freedom and to establish its own, independent state. Ukraine, as well as certain regions of southern Russia, the northern Caucasus and Kazakhstan, saw scenes of appalling, horrifying despair, suffering and desperation by entire families that were starving to death.

Today, we want to pay our respects to all those who were killed during the great famine in Ukraine. The victims of mass killings, military massacres and ethnic cleansing equally deserve to have their memories honoured, and for the wrongs committed against them to be remembered. Regardless of the cause for which they were committed, and the ideological goals that drove these actions, the constant element in them is the suffering of the victims.

Let us show solidarity with the Ukrainian people, but let us also ask Ukraine to come to terms with the dark pages in its history. In 1939-1945, nationalists of the Ukrainian National Army brutally murdered 150 000 Poles, mainly women and old people. The husbands and fathers exiled to Siberia may have been living in Gehenna there, but had the hope that their families in the eastern borderlands were safe. Unfortunately, these families fell victim to the nationalists, who saw no place for their Polish neighbours in the new Ukrainian state. The victims of the massacres in the eastern borderlands are waiting for the day when their fate is also written into the common conscience of Europe, as today the victims of the great famine have been.

Colm Burke (PPE-DE). – Madam President, coming from Ireland, a country that also suffered a tragic famine over 150 years ago, I understand the Ukrainian desire to have the victims of their artificial famine from 1932 to 1933 commemorated.

This resolution of Parliament follows previous commemorative resolutions from other international organisations such as UNESCO and OSCE. Our resolution on the commemoration of the victims of the Holodomor in Ukraine was adopted at the 34th session of the UNESCO general conference, which was supported by Ireland among others.

At the Madrid OSCE ministerial meeting in November 2007, 30 countries associated themselves with Ukraine's statement commemorating the 75th anniversary of the Holodomor.

European integration must continue to be based on a readiness to come to terms with the 20th century's tragic history. This present European Parliament resolution makes an important call on countries originating from the Soviet Union to provide full access to archives on this tragedy for comprehensive scrutiny in order to unveil and fully investigate the causes and consequences of this famine.

Present-day relatives of the victims are seeking closure and should, therefore, have the right to access such information in order to come to an understanding of the greatest catastrophe in Ukraine's modern history.

I add my voice to this expression of sympathy to the millions of Ukrainians that suffered this calamity and, in particular, to the relatives of those who died as a result of this artificial famine.

Zita Pleštinšká (PPE-DE). – (SK) My father, Štefan Kányai, who spent over ten terrible years in Russian gulags in the Urals, Karaganda and Kazakhstan, often said to me: 'There are witnesses still living who saw and remember Stalin's genocide, a mass murder that was committed without weapons. Stalin's regime ripped out many pages from the annals of European history and your duty is therefore to open archives in the former Soviet Union and to replace those missing pages. The memory of the victims is sacred and therefore you must act!'

I feel enormously moved that my name, together with the names of my colleagues in the PPE-DE Group and the names of colleagues from other political groups, is to be found at the head of a resolution through which we confirm that European integration is based on a readiness to come to terms with the tragic history of the 20th century. May this resolution, coming as it does in 2008, the 75th anniversary of the famine, be a mark of our fellow feeling for the people of Ukraine and especially the survivors of the famine, as well as the families and relatives of the victims.

May this resolution be a lesson for a new generation which has not experienced persecution. Freedom is precious and must not be taken for granted. Evil still exists and must be confronted.

Czesław Adam Siekierski (PPE-DE). – (PL) Madam President, it was only after the collapse of the eastern bloc that we started to become aware of the horrifying truth about what had gone on in Ukraine and other parts of the Soviet Union under Stalin. Totalitarianism had prevented the world from finding out about these repulsive crimes against humanity. The great famine in Ukraine in 1932-1933 is a historical fact which was denied by the communist authorities throughout the existence of the Soviet Union. We now know about countless innocent humans who were condemned to die slowly of starvation. Although many years have passed since the Holodomor, we are far from knowing exactly how many people were killed by Stalin's policies.

I would like to emphasise that any acknowledgment of the great famine as genocide or exposing Stalinist totalitarianism, is not directed against the Kremlin, as it is often misrepresented. It is simply paying our respects to the victims of a totalitarian system. The European Union, as an international institution which is so dedicated to human rights, should clearly and unambiguously state its position. If we want to honour the memory of the victims with dignity and as befits them, we should adopt a resolution which clearly shows the historical truth, and expresses the solidarity and sympathy of the European Union.

Mieczysław Edmund Janowski (UEN). – (PL) Madam President, today it is hard for us to imagine what mass starvation means. It is also difficult for us to imagine how it was possible for millions of people in Ukraine, which was capable of feeding the whole of Europe, to die of starvation. It was a result of totalitarian communism, and took the lives of children, women and men, Ukrainians and of other nationalities living in the then Soviet Union. What should we call this crime that was committed 75 years ago? There is only one name for it, and that is genocide. For stealing five ears of grain from a collective farm, people were put to death or sent to camps for years.

Today when we talk of this event, we are not speaking against Russia. We want to pay our respects to the victims of communism, and say loudly and clearly: never again such crimes.

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, honourable Members, I do not know what more can be said in condemnation of a crime as atrocious as that perpetrated by the Stalinist dictatorship, one of the two criminal dictatorships that ravaged Europe last century. No further words are needed because those Members that have spoken have done so in a convincing and worthy manner.

I would like to conclude this debate, Madam President, by reading a few words penned by the great writer Vasilij Grossman, who described the most tragic moments of the Holodomor in his novel *Forever Flowing*. I read it as though it were a sort of secular prayer, a remembrance for millions of victims, with which to associate the memory of so many other innocent victims whose sacrifice, I say again, must not be in vain for Europe.

The death, last century, of millions of people at the hand of cruel dictatorships must be the seed from which democracy must continue to germinate. They must have the opposite effect to the one the criminal dictators intended. The European Union, as I said in opening, was born to build peace and to guarantee peace. We cannot, however, forget the sacrifice of so many innocent victims.

I will read to you the simple words with which Grossman recounted that tragedy of many years ago: 'Starvation raised the country to the ground. First it took the children, then the old and then the middle-aged. In the beginning they dug graves in which to bury the dead; then they stopped when they no longer had the strength. The dead lay in the courtyards and in the end stayed in their huts. All sank into silence and the whole country was decimated. I do not know who was the last to die.'

Nous n'oublierons jamais. We will never forget those innocent victims, as we seek to build a different future.

President. – I have received four motions for a resolution⁽⁴⁾ under Rule 103(2) of the Rules of Procedure.

This emotional debate is closed.

The vote will take place tomorrow, Thursday 23 October.

Written statements (Rule 142)

András Gyürk (PPE-DE), in writing. – (HU) It is my conviction that in addition to deepening integration, the European Parliament must also strive systematically to confront the darkest eras of our common history. It is for this reason, then, that I consider it gratifying that today's sitting provides the opportunity to draw attention to the Ukrainian famine, one of the saddest, incomprehensibly forgotten memories of the 20th century Communist dictatorships.

The arguments surrounding the famine that cost some 3 million human lives are a good illustration of the fact that to this day, that period of history has still not fully been addressed. We do not share the opinion of those who attribute the catastrophe purely to the worse-than-average crop yields, the resistance of the Ukrainian population or indeed a few erroneous economic policy decisions.

We must state explicitly that the Ukrainian tragedy was the direct consequence of a policy of terror raised to state level. By putting a stop to forced collectivisation and the confiscation of food stocks, the leaders of the Soviet Union could have saved millions of human lives, but they did not do so. It is precisely for this reason that the events of the early 1930s in Ukraine are no different from the most terrible genocides of history.

In my view, all dictatorships, whether we are talking about the cruelties of National Socialist or Communist systems, spring from the same source. We need to seize every possible tool to strengthen the new generations' awareness of the horrible deeds of Communism. The creation of a European research institute and memorial to the history of dictatorships could play a significant role in this process.

José Ribeiro e Castro (PPE-DE), in writing. – (PT) It was 75 years ago that the Stalinist machinery set in motion one of the worst crimes that Europe has ever known: the Holodomor, the great famine which took the lives of over three million Ukrainians.

Having been deprived, as they still are, of important defining elements of their collective identity, Ukrainians were deliberately deprived of food, in a cruel demonstration of 'real socialism' and in a context of forced collectivisation and sovietisation campaigns conducted by one of the most homicidal regimes in history.

Ukrainians, together with all other Europeans, are today remembering the Communist brutality, tyranny and violence that rained down on them and that constituted, under international law, a clear case of genocide. The intention of 'deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part', in the exact words of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, is absolutely clear.

One year ago, the President of this Parliament described the Holodomor as a 'terrible crime against humanity'. I wholly subscribe to that view and bow my head in memory of the victims. I salute all Ukrainians, particularly those who live and work in my country, Portugal.

⁽⁴⁾ See Minutes.

15. Airport charges

President. – The next item is the recommendation for second reading by Ulrich Stockmann, on behalf of the Committee on Transport and Tourism, on airport charges (08332/2/2008 – C6-0259/2008 – 2007/0013(COD)) (A6-0375/2008).

Ulrich Stockmann, rapporteur. – (DE) Madam President, Commissioner, ladies and gentlemen, after this very moving issue, we now move on to more technical matters. We want to pass the directive on airport charges at second reading tomorrow and, after the clear vote in the Committee on Transport and Tourism, I am certain that we shall be able to do so.

What is this directive about? It introduces uniform principles and procedures throughout Europe for levying airport charges. This means that transparent bases for calculation, non-discrimination against airlines and a set consultation procedure are some of the factors used to establish fair airport charges. An independent supervisory authority can resolve conflicts which arise on the basis of clear rules. This will strengthen the systemic partnership between airports and airlines and prevent any possible abuse of market power.

What was the starting point? Over the past 15 years we have made two attempts to reconcile the conflicting interests of airports and airlines in this area. One of the reasons they failed was because we have totally different procedures and structures in the Member States. In the United Kingdom, for example, there is a strict regulatory authority which can set ceilings, in five Member States we have airport networks and the practice of cross-subsidy, we have parliaments which decide on airport charges, decentralised competences in Germany and much more besides. Nonetheless, we have managed to negotiate a sustainable compromise with the Council.

What now are the components of this compromise? We have set the scope at airports with over five million passengers a year, plus the largest airports of a Member State. At present that means that the directive applies to 69 airports in the European Union. We have introduced a compulsory procedure for regular consultation between airports and airlines and, at the same time, we have laid down a structured arbitration procedure with deadlines and, of course, set up the supervisory authority I referred to.

What do we now mean by fair charges? Airport charges should have a stronger cost reference in future, must be substantiated by transparent calculations and must refer to the agreed level of service. At the same time, there is a strict ban on discrimination. What this means in principle is that we have the same charges for the same services for every airline at the same airport, with the possibility of differentiation. What pleases me is that we have allowed this, first and foremost, for noise and pollution. Some countries will continue to have common charging systems for the aforementioned airport networks and for what are referred to as airport systems in towns and conurbations, but these too must meet the transparency requirements of the directive.

We have tried, by providing for pre-financing of infrastructure through charges, to respond to certain concerns of our colleagues from the eastern European Member States. This will be possible, even if difficult on the basis of national criteria, provided that ICAO standards are met.

What do we expect from the effects? More competition between the European airports, more competition between the various airlines at an airport, perhaps gradually falling ticket prices if the airlines pass the lower charges on to passengers.

The directive has to be implemented in two years' time.

My thanks to all the shadow rapporteurs for our successful negotiations and to the Slovenian President-in-Office of the Council and the Commission.

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, I would like to congratulate the rapporteur, Mr Stockmann, for his excellent work: he has described very well the content of a text, a proposal for a directive, that we are about to adopt. It is a proposal that aims to include in Community law certain principles to which all Member States have already subscribed within the framework of the ICAO: non-discrimination, transparency and consultation.

The framework established by the directive will enable us to structure dialogue between carriers and airports for the setting and collecting of charges. For example, the directive will oblige airports to consult the airlines before taking decisions with regard to airport charges. I myself proceeded in a similar manner, consulting the airlines and airports before drafting this proposal, which has, in essence, been approved by both parties.

As Mr Stockmann mentioned, the directive introduces the idea of national independent supervisory authorities. These bodies will play an influential role since they will be responsible for ensuring that the basic principles I outlined are respected. These are, in broad terms, the aims of the proposal. I would like to thank the rapporteur again for the work he carried out at second reading in order to seek agreement with the Council. The result, it is true, has taken a lot of work, many meetings and a commitment from us all, but I believe that we have succeeded in producing a good document.

The results of the negotiations are to be found in a number of amendments that the Commission requires in order to subscribe to it in full. I am very pleased that the Committee on Transport and Tourism has also unanimously supported this agreement. I am, of course, ready to follow the debate carefully and to take note of all your comments.

Zsolt László Becsey, *on behalf of the PPE-DE Group*. – (HU) Thank you, Madam President. Commissioner, in spite of the rain, this could be a nice day. I would like to congratulate both the rapporteur and the shadow rapporteur since, by joining forces with the Commission, the Slovenian and then the French presidency, we have succeeded, following lengthy discussions, in achieving a good compromise. We, too, are taking a leap in the dark, and so I would appreciate it if Member States were to begin implementation of this directive as soon as possible, and not only after the two-year period that has been negotiated. This will allow us to gauge effectively what our legislative activity is worth, and to make the necessary adjustments at the time of the four-year review.

I hope that the Member States understand this and quickly complete the necessary institutional developments, where needed. I trust, as well, that the directive will result in transparent charges and moderate price increases, so that we can prevent predatory airlines from abusing their superior power to gain an advantage over their competitors by offering the same service for lower prices at airports crying out for customers. At the same time, we could also ensure airports do not arbitrarily raise their charges in an untransparent manner and, as is often done, by leaps and bounds. In both cases, the aim is to ensure that European consumers pay only for what they have actually used. This is another reason why we have not allowed the costs of security or of assistance to disabled passengers to be included in the charges. I consider it a good compromise that whether or not revenues from an airport's commercial activities may be taken into account is left to the discretion of the Member State in question. Similarly, a good result was achieved through the agreement reached regarding airport networks, whereby a common managing body is acceptable, but participants will be subject – as promised by the Commission – to the rules of competition when it comes to setting charges, even if there is a danger of market distortion with respect to nearby airports in other countries. The compromise regarding spheres of authority is a good one.

In addition to having airports whose annual passenger traffic is over 5 million and the airport with the highest passenger movement in each Member State, I myself would have preferred that smaller and possibly competing airports nearby had also been included. In order to reach an agreement, however, I abandoned this position, although at the next review I would like to examine this element as well. I accept, even if I am not happy, that we have confirmed in the recitals the possibility of pre-financing, referring to ICAO policies, although I would have preferred to see these in the main body of the text. I hope that gradual increases in charges, instead of sudden price rises, will be perceived by passengers in a more benign manner, but this too will need to be looked at upon review. The result is transparency in financing by the State or other public authorities. This is an important factor in the competition between airports, and so is taking into account the perspective of environmental protection. I see as the most significant result the fact that each Member State must establish a strong, independent national authority with considerable powers. I am proud that the principle whereby, in the event of disputes over establishing the charges, there should not be an endless process of conciliation, was accepted and included in the report. Instead, an interim decision should be taken, which can set in motion the conciliation process. Thank you very much, Madam President.

Brian Simpson, *on behalf of the PSE Group*. – Madam President, I welcome the report of my colleague, Ulrich Stockmann, and I thank him for his hard work on this difficult dossier.

All through the process of this report, the concern of my group has been to ensure that the system of airport charges throughout the EU is both fair and transparent, and that a detailed appeals procedure was in place in case of dispute. Often people think of aviation as a single industry but, when one examines issues like airport charging, it soon becomes apparent that the airport and airline sectors have different views and aspirations.

The report before us offers a balanced solution, favouring neither the airlines nor the airports. Whilst, personally, I would have preferred the scope to be based on a percentage of national passengers rather than an arbitrary figure, the rapporteur in his report has ensured that the figure is at a reasonable level of five million passengers – not the Commission's ridiculously low figure of one million – and the major airport of a Member State has to be included.

A key element in the whole of our discussions has been whether certain airports enjoy a dominant trade position. My group believes that, where this is the case, airport charges need to be regulated. However, many airports are in a competitive situation and airlines are free to choose where they fly into. In my region, Manchester Airport has 22 million passengers a year but faces competition from eight airports all within a 150-km radius. Clearly, in these circumstances, the market itself is a good regulator.

I therefore welcome that the UK will be allowed to maintain its present system of monitoring airport charges, because it has in place a regulatory framework that encourages competition and regulates charges through its own supervisory body only at those airports that have a dominant position. It may be that other countries could follow this regulatory framework as a way of delivering a fair and transparent airport charges system.

I hope now that we can agree this directive at its second-reading stage. This should help us deliver a directive that will put an end to secret meetings setting charges for airports in a monopolistic or dominant trading position. I seriously hope that airlines also recognise that we will now have a transparent system with a detailed appeals procedure, with full consultation, to end the constant complaining about airport charges and work with the airports to deliver a cost-effective, value-for-money service for users and passengers alike.

Arūnas Degutis, *on behalf of the ALDE Group.* – (LT) Mr Commissioner, ladies and gentlemen, I believe that no one doubts the need for transparency and justifiability in the European Community's airport charges and costs if, for no reason other than the fact that some of the airports in the Community enjoy a natural monopoly. However, from the moment the document was first discussed, the European Parliament has considered very carefully the Commission's proposals and wishes to control more than 150 of the Community's airports.

When participating in the preparation of various documents, Members of the European Parliament often face the dilemma of deciding how much control and regulation is necessary before they become an end in themselves and paralyse the actual controlling activities.

This is especially relevant in the current crisis, when sensitivity in considering questions important to business is a true necessity.

I believe that in the document which is to be voted on tomorrow, the European Parliament has managed to find and defend a happy medium by establishing the number of airports which need to be controlled. I am pleased that the Council was also of a similar opinion and the Commission demonstrated the flexibility necessary to find a constructive compromise.

The other equally important matter was to find a balance between the main players operating in this sector, i.e. the interests of airports and airlines. I believe that here we also showed ourselves to be quite capable of satisfying the expectations of both sides. All the more so because any one-sided, unbalanced proposal would somehow or other affect EU consumers' opportunities to use the safest means of transport.

All this was achieved thanks to the professional efforts of the rapporteur. Mr Stockmann has always distinguished himself as an impartial politician who listens to all sides. This is the fourth time we have worked together in the preparation of air transport regulation documents. This time, once again, he did not disappoint, only further enriching me with new experience. I would like to thank and congratulate Mr Stockmann and my other colleagues as we end the discussion of this document in the European Parliament. I would also like to wish the European Commission success, as it now has the difficult task of implementing and monitoring the effectiveness of this directive, and would like to wish all representatives every success.

Roberts Zīle, *on behalf of the UEN Group.* – (LV) Thank you, Madam President, Mr Tajani, first of all I would like to congratulate the rapporteur, Mr Stockmann, and all the shadow rapporteurs on the compromise reached with the Council at second reading. In my view, the agreement concerning the directive's scope is also to be welcomed, since it will affect every Member State, by regulating at least their main airports. I hope that in two years' time, when this directive enters into force, it will no longer be possible in the European Union to have a repetition of such legally incomprehensible court decisions as the one recently handed down by a Lithuanian regional court against a Latvian aviation company and its main airport. Through this decision,

the court of one Member State is seizing property belonging not only to another country's airport, but also to another country's aviation company in another Member State. The court's decision was based on unaccustomed discrimination on airport charges in Latvia's main airport. I very much hope that this directive will render such legally unclear interpretations impossible in the future, as they have a detrimental effect on the aviation business. Thank you.

Gerard Batten, *on behalf of the IND/DEM Group*. – Madam President, this report is supposed to prevent individual airports from abusing their dominant position in the market, and to create a level playing field for operators and safeguard consumer interests.

How many times have we heard those kind of arguments before? If implemented, this harmonisation of airport charges is likely to be as successful as the harmonisation that brought us the common agricultural policy, the common fisheries policy and the ever-increasing burden of EU regulation on businesses, which costs the UK at least GBP 26 billion per annum.

What it will do is require a completely unnecessary change in British law relating to airport charges and transport-related matters. It will require the setting-up of a supposedly independent supervisory authority that will add yet another layer of bureaucracy, and the inevitably increased costs that will follow.

There is, of course, existing price-cap regulation in the UK, designed to incentivise airport operators to achieve cost efficiencies. The objective of this continual torrent of legislation is to harmonise every aspect of life in the European Union and bring it under the ultimate authority of the European Union. Any other consideration is secondary or unimportant. What we can be absolutely sure of is that these measures will mean increased costs to the air traveller.

Georg Jarzembowski (PPE-DE). – (DE) Madam President, Mr Vice-President of the Commission, ladies and gentlemen, I think that the previous speaker has simply not understood the dossier. What we are doing here is laying down rules for transparent provisions governing the levying of airport charges, the purpose of the whole exercise being to ensure that airport charges are set objectively and to reduce them for the benefit of users. That is our job.

There are in fact two different situations. Some airports are so dominant that airlines basically face a monopoly situation and possibly pay overly high airport charges. At other, possibly small airports, an airline can decide whether or not to use the airport on the basis of how low the airport charges are, which is a totally different situation.

I must therefore say that what Mr Stockmann has achieved in his report – and my thanks to him – is a good list of criteria for establishing correct, properly substantiated airport charges, which also have to be borne by passengers, with a national supervisory authority acting as the control body.

Mr Vice-President, you will, of course, have to ensure over the next two years that the national supervisory authorities truly are independent. This means that national supervisory authorities must not be linked to airports or married to airlines. We insist that the supervisory authorities strike a fair balance between airlines and airports for the benefit of users.

Secondly, using these new criteria, we also want to foster fairer competition between airports. In some cases, there are airports in two different Member States just a few kilometres from the border between them. We want to be sure that there is no unfair competition here. I believe that the new criteria are correct.

Allow me to close with a question to you, Mr Vice-President. I believe that nearly two years have passed since the Commission issued guidelines for regional airports. Over the last few months, you have been investigating whether there have been illegal subsidies at some airports, by which I mean state subsidies for specific airports that distort competition. We should all like to know what your conclusions were. We hope that you can promise us today that you will present the investigation on illegal or legal regional aid soon, because there is one overriding issue here: we want fair competition between airports for the benefit of passengers.

Silvia-Adriana Țicău (PSE). – (RO) I would like to congratulate Mr Stockmann for his efforts in achieving a common position for the Council with a view to adopting the directive which sets down common principles for the levying of airport charges at Community airports. For airport users, the proposed legislation now gives a framework for charge setting which involves them in making the decisions, which is transparent and which allows appeals.

The Council accepted Parliament's proposal to limit the scope to airports with more than 5 million passengers annually and the largest airport in each Member State. Differentiation in airport charges has to be based on transparent, objective and clear criteria. In accordance with the common position, airports need to operate on a cost-efficient basis and incentives will be allowed for new routes to disadvantaged and outermost regions. However, these incentives must be granted on the basis of transparent criteria.

We support the idea, according to the information from the Commission in accordance with Community legislation, that Member States can authorise an airport managing body to apply a common, transparent charging system to airports which serve the same city or conurbation, provided that each airport fully complies with the requirements on transparency set out in the directive. In addition, environmental criteria will become grounds for adapting airport charges. The airport managing body will publish decisions on modifying the charging system at least two months before they enter into force.

With regard to pre-financing airport investments, Member States should refer to ICAO policies or establish their own safeguards. Parliament considers that it is necessary for independent supervisory authorities to be able to delegate to other independent supervisory authorities, at their entire responsibility, the application of the directive's provisions, subject to compliance with the same standards.

Paweł Bartłomiej Piskorski (ALDE). – (PL) Madam President, Commissioner, I would also like to join those congratulating Mr Stockmann on the result of his work. The issue we are discussing needs regulation, and such regulation does not disturb my liberal spirit, nor do regulatory institutions. We can see now, after the financial crisis, that the free market should work and does work, but we must create systems which are capable of regulating in a modern economy the mechanisms that occasionally get stuck or go beyond the usual mechanisms of economic competition, of pure free-market competition.

We are now debating the final draft of a certain document, of a work which we all realised right from the outset would be a long road, as regulating any natural monopoly – and airports are, for obvious reasons, usually subject to the rules of natural monopolies – is difficult. It is a step forward in the interests of our citizens, in the interests of the citizens of the European Union, who will once again receive something tangible which affects their life from this House and the work of the European Commission. I congratulate those who participated in its work and, hopefully, in the two years during which the system is implemented, Member States will measure up to the task.

Luís Queiró (PPE-DE). – (PT) Many of us here in this House use the Internet to book our flights and buy our tickets. However, I believe that most of us do not know how the airport charges that are paid together with the tickets are set.

As I know, however, that not all charges mentioned on the ticket are airport charges, I would ask you to humour me in a little exercise: if a passenger flies from Lisbon to Brussels, for example, by Brussels Airlines, the charge mentioned on the ticket is EUR 48; if he travels by the Portuguese airline TAP, the charge is EUR 2 less. However, in the other direction, this difference disappears and the passenger is treated to EUR 15 extra in charges per journey. Why?

However, if our imaginary passenger travels to London by Brussels Airlines, flying from Brussels to Gatwick Airport, the charges for a return journey are EUR 124, but if he uses BMI to fly to Heathrow, he only pays EUR 65 in charges. If he travels to Heathrow with BMI and returns with Lufthansa, he now pays EUR 70 in charges. Why these differences? Sometimes he pays one amount on the outward journey and another amount on the return journey. Sometimes airlines all charge the same amount for the same airport and sometimes they do not. In some cases, you might not even know how much you have paid.

The existence of different airport charges is not a bad thing, however. Different services must have different charges. What is not desirable is for the same charges to apply to different services and, conversely, for apparently identical services to be subject to different charges.

In particular, what we want is for these charges to be comprehensive and to be set according to clear and transparent criteria. That is our ultimate goal. We want to ensure fair and transparent competition between the major European airports and, in this way, not only help to refine the internal market, but also reduce the costs incurred by passengers when they buy their tickets. That is why, with hope in our hearts, we support this proposal for a directive.

Inés Ayala Sender (PSE). – (ES) Madam President, I must firstly congratulate my colleague, Mr Stockmann, on his magnificent report, and particularly on his patience and tenacity in taking this forward.

It is a text that will help us to create a common airspace and prepare, with particular emphasis on transparency and non-discrimination, for what will become the great leap into the single European sky.

Through this common system for the collection of user charges, we will be able to maintain the necessary conditions for fair and transparent competition. We will also be preparing for the future due to taking account of environmental criteria in the modulation of charges and also due to excluding charges for assistance provided to passengers with disabilities. In this respect too, we are preparing for the future.

I must also highlight the consideration given to the need to avoid an excessive burden on small airports, through the setting of a minimum limit of five million passengers per year.

Finally, we are delighted that the management of airport networks by a single body has been recognised, given that this has been proven to work well – as in the case of the Spanish airports authority, AENA – and that other ways of controlling and setting charges subject to legislative scrutiny have been taken into account – which is also the case in my country – in addition to through the independent supervisory authorities. I am therefore pleased that these proposals have been taken into account.

I must also congratulate the rapporteur on having set firm deadlines for the publication of decisions. This will avoid legal uncertainty and offer guarantees to users as to when these decisions will be implemented. This is also positive because parliamentary scrutiny is taken into account in these deadlines and decisions.

Fiona Hall (ALDE). – Madam President, I welcome the increased transparency introduced by these new rules on airport charges. Too often, airports are secretive about the deals they strike, even when they are owned or part-owned by public authorities. The public has a right to know how such airports are raising and spending their money. But I am disappointed that the threshold for greater reporting has been set at five million, with no reference to percentage national market share.

This threshold will hit particularly hard regional airports such as Newcastle. With six million passengers a year, Newcastle comes above the threshold, yet it is a minnow compared to the giants of Heathrow and Gatwick. Since regional airports compete mainly with their nearest neighbours, it would have been fairer to have had a system which treated all small and medium-sized airports in the same way.

I therefore regret that the Council did not pursue the option of confining the scope of the directive to airports with over five million passenger movements per annum and over 15% of national passenger movements. Such a threshold would still have ensured that Europe's big airports could not dictate airline charges behind closed doors. I hope that, when the Commission reviews the directive, it will look carefully at whether regional airports like Newcastle are suffering from market distortion.

Emanuel Jardim Fernandes (PSE). – (PT) Madam President, Commissioner, ladies and gentlemen, I should like to start by congratulating Mr Stockmann on his openness and readiness to compromise during the preparation of this excellent report, which will directly apply to airports with over five million passengers and, in particular, to the airports of Faro and Lisbon in my country.

This proposal must be adopted by this Parliament and by the Council because it guarantees non-discrimination in airport charges, except where necessary and compatible with the Treaty. A compulsory procedure for consultation between airport managing bodies and airport users should be put in place. Any differences in charges will be transparent and based on clear criteria. Airports will levy the same charge for the same service, although discounts may be granted to airport users based on the quality of a service used, provided that all airport users can benefit from this discount under public, transparent and objective conditions. Discounts may also be granted to users who open new routes in accordance with competition law. A national independent supervisory authority should be established which will intervene in the event of disagreement over a charging decision. Incentives should be permitted for the launch of new routes linking the least-favoured and outermost regions. Finally, Member States should be able to authorise the managing body responsible for an airport network to introduce a charging system common to this network.

Madam President, with this new directive, future airport charges levied at our airports, and even in outermost regions such as the one that I come from, will guarantee universal access for all to air transport. This is particularly important in a region such as mine where air transport is the only way of arriving or departing. That is why I hope that this proposal will be adopted tomorrow and that the Commission and the Council will duly accept it.

Robert Evans (PSE). – Madam President, I echo the thanks of my colleagues to Mr Stockman for what I think he described as a workable compromise in the interests of 69 European airports.

I also share the words of Mr Becsey, and indeed of my colleague Brian Simpson, about fair and transparent competition. I am happy that this report, as it is presented now, is a good deal, not just for London's three airports of Heathrow, Stansted and Gatwick, but for the airports of the rest of Europe, whether it is Mr Zile's Latvia, Mrs Țicău's Romania, or Portugal, and indeed for the Commissioners – Italian airports, and I believe there are airports in Germany as well, although not many people go to them.

But I think, also, it is a good deal for Europe's passengers and, of course, airports are nothing without the citizens, the passengers. They are our priority, as – equally – is the environment, which I think is addressed by this report.

Mr Batten, my London colleague, in what could best be described as his hit-and-run contribution (because he has gone away), suggested that there were going to be new bodies set up and all sorts of other scaremongering. But those bodies – the Civil Aviation Authority – exist already. So I think that is a misunderstanding on his part – to be polite to him.

And, to Fiona Hall, I am not sure that Newcastle is in direct competition with London. There is a good distance between the two of them, and anybody who chooses to go into London rather than Newcastle has still got a tremendous distance to go. So I think you are not comparing like with like there.

I think that this is a good, workable compromise. I think all the original concerns that we wanted to address have been covered and, as a package, it does provide the balance – in the interests of airlines and in the interests of passengers – that we were looking for, whilst allowing the airports sufficient freedom to operate in a competitive environment.

I live in hope that, as a result of this, we might one day – you never know, colleagues, you never know – we might just get a decent service into Strasbourg. It is a long shot, but you never know – and it is worth working for.

Bogusław Liberadzki (PSE). – (PL) Madam President, I would like to start by voicing my thanks to Ulrich Stockmann, our rapporteur. He has got through a great deal of work, starting with the draft directive, which he approached in an innovative way, as he wanted to properly prepare the report in collaboration with the Commission and the Council, in which he was successful. Above all, I would like to emphasise his initiative in refining the definition of airport charges, and secondly the airports we are covering, and the service levels of airports and their correlation with the obligations of airport operators. Of equal importance, especially for the new Member States, is the funding of new infrastructure projects. We are delivering a draft directive which, from the passenger's viewpoint, will allow those of us in Europe who use, run or pay for services to know how much we will have to pay, why, and where the money is going. This is a major step towards creating a real European system and European airlines network. I thank you for this, and deeply believe that this draft directive will serve civil aviation well.

Zuzana Roithová (PPE-DE). – (CS) Smoothly functioning airport services are important to the functioning of the internal market of the European Union. Both passengers and airline companies criticise the lack of transparency and sometimes also the excessively high airport taxes which add to the cost of travel to an unjustifiable extent. We are finally responding to this with the passing of this directive at its second reading. The regulations will oblige airports with more than five million passengers to make their fees transparent and to justify their costs. It will also simplify disputes between airport users and airport operators. I firmly believe that this will lead to a reduction in charges and that it will improve the competitive environment. I am delighted that the Council has also recognised the opening up of the bidding process, which will contribute to the opening of new routes to disadvantaged and more out-of-the-way destinations, and that it has been possible to arrive at a common definition for the networks of airports which will be operated by the same management bodies. I congratulate the rapporteurs on these results.

Mieczysław Edmund Janowski (UEN). – (PL) Madam President, Commissioner, Mr Stockmann deserves our gratitude. This is indeed a good compromise. I congratulate him.

Today we are finalising work on airport charges. In short, in two years' time, we will have a consolidated system for levying these charges throughout the European Union. It will affect airports with more than five million passenger movements per annum, and the largest airports in a particular country. They may still be debatable, but I believe the figures are good. As far as I am aware, this will affect some 80 airports in the European Union.

A particular virtue of the regulations adopted are their transparency, which will help the supervisory authorities. Airports in unfavourable regions will be able to apply the relevant preferences. It also considered the environmental aspects and the situation of disabled people. I hope that the directive will provide not only fair competition at airports, but also result in increased passenger safety, and protect passengers from excessive take-off or landing fees.

Antonio Tajani, *Vice-President of the Commission*. – (IT) Madam President, I think the debate has shown that Parliament and the Commission have done a good job, and the praise directed at Mr Stockmann serves only to confirm that he has taken the right course. I would like to thank him publicly once again for his work and cooperation with the Commission in finding a successful compromise solution which, as far as I can see, has been appreciated by all those who have taken the floor.

I believe that the proposal for a directive that we are examining, and which I hope can be adopted by this House, as Mrs Ayala Sender said, is non other than a step towards achieving the single sky, a goal that, in my view, the Commission, with Parliament's support and then with the backing of the Council, must be pursued in order to send out a strong message before the end of this parliamentary term. I endorse all the choices and judgments made on the establishment of the independent authority, which already exists in many countries of the Union. I think that we should pursue this; it is a positive choice we have made together.

Before I conclude, I would again like to thank all the Members who have contributed to the debate, and to answer the question asked by Mr Jarzembowski. There are seven regional airports being considered. The proceedings, lasting 18 months, were opened in July 2007. I therefore do not expect the results to arrive before the end of this year or the beginning of next year.

Naturally, the results will be made public, but it would be unfair and improper of me to make any comment before the work is completed. However, as soon as it is, and as soon as the Commission has made a decision, Parliament will be informed and then Mr Jarzembowski will have a full answer, in addition to the information I have been able to give, relating to the Commission's proposals for the seven – I would emphasise this, the seven – cases being examined.

Ulrich Stockmann, *rapporteur*. – (DE) Madam President, I should like once again to thank all my fellow Members for their truly constructive cooperation and for our exciting discussions. I am counting on a great deal of support tomorrow. It is late and enough words have been exchanged. Let actions follow tomorrow. I would be delighted if we could complete the legislative procedure at second reading.

(Applause)

President. – The debate is closed.

The vote will take place tomorrow, Thursday 23 October.

Written statements (Rule 142)

Corina Crețu (PSE), *in writing*. – (RO) A European framework for regulating airport charges is of major importance in terms of reducing the cost for people travelling within the European Union and therefore, of increasing workers' mobility, especially those who are highly qualified.

Worker mobility is actually a key element in an effective labour market, in the context set out in the relevant chapter of the Lisbon Strategy, aimed at economic growth and increasing the number of jobs. Furthermore, facilitating the movements of highly qualified workers would lead to an increase in information flow and in useful knowledge in the production areas with high added value, in keeping with the aim of the Lisbon Strategy to transform the European economy into the most dynamic knowledge-based economy in the world.

Christine De Veyrac (PPE-DE), *in writing*. – (FR) Ladies and gentlemen, a compromise has been reached between the Council and our institution, thus making it possible to conclude this matter at second reading.

I am delighted with this agreement, which should in particular prevent abuses of a dominant position and facilitate the balanced development of the European airport sector.

This directive on airport charges is a real step forward: by making relations between airports and airlines more transparent, it will enable what are often opaque and conflictual relationships to be enhanced and improved.

Moreover, the introduction of an independent authority is going to make it possible to resolve any conflicts between the partners objectively.

The beneficiaries of these new rules should, ultimately, be air transport users, and I am delighted about that.

Thank you for your attention.

16. Agenda of the next sitting: see Minutes

17. Closure of the sitting

(The sitting was closed at 11.10 p.m.)