

WEDNESDAY, 6 MAY 2009

IN THE CHAIR: MR PÖTTERING

President

1. Opening of the sitting

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

2. Support for rural development by the European Agricultural Fund for Rural Development (EAFRD) - Economic Recovery Programme: energy projects - Amendment of the Interinstitutional Agreement of 17 May 2006 (debate)

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

– the report (A6-0259/2009) by Petya Stavreva on behalf of the Committee on Agriculture and Rural Development, on the proposal for a Council regulation amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) [COM(2009)0038 – C6-0051/2009 – 2009/0011(CNS)],

– the report (A6-0261/2009) by Eugenijus Maldeikis on behalf of the Committee on Industry, Research and Energy on the proposal for a regulation of the European Parliament and of the Council establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy [COM(2009)0035 – C6-0049/2009 – 2009/0010(COD)] and

– the report (A6-0278/2009) by Reimer Böge on behalf of the Committee on Budgets on the amended proposal for a decision of the European Parliament and of the Council amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regards the multiannual financial framework [COM(2009)0171 – C6-0508/2008 – 2008/2332(ACI)].

Petya Stavreva, rapporteur. – (BG) Today in the European Parliament we are initiating an important debate on the provision of additional resources from the European budget to rural areas in the Community to help them cope with the consequences of the economic crisis. We must mention that EUR 1.02 billion will support the European Union's agricultural sector during a difficult time. I believe that the Community's farmers and inhabitants will understand this important message in terms of providing financial resources for additional support.

The amount which each country will receive is intended for the development of broadband Internet and for meeting the new challenges which were defined in the regular review of the common agricultural policy for 2008. I believe that the investments in the Internet infrastructure, restructuring the dairy sector, renewable energy sources, protecting biodiversity and water resources are key to resolving a large proportion of the problems in these regions, providing alternative options to the people who live there.

In my report I am proposing that, in relation to the budget for the funds earmarked for 2009, an additional EUR 250 million should be provided for the budget line for rural development. As a result of this amendment, the total amount of resources available for 2009 would reach almost EUR 850 million. Due to the need to respond quickly to the current economic crisis, it would be a good idea, to start with, for the payments scheduled for 2010 and 2011 to be made in 2009.

I would like to emphasise the possibility of distributing the resources among Member States depending on their specific requirements. This flexibility will allow individual countries to use the financial resources according to the needs of their farmers and rural inhabitants.

In view of the restricted availability of credit during a financial crisis and taking into account the obstacles preventing the use of the funds from the rural area programmes, I think that this is a good opportunity for some of these resources to be earmarked for funds providing loans and credit guarantees. We can then really help people who want to implement projects but do not have the necessary start-up capital.

It is important for Member States to abide by the scheduled timeframes and to include additional activities in the rural development programmes, thereby allowing these funds to be used. The quicker the money gets

to the farmers and regions, the greater the benefit from this financial assistance. Another important condition for the successful use of the resources is for every country to quickly provide regional and local bodies and potential beneficiaries with relevant, easily accessible information about new opportunities for projects under the reviewed rural development programmes.

I would like to emphasise how much of a pleasure it was for me to work on a report which highlights the active approach and support of Europe's institutions for the future of the Community's agricultural sector and rural areas. I have always believed that assistance is most valuable at the time when people most need it and, at the moment, rural areas need more resources for development and modernisation. This is the only way for us to halt migration, protect nature and guarantee employment and new jobs.

I would like to conclude by thanking my colleagues from the Committee on Agriculture and Rural Development who were involved in drafting the report, as well as the representatives from the European Commission and the Council for their helpful cooperation. I would also like to thank the sector organisations for the proposals they made. I call on you to support this report so that we can give new impetus to the development of the European Union's rural areas.

Eugenijus Maldeikis, rapporteur. – (LT) The Commission has presented an extremely important additional Economic Recovery Plan package in the area of energy projects, which is extremely important, because the economic crisis presents a challenge for European energy.

The package consists of three parts. The first of these is gas and electricity infrastructure and projects involving particularly important electricity and gas interconnections. We know that this is a very sensitive and old problem. Given the current crisis, the funding of interconnection projects would provide a great boost to the regional development of energy and inter-regional cooperation, and would strengthen the creation of a common European energy market.

The second part of the package is offshore wind-farm projects and the third part carbon capture and storage projects, which take into account the needs of climate change and renewable energy, as I believe that, faced with the economic crisis, the European energy sector must fundamentally reform its structure and systems. This would really be a very opportune moment to assess the current situation and reconsider many energy problems.

I think that this package, these three programmes, would significantly strengthen the European energy sector, would have an impact on other sectors, and would be of great help to economic recovery in Europe.

I believe that the 3.9 billion value of this package is a large sum, which would help to solve the particularly urgent problem of European energy security. Together with the consequences of the energy crisis and socio-economic consequences, there exists a great political risk that individual European countries will face gas supply problems. This risk remains high to this day.

The funding of interconnection projects would significantly strengthen Europe's position and would provide additional guarantees of supply. I would like to add that while debating this document, the European Parliament proposed that the following be included in the package.

Firstly, Parliament focused on the possible redistribution of financial resources not used for projects. As we propose to lay down very strict deadlines for the preparation and development of projects, we think that if any money should remain unused, it should be redistributed to projects which are designed for energy efficiency and renewable energy.

A dialogue took place in a very short period of time and we were able to reach an agreement with the Council. The Council considered Parliament's proposals and incorporated them into this package. I am very pleased about this and would like to thank the Council representatives, the Czech Presidency and Commissioner Piebalgs for their very close and fruitful cooperation. We really did manage to achieve a good outcome within a very short space of time.

Reimer Böge, rapporteur. – (DE) Mr President, ladies and gentlemen, as soon as agreement was reached on the 2009 budget the Commission presented a proposal on the revision of the MFF in order to finance trans-European energy networks and broadband infrastructure projects in the context of the European Economic Recovery Plan.

In retrospect we must say, first, that this has complicated proceedings, as we did not consider it right and appropriate that new proposals should be presented just a few days after agreement was reached on the

budget and, second, that it would have been virtually impossible to reach agreement with the Council both on the food aid facility and on these elements of the economic stimulus package on completion of the 2009 budget. In the original proposal to provide five billion through a revised financial perspective split into two tranches – EUR 3.5 billion in 2009 and EUR 2.5 billion in 2010 – the Commission learned from the budget disaster of the proposal on the food aid facility. What the Commission presented on that occasion did not correspond to what had been agreed in the budget. This is clearly the case here too.

I welcome the fact that the Commission took up the suggestion from the Committee on Budgets, which we made in the first debate, to limit the review and to leave matters relating to rural areas and broadband and the modernisation of these structures in rural areas in heading 2 in the agriculture budget, and not to transfer them to heading 1a. This was a proper suggestion, which had come from this House, and which was acted upon.

In the second round we learned that it was the Council that initially said that the Commission could not present this proposal for the food aid facility and that it was in principle a review. The Council simply wanted to slink past the budgetary conditions and agreements. We correctly rectified this in the negotiations and in the trialogue of 2 April. I believe that we have taken the first correct step through our proposal to provide EUR 2.6 billion in a first step, to raise the ceiling for the year 2009 for commitment appropriations under subheading 1a by an amount of EUR 2 billion, to lower the ceiling of heading 2 by the same amount, and to provide EUR 600 million for rural development. We will endeavour to secure the remaining EUR 2.4 billion through a compensation at the conciliation of the 2010 and 2011 budgetary procedures by using all – and I quote, because it is important – ‘by using all means foreseen in its legal framework and without prejudice to the financial envelopes of the co-decided programmes and the annual budgetary procedure’.

It was also important to us that commitments entered into should not be affected and curtailed across the headings. That is why the breakdown we decided on was what could be negotiated in this timeframe, because we all realised we had to push forward the subject of energy solidarity and the modernisation of infrastructures, including the health check measures, in this parliamentary term.

However, it is also clear that what we said in the plenary session of the European Parliament on 25 March regarding the review of the multiannual financial framework needs to be on the agenda even more urgently. We call on the Commission to take into consideration all these deliberations on flexibility and improved conduct of negotiations in the context of budgetary policy annually and multiannually during the deliberations on the review of the multiannual financial plan in the autumn. These annual negotiations with the Council about the same issues year in, year out that we get bogged down in because one side does not want to move are just a shambles, and they have to stop, because no one outside understands what is going on any more. We need more flexibility, more manoeuvrability in the multiannual budgetary procedure. The Commission is called upon to learn from these experiences from the last two to three years and present relevant proposals in the autumn. We expect nothing less!

Andris Piebalgs, Member of the Commission. – Mr President, the current economic downturn requires a stimulus also at EU level. This has been our common conviction since the crisis began last year.

In November 2008 the European Commission proposed a comprehensive European Economic Recovery Plan, which was endorsed by Heads of State and Government in December. Building on this, a ‘five billion package’ to inject immediate stimulus into the EU economy was proposed in January. The package directs that stimulus to key objectives, such as broadband development, energy security and low-carbon technologies.

The Commission very much welcomes the agreement found on the package, after difficult but constructive discussions, within a very tight timeframe.

I would like to thank Parliament for its support for our proposal, as well as its flexibility and sense of compromise shown in the course of interinstitutional discussions. This case shows that the EU is able to react quickly if a crisis requires an immediate response.

As regards the budget side – and now I am speaking on behalf of Vice-President Kallas – the Commission can accept the solution as now agreed by the three institutions, though its approach differs from our initial proposal of December 2008. We are confident that the projects will be implemented as scheduled.

I would also like to confirm that the Commission has taken good note of Parliament’s expectations with regard to the budget review and the assessment of the functioning of the Interinstitutional Agreement. As you know, we are working on these issues and will come forward with our conclusions in the autumn or, at the latest, by the end of the year.

I will now turn to my subject: energy. The regulation on energy projects constitutes a significant tool to achieve two goals: responding to the key security issues and environmental challenges in the energy sector whilst at the same time contributing to the recovery of our economy. The package is also an example of solidarity within the European Union. In particular, the gas crises needed a quick response.

Never before has the European Union agreed to dedicate such a significant amount to key energy projects.

I know that some of you would have preferred to see more measures on renewables and energy efficiency projects in the package, but I believe that the compromise finally found on this subject is a good one. The Commission provides reassurance in a comprehensive declaration that it will reconsider the situation in 2010, referring expressly to the option of suggesting using uncommitted funds for measures in the area of energy efficiency and renewable energy sources. The declaration was sent to Parliament and will be published in the Official Journal, together with the regulation, so I will not read it out here.

I welcome the fact that the principle of proposing new projects, if we identify serious risks in implementing the current projects, is also referred to in the recitals and an article of the regulation.

In addition, I can assure you that we will swiftly go ahead with the many other initiatives in the area of renewable energy sources and energy efficiency, as they are referred to in our declaration.

After the successful and rapid conclusion of the legislative procedure, the Commission will focus on implementation of the package. I can tell you that, with respect to the energy projects, we intend to launch the call for proposals by the end of May, and I expect first decisions on support by the end of this year.

I would like to thank particularly the rapporteurs, Ms Stavreva, Mr Maldeikis and Mr Böge, for their engagement in finding a quick solution to this very important proposal.

Mariann Fischer Boel, *Member of the Commission*. – Mr President, I am only going to touch upon the part of this package which relates to rural development. First of all, like Mr Piebalgs, I would like to thank Parliament for its cooperation, especially the Committee on Agriculture and Rural Development. There has been a very good and constructive dialogue over the past month and it is obvious that your support in this issue is crucial for a successful outcome.

Legislation must be adopted as soon as possible so that this money can be invested in rural development in 2009 and the money can be spent as well, i.e. both programming and expenditure of the money.

The final compromise left us with a bit less money for rural development than we had wanted. We had initially wanted EUR 1.5 billion and we ended up with EUR 1.02 billion. The scope for investment in broadband in rural areas has been extended, and Member States will now have full flexibility in the choice between broadband and new challenges. I think this is quite a good idea, so you do not limit people that see special difficulties in the new challenges in some parts of the European Union.

The Commission also takes good note of the amendments. You request an extension of the scope of eligible broadband operations to soft measures such as training in ICT and investments in ICT-related services and facilities. I would like to point out that these investments and activities are already widely supported within both the structural funds and the rural development funding. Focus is put on broadband, because of the fact that it is considered to boost technological development and growth in the best possible way.

As regards promotion of the recovery package, the Commission agrees that this is needed, but it can be done within the existing tools already in our toolbox in rural development. The current policy framework also allows money to already be spent on projects in 2009.

We have also studied the proposal to already include in the financing the EUR 250 million which were added to the 2009 budget for rural development by Parliament in its final vote on the budget last year. However, this proposal was not part of the agreement on the financing of the recovery package reached in the trilogue discussions. In order to avoid any delay in the final adoption of this package, I believe we should take the opportunity to come back later this year when the rest of the financing of the recovery package has to be agreed.

As this is the last meeting here in the plenary before the elections to this Parliament, I would like to express my sincere thanks for your very good cooperation and exchanges of views – sometimes with lots of patriotism and with lots of dynamism, but it has been a pleasure. To those of you who are not running for re-election, I would like to say that it has been a pleasure working with you.

(Applause)

President. – Thank you so much, Commissione Fischer Boel. It is very kind of you to mention this. It was and is always a pleasure to work with you and with your colleagues in the Commission. Of course, there are some differences, but with you and with Commissioner Piebalgs it has always been a pleasure, and I want to thank you very much on behalf of Parliament and also personally.

Mario Mauro, *draftsman of the opinion of the Committee on Budgets.* – (IT) Mr President, ladies and gentlemen, during the trialogue of 2 April, an agreement was finally reached between Parliament and the Czech Presidency. As draftsman of the opinion of the Committee on Budgets, I am very pleased about this agreement, which has made it possible to continue with the legislative process for the recovery plan within the timeframe we had hoped for.

The financing methods for 2009 are very clear: of a total of EUR 3.98 billion, EUR 2 billion will be earmarked for energy by means of compensation under heading 2, 'Preservation and management of natural resources'. The remaining EUR 1.98 billion allocated to energy will be decided on as part of the budget procedure for 2010 and, if necessary, the conclusion will come with the budget procedure for 2011.

I feel it is important, however, that the compensatory mechanism applied to the various headings should not jeopardise the financial package for codedecided programmes, or the annual budget procedure. I also consider that, in the light of the deficit that the current interinstitutional agreement has highlighted, we need to look more deeply into the subject in order to make this agreement more flexible and therefore more able to respond to further financial needs.

Vicente Miguel Garcés Ramón, *draftsman of the opinion of the Committee on Budgets.* – (ES) Mr President, I am conveying the opinion of the Committee on Budgets, for which I was draftsman, on the proposal to amend the regulation on support for rural development by the European Agricultural Fund for Rural Development. The proposal forms part of the European Economic Recovery Plan.

The European Council held in late March 2009 proposed allocating EUR 3.98 billion to the energy sector and EUR 1.02 billion to the Rural Development Fund, in order to create new broadband infrastructure in the countryside, improve existing infrastructure and respond to new challenges: climate change, renewable energy, biodiversity and the restructuring of the dairy sector.

The Committee on Budgets unanimously decided that the reference amount indicated in the legislative proposal is compatible with the ceiling of heading 2 of the current multi-annual financial framework 2007-2013.

IN THE CHAIR: MRS ROURE

Vice-President

Rumiana Jeleva, *draftsman of the opinion of the Committee on Regional Development.* – (BG) As draftsman of the opinion of the Committee on Regional Development, I would like to say how pleased I am with the final version of the European Energy Programme for Recovery. Parliament defended a strong position during the negotiations with the Council and obtained the best possible outcome for Europe's citizens.

The Energy Programme for Recovery is extremely important for the future of our European economies. The current economic and financial crisis is jeopardising various programmes in the area of energy security, which is detrimental to our future economic growth and success.

As a result of this, the correct approach is to grant additional financial incentives for projects in the energy sector which will help restore our economy and promote the security of energy supplies, and are also aimed at cutting greenhouse gas emissions.

This new programme will effectively strengthen energy security in my country, Bulgaria, too, thanks to the provision of funding for the Nabucco gas pipeline and our connection with the infrastructure networks in Greece and Romania. This will make us less vulnerable during crises similar to the one we had last winter.

Fellow Members, our European economies and our infrastructure depend on good access to energy. In this respect, the European Energy Programme for Recovery paves the way for a more effective and efficient energy infrastructure in Europe. This is why I would like to stress once again the need for a common European

Union energy policy. Only together will we be able to achieve greater success and give our citizens the energy security which they deserve. I would like to end by congratulating the rapporteur for her fine work.

Domenico Antonio Basile, *draftsman of the opinion of the Committee on Regional Development*. – (IT) Madam President, ladies and gentlemen, the Committee on Regional Development has been called on by the Committee on Agriculture and Rural Development to give an opinion on the proposal for a Council regulation on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), which has now reached the Chamber for debate within the context of the more general EUR 5 billion package.

The measure in question can be seen as a timely response by the Commission to the needs underpinning the decision, adopted by the Council on 11 and 12 December 2008, to approve a European economic recovery plan containing specific measures in many sectors of Community and national competence to tackle the economic and financial crisis that has involved the European markets since 2007.

In the rural development sector, the Commission measure proposes the introduction of appropriate updates to Council Regulation No 1698/2005 that are designed to implement the guidelines of the said European plan.

Taken as a whole, the Commission's proposal – which provides for a budget of EUR 1.5 billion to be made available to all the Member States through the European Fund for Rural Development, to develop access to broadband Internet in rural areas and to confront the new challenges identified in the medium-term common agricultural policy reform assessment, concluded in November 2008 – has the full support of the Committee on Regional Development, which feels that the suggested measures, if implemented quickly and in full, will certainly be able to help pick up the national economies and make consumers trust in the system again, while also effectively pursuing objectives of territorial and social convergence in regions of the Union. All of this is particularly true if the measures are combined with the need, expressed by the Council, to maximise spending opportunities during the early years.

In expressing its opinion, the committee did not limit itself to a simple evaluation of the measures proposed by the European Commission but decided to make its own proposal by including certain amendments in the text submitted to it. The main aspect that the Committee on Regional Development wished to highlight is that which refers to the need to increase transparency and information on results obtained during the period 2009-2011 and to provide appropriate instruments for coordinating actions funded by the EAFRD and the Structural Funds in relation to broadband Internet infrastructure.

It did this by asking the Commission to insert a section specifically devoted to the verification of the results obtained in relation to this activity within the annual monitoring report required for the European Agricultural Fund for Rural Development, in the form of a specific amendment introduced in the text of the proposed measure.

Romana Jordan Cizelj, *on behalf of the PPE-DE Group*. – (SL) Tackling the financial and economic crisis is an important test of Europe's unity and solidarity. We have to demonstrate two things: firstly, that we are going to take concerted action and that we will be able to profit from it and, secondly, that we are capable of maintaining the strategic priorities which we have set over the past few years: that is, priorities facilitating a shift towards a knowledge-based society and an innovative society with low greenhouse gas emission levels.

I am pleased to see that Europe has responded to this challenge in a rapid and unified manner. We have spoken out against protectionism and established the internal market as one of Europe's important achievements, and one which also needs to be preserved at a time of crisis. In so doing, we have also managed to preserve our vision and to take action, without losing sight of our long-term challenges, which certainly include climate change, also.

Let me also briefly mention projects in the field of energy. In a relatively short space of time, we have secured additional financial resources which we intend to earmark for the future development of new, cleaner technologies and for the purpose of increasing a reliable energy supply. What is important here is that we include, within this package, technologies for carbon capture and storage, the promotion of offshore wind energy and interconnection of gas and electricity transmission networks.

However, I would draw your attention to the fact that, despite the number of good projects to which additional aid is to be allocated, some important projects are missing from this dossier. For this reason, I would ask that

these projects be carefully monitored, that their implementation be supervised and that we also find additional funds with which to finance projects that promote efficient use of energy and other renewable energy sources.

Let me also add, in this context, that geothermal energy is certainly another major potential which remains untapped. I consider this to be one of our most important tasks for the very beginning of our next mandate.

Hannes Swoboda, *on behalf of the PSE Group*. – (DE) Madam President, ladies and gentlemen, it seems as though the peace of Christmas is upon us – everything is passing off so peacefully. Unfortunately, I have to add a sour note to the proceedings.

The Council, which is not represented here today, has taken months to revise and reconsider the proposals presented by the Commission and to come up with a solution in a situation where we have huge, rising unemployment. It is therefore not the fault of Parliament. In this case the people responsible for the budget were even ahead of us in the energy field. That certainly did not make our life very easy. Normally, they are the blockers. But then we tried to find a solution, and the Commissioner was very helpful, but the Council was obdurate.

Our concern – and this really ought to be self-evident – is that all the budget appropriations that cannot be disbursed should be allocated to projects to create jobs, especially in projects aimed at energy security, energy efficiency and energy conservation. This really ought to be self-evident. Were we to ask the citizens of Europe whether they would be in favour of allocating money that is not spent to this particular area, the vast majority would say yes. Only the Council has not yet acknowledged that this is actually what is needed. In this context, all of us – including the members of the new Parliament – should insist that this is exactly what is implemented.

I do not know whether Mr Piebalgs will still be a Commissioner and will still be responsible for this area, but I hope that the Commission is also of the opinion that we must ensure that all budget appropriations that cannot be disbursed are transferred in other areas to employment-related projects concerned with energy efficiency and energy security.

Finally, I would like to thank both Commissioners for their cooperation both personally and on behalf of my Group. Whether it was always a pleasure is another matter, but you were always prepared to engage in dialogue, and I hope you can say that of us too. We are in the middle of an election campaign but things are a bit calmer for you now. I do think, however, that you can live without us parliamentarians.

Donato Tommaso Veraldi, *on behalf of the ALDE Group*. – (IT) Madam President, ladies and gentlemen, the proposal we are discussing is part of a package of EUR 5 billion allocated to the European economic recovery plan, of which EUR 1 040 is earmarked for the construction and completion of infrastructures for broadband Internet coverage in rural areas and for development in relation to the new challenges brought to light by the health check on the common agricultural policy.

In order to respond to the current financial crisis, we must take action above all in rural areas using instruments designed to help these areas emerge from the structural isolation in which they find themselves. It is therefore crucial to guarantee the use of available Community funds, increasing their effectiveness and added value. In the field of rural development, every possible tactic must be adopted to ensure greater financial flexibility and efficiency.

I believe it is essential for the Commission to undertake to assist Member States in the adoption of national strategies and rural development programmes aimed at boosting employment. I am bound to say, however, that, according to the rules of the Rural Development Fund, broadband implementation projects are mainly managed by public administrations – provinces, municipalities and mountain communities – which are, however, unable to include VAT in their accounting. This does not happen with other programmes, with other regulations underpinning the Structural Funds, where such expenditure is considered eligible.

The economic crisis has simply accentuated the difficulties that were already present for these local authorities, and thus the incidence of VAT on budgets associated with the implementation of various works is so high that there is a risk of public authorities failing to invest and the unspent resources returning to the Community budget. Lastly, as far as the distribution of resources is concerned, I believe we must focus on the use of historical criteria, as proposed by the Commission.

Guntars Krasts, *on behalf of the UEN Group*. – (LV) Thank you, Madam President. I believe that the agreement that has been reached on support for the European Union's energy policy in the long term, providing incentives in the short term for the recovery of the economy, achieves both goals. The only exception, which cannot provide an economic return in the short term, is the funding of carbon capture and storage projects. However,

this undoubtedly meets long-term energy policy challenges by increasing the competitiveness of the technologies of EU businesses on world markets, where alternative forms of energy will not be able to replace the burning of coal for the foreseeable future. I very much welcome the channelling of the majority of funding towards European energy network interconnection projects. I am pleased that significant resources have been allocated for the integration into European electricity networks of the Baltic States, which are the most isolated region in the EU. Although these investments do not bring about the full integration of the markets of the three Baltic States into European networks, nonetheless this is an important, strengthening factor that will promote energy supply security. I hope that this will serve as an incentive to the Baltic States to continue to make structural reforms to their energy systems, and to create market conditions that will improve the situation for energy consumers in that region. Thank you.

Claude Turmes, *on behalf of the Verts/ALE Group*. – Madam President, this is a sad day for the credibility of the European Union. The economic recovery package we will vote on is, in reality, a non-recovery plan which will produce almost no immediate economic stimulus. We have had months of sometimes intense negotiations with the EU Council. Unfortunately, rather than standing up to those governments like Germany, the Netherlands and the UK, which adopted a short-sighted 'I want my money back' approach, the majority of this House and the Commission have simply caved in to their demands.

This outcome is very bad and it could have been avoided. We could have built a real solidarity instrument, where the vast majority of the funds would have gone to those economies most in need: our friends in eastern Europe. We could have enhanced the economic effectiveness of this package by using innovative finance instruments, like loan guarantee funds and the public banks, or the European Investment Bank. This would have transformed the EUR 5 billion into EUR 50-80 billion in investment, which we need at this moment for the European economy. We could have focused our investments on those areas with immediate job creation, such as cities in Europe investigating in the renovation of buildings and public transport, or independent power companies investing in renewables, or our industries in Europe investing in eco-technologies. Instead, you have decided to concentrate the bulk of these EUR 5 billion on old-fashioned state aid to those least in need of cash: the big energy oligopolies in the UK, Germany and France.

Instead of sending a strong signal, we are sending a signal of a lack of political courage: spineless European institutions that have caved in to the whims of nationally blinkered governments.

Unfortunately, we have no brave and visionary Commission President. Unfortunately, the Liberals and the Socialists in this House were not ready to fight with the Greens to make this recovery package a real first step to a green new deal. Before change can happen in Europe we must change the President of the Commission. In order to make this change happen, we need to change the majorities in the European Parliament. 'Stop Barroso – go for a green new deal': this is more than ever the right slogan for the upcoming European elections.

Pedro Guerreiro, *on behalf of the GUE/NGL Group*. – (PT) With regard to the European Union's so-called 5 billion package for the European economic recovery plan, it is useful to recall the resolution adopted by this Parliament on the mid-term review of the 2007-2013 financial framework. That resolution states: that the own-resources ceiling represents 1.24% of EU GNI in payments and that this has effectively been below 1%; that every year significant margins are left below the ceiling set up by the multiannual financial framework, with over EUR 29 billion in payments in the last three years; and that huge margins exist between the multiannual financial framework ceiling and the ceiling of the EU own resources, with over EUR 176 billion from 2010 to 2013.

In view of this, we must ask ourselves: why is it that, faced with the worsening economic situation, we are not at least using the funds provided in the multiannual financial framework?

Why is the European Union opting to deduct EUR 2 billion from the agriculture margin, when thousands of farmers are facing ever greater difficulties?

Do farmers have a greater need for support to deal with increasing costs of production and falling prices to the producer, or for broadband Internet?

To ensure that this adjustment is neutral, from which other budget headings will almost EUR 2 billion be deducted? Will this amount be deducted from cohesion?

How will they go about distributing the nearly EUR 4 billion for projects in the area of energy and the nearly EUR 1 billion for – apparently – the promotion of broadband in rural areas? How will this unfair exchange be applied?

Where, finally, is the highly proclaimed solidarity across the European Union? Or will the mountain, in the end, once again turn out to be a molehill?

Patrick Louis, *on behalf of the IND/DEM Group*. – (FR) Madam President, ladies and gentlemen, wanting a recovery plan is a good intention. A Keynesian recovery is needed to respond to a cyclical downturn, but this crisis is structural. The tool, then, is inadequate.

Re-injecting funds into an unrestrained economy is just throwing money down the drain. In fact, boosting an economy without first having restored Community preference at our borders is like trying to warm a house when all the windows have to be left open. What happens is the boiler runs out and the heating bills go through the roof.

After these opening remarks, I have three comments to make. Firstly, an energy market is not relevant. In fact, in this area, competition does not reduce prices because these are determined by the costs of the means of production. We believe, therefore, that it is essential to invest in truly efficient energy sources, to avoid the trap of energy sources that are largely subsidised, such as wind power, and to opt for solar and nuclear energy.

Secondly, there is no efficiency in a single electricity market. Over a large distance, energy loss is proportionate to the distance travelled. The likelihood of breakdowns and outages grows with the geographical complexity of the network. Therefore, the interconnection of Europe's electricity network should get back to its primary purpose, which is to serve as a reciprocal backup resource at the borders and to allow energy swaps, but merely in the background. This work should be our priority.

Thirdly, as for the Podimata report, which relates to the current report, we recommend that we not only take into account the energy needed to operate a product, but also consider information on the amount of energy needed to manufacture that product.

The communication of this information to consumers will enhance the standing of those products with high added-value and low energy requirements. The inclusion of this information will give a much-needed competitive advantage to our economies, which are under too great a threat of unfair global competition.

Sergej Kozlík (NI). – (SK) Mr President, ladies and gentlemen, in my opinion the European Parliament and the Council have taken some extraordinary but effective decisions in transferring EUR 5 billion of unused resources from 2008 to 2009 for a stimulation package to mitigate the effects of the financial crisis, along with the sum of EUR 4 billion to resolve some of the bottlenecks in the European energy network. On the other hand, Mr Turmes's speech was true in many respects, particularly concerning fund management.

I consider it important for Member State governments to respond flexibly and for all of the resources allocated for the years 2009-2010 to be spent and to be spent effectively, as far as possible. The crisis situation in gas supplies at the beginning of the year after the dispute between Russia and Ukraine showed how vulnerable a significant part of Europe is in critical situations. The measures implemented and financed from this package should therefore help prevent a repeat of this crisis.

Agnes Schierhuber (PPE-DE). – (DE) Madam President, Commissioners, ladies and gentlemen, I would first of all like to thank Mrs Stavreva for her excellent report. It is absolutely crucial that this economic programme, which we have adopted in its entirety today, is also available in rural areas. Broadband is an indispensable means of communication for rural areas, especially in Austria, for new and modern jobs and for rapid information delivery. It should not be overlooked that more than 50% of the population of the European Union lives in rural areas.

Ladies and gentlemen, I am coming to the end of my political career. I would like to extend my sincerest thanks to all my colleagues, the Commission and all the institutions of the European Union, especially officials and staff, for their help and support. It has been a pleasure to work with you all. Finally I would like to thank the interpreters who had to interpret my Austrian German.

I am convinced that it must continue to be absolutely clear that the common agricultural policy, with its two pillars, is essential for the society of the European Union. Farmers are naturally aware of their responsibility

towards society. But I also expect the society of the European Union to be aware of its responsibility towards all those who safeguard its resources. With this in mind, I wish the European Union all the best for the future.

(Applause)

Gábor Harangozó (PSE). – (HU) Commissioner, ladies and gentlemen. I would like to begin by thanking Mrs Stavreva for her cooperation and to congratulate her for her excellent work which received the unanimous support of the Committee on Agriculture and Rural Development.

Following the debate held in the Council, we have EUR 1.02 billion available to us to alleviate the painful impact of the crisis on rural areas. We have successfully reached a situation where the money can be used in a much more flexible way compared to the original proposal, within a suitably broad framework, to develop broadband Internet access in rural areas and to tackle the new challenges defined during the review of the common agricultural policy.

Member States' rural development plans must be reviewed as quickly as possible so that the amounts now specified can be made available as soon as possible. This is perhaps the most important aspect for the rural population as with the help of these developments, new jobs, new training courses and new markets may become accessible, resulting at the same time in a reduction in costs and the deployment of new innovative technologies.

The rural population are the most vulnerable victims of the economic crisis. In fact, looking at the future, it can be said that there is also the risk of further territorial and economic exclusion, extending beyond the economic crisis. Even before the crisis broke, a large number of Member States had to face continual decline in rural areas. Our responsibility is to devise and implement as soon as possible the necessary measures aimed at safeguarding our rural values.

Fellow Members, given that my party is not expected to do well enough in the elections for me to continue working for the next five years among you, I would therefore also like to thank you for the excellent cooperation which I have enjoyed in this House. As a young politician, I can only wish every young politician the chance to learn in such an excellent organisation how European politics works.

Lena Ek (ALDE). - (SV) Madam President, there are three crises in the world and in Europe right now: the financial crisis, the consequent job crisis and the climate crisis. Packages of measures should be directed at finding solutions to all three crises, but I find it difficult to see that this is the case with this package. Marilyn Monroe once said 'lead me not into temptation, I can find it myself'. This is how the governments of the Member States seem to have acted with regard to using the money that we have jointly been able to release for this economy package. It can be greatly criticised for dealing with the old type of energy and, in particular, in terms of the time factor. The measures contained in the package lie so far in the future that they are more likely to create jobs during the next recession than this one. Our intention was to try to get new technology and new ideas in place as well as measures for creating jobs *now* during this recession in Europe. We will therefore (hopefully, if we are re-elected) continue to monitor what the Commission promised via Commissioner Piebalgs, namely proper, reliable monitoring of the implementation and supervision.

Finally, Madam President, I would like to thank Commissioner Fischer Boel for the extremely constructive work that she has done and Commissioner Piebalgs, who has worked very closely with the Committee on Industry, Research and Energy and who has personally been extremely important as far as the energy package and the climate package are concerned and in terms of what we have achieved in this area over the last five years. I would like to thank the rapporteur, who has done a good job, and my fellow Members. Finally, I really think that we should discontinue the European Parliament's work in Strasbourg and meet in a single location in future.

Andrzej Tomasz Zapalowski (UEN). – (PL) Madam President, support for rural areas is a very important activity, irrespective of what form it takes. All the more so, when that support comes in the form of the introduction of new technologies on a massive scale to rural areas. However, the order of priorities raises doubts in my mind. What is more important at the moment for the development of urban areas — broadband Internet, further modernisation and development of the transport infrastructure, or measures connected with increasing jobs in rural areas, especially during the crisis?

For me it is obvious that the money needed for the introduction of broadband Internet and tackling climate change in rural areas will be provided mainly to the enterprises and firms which carry out this work, and not farmers or residents of rural areas. Perhaps this money should have been designated for reducing the

disproportion in subsidies for medium-sized farms, especially in the new Member States? The European Union is currently giving farmers broadband Internet at huge cost instead of meeting more important needs, such as bringing farms, and not farming concerns, to a higher level.

Konstantinos Droutsas (GUE/NGL). - (EL) Madam President, the aim of the EUR 5 billion economic recovery programme is to take advantage of the capitalist crisis and help capital to achieve its objectives by promoting capitalist restructurings in strategic sectors, such as energy and electronic communications.

Broadband internet and networks are necessary for the development of rural areas, but they are not a priority. When the income of owners of small and medium-sized farms is constantly shrinking and they face the threat of eviction from their land and unemployment, when the economy of entire areas is in crisis due to the CAP and the dictates of the WTO, it is not the development of networks that will contribute to rural development; it is a mockery at the expense of poor farmers. EUR 1.5 billion has basically been earmarked for the development of electronic communications companies, not for farming and rural development.

Exactly the same applies to the EUR 3.5 billion earmarked for the completion of an integrated electricity network and the completion of the single electricity market, facilitating the privatisations, mergers and takeovers promoted by the third liberalisation package and carbon capture and storage, that extortionately expensive and non-environmentally friendly plan designed to increase the profits of and allow continuing pollution by production units.

The workers and farmers understand that these measures are being taken in order to strengthen capital and the monopolies, which is why they are rejecting them and fighting them and demanding that grassroots changes be satisfied so that they do not become the beasts of burden of the crisis.

Helga Trüpel (Verts/ALE). - (DE) Madam President, ladies and gentlemen, it is true to say that the European Union is trying to make its own contribution in this major financial and economic crisis. It is also true to say that, with regard to promoting broadband in rural areas, it should be entitled to make a real contribution to ensuring that the digital segregation of society is overcome and that more people have the opportunity to take part in it and to strengthen internal cohesion in the European Union.

However, as a budgetary politician, I would like to point out that, although the announcement of such a programme will have public impact, it is not clear where the money will actually come from. It is, to some extent, dubious. I cannot endorse it, and if the Council takes such decisions, and if the Commission, through Mr Barroso, comes up with something like that, one must seriously ensure that it is clear where the money is coming from. That is the only really convincing form of politics that we can present to our citizens. At the moment the money is unfortunately not there. Member States must once again take a stand so that we can really make it clear that this is a contribution to a better structural policy and to more solidarity in Europe. Then we must make a joint contribution so that it can actually become a reality.

Andreas Mölzer (NI). - (DE) Madam President, although the European Union has introduced subsidies for rural development, at the same time the rural depopulation caused by the conditions imposed by Maastricht has encouraged unbridled enthusiasm for liberalisation and the accompanying dismantling of rural infrastructures.

Following the demise of Chrysler and the closing of police stations and schools, thanks to deregulation decreed by the EU the post offices will also soon be closing. The Commission is quite clearly planning to administer further euthanasia. Should the eligibility criteria of below average economic power and rural depopulation cease to apply from 2014 this could be the kiss of death for many disadvantaged areas. This, in my opinion, is an assault on all rural areas, which we should not let pass. We need equivalent living conditions in towns and cities and in the country. Otherwise not only individual areas but also entire valleys in Europe will soon be deserted.

Cutting subsidies is certainly the wrong approach if we wish to safeguard vital rural areas and lower middleclass structures. However, rural areas cannot be kept alive through agricultural subsidies alone. The demise of farming in recent years shows this more clearly than ever. Subsidies for disadvantaged areas must not be cut but increased. Small, medium-sized and organic farms must survive and food sovereignty should be maintained. If the EU cannot soon be dissuaded from promoting primarily intensive stock-rearing and large landowners – like the British Queen for example – then it is high time that agriculture was renationalised or, at the very least, partly renationalised.

Neil Parish (PPE-DE). - Madam President, can I thank the Commissioner very much for presenting this to us this morning, and thank Ms Stavreva very much for her report.

It is very important that we deal with this 'five billion' package. Can I say quite bluntly to the Commission that, when they embark upon a five billion package in future, they should probably get a little more agreement out of the Council before we get this far. I understand it is not always easy to get the Council to agree to the money but we do need to know whether this money is going to be forthcoming in the end. I suspect it probably will be and I think it can actually be put to very good use.

There is no doubt that agriculture is very important to the countryside but there are also many other businesses out there. Especially when it comes to smaller farms, you do need another income. Broadband in particular means that lots of small businesses can be developed in the rural areas. Once broadband is available, the connections can be very good in some of the most rural areas we have in the European Union. Broadband could also be essential to help businesses go forward in agriculture, tourism and all those businesses that are linked to the Internet.

At this time of a real recession in the European Union this is a stimulation package that – if we can get the money out to the right areas and if we can get it out in time – will make a real difference because we need to stimulate business. Agriculture is important but other businesses are also important to the rural area and this package can help.

So I wish the Commission well with the whole project. I hope that you get the money but – as I said – I think in future we probably need to go about it in a much more uniform way.

Catherine Guy-Quint (PSE). – (FR) Madam President, in November 2008, the Commission presented a recovery plan that was not up to the job, either in volume or in content. Six months on, it has to be acknowledged that the implementation of this recovery plan is almost non-existent, and I want to find out what is happening with these EUR 30 billion of recovery funds.

What has happened to the EUR 15 billion announced via new actions and entrusted to the EIB? How can one reconcile a announced stimulus of EUR 7 billion through the Structural Funds and the Cohesion Fund with an announced structural budget under-spend of EUR 10 billion in 2009?

Finally, as for the EUR 5 billion that we are discussing today, I would like to make four observations. Despite the pressure from the European Parliament, the Council of Finance Ministers was unable to release the EUR 5 billion for 2009, providing only EUR 2.6 billion.

We are by no means sure, therefore, that the Council will be able to find the EUR 2.4 billion missing for 2010. Parliament is ready to find any possible solutions through regulatory means. However, the other political priorities must not, under any circumstances, be called into question. That will not be permitted by Parliament. We cannot accept re-deployment; that is a red line that we will not cross.

It will be difficult to find these EUR 2.4 billion because, with the presentation of the Commission's PDB, we know that a maximum of EUR 1.7 billion will be available. Moreover, the Council still has to agree to release these margins. It is therefore important, in any case, that, in the name of short-term budgetary orthodoxy and of a legal approach to budget regulation, the many Member States no longer be able to stop this entire recovery plan.

A strong budget needs to be maintained for the future of the Union, and we can see – and this is my fourth observation – that the size of and the manner in which the latest financial perspectives were negotiated and accepted puts Europe's future at a great disadvantage.

Jan Mulder (ALDE). - (NL) Madam President, listening to this debate, I get the feeling that most of us are satisfied but, nonetheless, I am under the strong impression that this is a meagre package. I think the paramount concern here was saving the faces of President Barroso and the Commission. The measures put forward will undoubtedly be useful, but the funding still remains insecure.

Although the agricultural budget needs to take into account unforeseen situations, even in the case of a surplus, I have some objections to it perpetually being used as a cash cow to cover any unforeseen event. I am of the opinion that the Commission and the European Union have failed to learn much from the outbreaks of infectious animal diseases which have occurred in the past. If they were to occur again, we would have to finance them from the agricultural budget.

What I would like to know is: what are we giving priority to? Funding the measures proposed for combating animal diseases or funding this package, which still needs to be tidied up? There is a major uncertainty there that continues to remain, but I understand that income support will always be available, in any event, and that does put my mind at ease.

As far as the actual measures are concerned, they vary from Member State to Member State, but they are useful, without a doubt. I, too, am in favour of energy security and I think that anything we do in that respect will be useful.

In conclusion, I would like to congratulate the two commissioners on the work they have done and Mrs Fischer Boel, in particular, with whom I have enjoyed very close cooperation over the past five years.

Inese Vaidere (UEN). – (LV) Ladies and gentlemen, an initiative of EUR 5 billion in total is a good basis both for the further development of the European Union's common energy policy and for rural development in the long term. The reinforcement of internal networks is also important, as is the establishment of interconnections, forming single networks. In my view, greater emphasis should be placed on energy efficiency and diversification, by creating real incentives for the use of offshore wind energy, geothermal power and other renewable energy resources. The Member States' plans, including those of the large states, such as Germany, France and the United Kingdom, must be developed in accordance with the European Union's common energy policy. For those states particularly badly affected by the economic crisis, a cofinancing ceiling of 50% ought to be laid down. Genuine support must be given to local and regional initiatives aiming to introduce renewable energy and to encourage its use. With regard to rural development, more attention must be paid to the real situation than to historic indicators. There is talk not only of the introduction of broadband, but also, for instance, of the development of rural roads. Resources from the European Agricultural Fund for Rural Development ought to be made particularly accessible for the economically weaker Member States. Thank you.

Friedrich-Wilhelm Graefe zu Baringdorf (Verts/ALE). – (DE) Madam President, Commissioners, this Economic Recovery Plan is no masterpiece. Above all, there is not much left over for rural areas. It also entails a transfer of funds from the agricultural budget to rural development. Commissioner, it does not lead to independent rural development for rural areas but once again follows a balancing logic.

Above all, it is left to the discretion of the Member States to create compensation programmes. In Germany, this affects the milk fund. A loss of 15 cents per kilo of milk means a shortfall of EUR 4.2 billion for German milk farmers alone. Now, a compensation is to be created with EUR 100 million. Commissioner, let me be clear about this. This is just peanuts, not an economic recovery plan!

Maria Petre (PPE-DE). – (RO) I would first of all like to congratulate Mrs Stavreva for the quality of the report which she presented to us today.

I support the amendments proposed by the rapporteur, such as making available EUR 250 million for activities related to tackling the new challenges, even though, as the Commissioner herself said, we will need to revisit this. Given the need for a rapid response to the current economic crisis, it would be helpful, as we are all well aware, for payments to be provided which can be made already during the 2009 budget year. This approach actually reflects the conclusions reached by the Presidency of the European Council on 12 December 2008.

One significant aspect of the current economic crisis is the reduction in the general resources available and in loans, along with stricter conditions being imposed for obtaining credit from banks. As a result, I support the rapporteur's suggestion for Member States to have the opportunity to use funds made available through loans and credit guarantees, which would allow the relevant parties in rural areas to make investments during these difficult times.

Given how widely dispersed the population is and the high costs in some rural communities, not all citizens would have personal access to the broadband infrastructure. In my opinion, therefore, in addition to the infrastructure operations being proposed, Member States should have the opportunity to support public Internet access points in rural communities, such as those in public libraries and town halls.

Consequently, I agree on specific information being made available to the general public and the local authorities responsible for implementing these new measures. In order to ensure the most effective use of the resources available and to give a considerable boost to the development of broadband Internet access in

rural areas, I think that the current differences between Member States in terms of broadband coverage should be used as a guide for making differentiations when allocating these funds.

Jutta Haug (PSE). - (DE) Madam President, ladies and gentlemen, we are less than two hours away from the final decision on the European Economic Recovery Plan. It has taken us five months – needless to say because of sophistry in the Council – five months to come to a decision on the package now before us.

Had we taken the title of this package at all seriously, we would have had to be much quicker. The package in itself is fine; there is no question about that. However, I very much doubt whether it can really bring about Europe's economic recovery in the current crisis. Can the designated money flow into the designated projects within the designated time?

It is a good thing that the Members of the Committee on Industry, Research and Energy also had their doubts and negotiated a declaration from the Commission not to put leftovers into energy efficiency. There is a chance therefore that the EUR 2.6 billion to be decided on will be used reasonably. But will we also manage to agree on the EUR 2.4 billion deficit in the EUR 5 billion Recovery Plan with the Council in the autumn?

EUR 5 billion over two years are an expression of European solidarity. That is all well and good. However, more effective help for the entire European economy comes from a common regional and structural political framework: EUR 38 billion – this year alone! These resources are the driving force behind the European economy.

Roberts Zīle (UEN). – (LV) Madam President, Commissioners, the compromise on not giving this EUR 5 billion back to the donor states but using it for rural development projects in energy and broadband has the following important political message. It shows that even at a time of crisis European solidarity has not completely disappeared. I understand what a few of my fellow Members have said, about most of the money having simply gone back to those states and their energy projects, but I believe that in this proposal the solidarity principle is evident. I also think that the initiation of a long-term project in the energy sphere, like the connection of the Baltic States to the Nordic electricity networks, also sends the right signal, for it is rather up to the Member States themselves to resolve issues to overcome the short-term crisis, taking into account their specific situations. Another point on which we must, in my view, be very careful is that these short deadlines for the introduction of the project may lead to great bitterness if the projects contained in this proposal are not completed. On this point, we must all act jointly in a very responsible manner. Thank you.

Esther de Lange (PPE-DE). - (NL) Madam President, this is the third year of our financial perspectives and it is also the third year that we have gathered here to talk about their intermediate adjustment. In 2007 we had Galileo, which was fairly easy to explain. In 2008 we had the EUR 1 billion Food Facility, when we had to use every trick in the book to secure funding because it had to be funded within the limits of the existing categories even though there was little space left to accommodate it. Now we are talking about an economic stimulus package, which is certainly a welcome contribution to national efforts in this field and which will hopefully be a stimulus for energy and broadband projects in the northern part of my country.

However, once again, I feel obliged to express two reservations in this regard. I am glad to see that we are sticking to the rules and actually adjusting financial perspectives, but we have had to resort to jiggery-pokery again in order to make an appeal for the 2010, and possibly 2011, budgets. Naturally, it is good to know that this will not affect the codecision programmes, but what about agriculture, which we know still does not fall under codecision? What will happen, if, as has already been suggested, another animal disease breaks out or if we experience a serious market crisis and we still need this funding for agriculture? Can the Commission reassure us that it will not shirk these responsibilities?

My second reservation is that we have to be able to monitor the spending on which we, as a whole, decide. A fortnight ago, my delegation opposed the granting of discharge for the 2007 budget because of problems involving oversight and financial responsibility. What this package must not result in, in any case, is deterioration of responsibility and oversight. As the British would say, 'the proof of the pudding is in the eating', and I think that this plan will only be a success if we meet all the conditions.

I know that my speaking time is over, but I would like to take another three seconds to thank the Commissioner for spending many late evenings here with us, discussing things after debates on agriculture had finished. So thank you, Commissioner, for your accessibility and cooperation.

Costas Botopoulos (PSE). - (EL) Madam President, the report and the initiative in general which we are debating today is necessary, but I am afraid that it is of dubious efficacy. It is more of a shot in the arm than a therapy. Europe had to do something, because this is a serious crisis and it had to do something, but I think that this is not up to the challenge. Firstly, it is not much money for the crisis we are going through and there is no guarantee that it will reach those who need it most. Both energy and broadband Internet are important sectors, but we cannot be sure that they are the top priority sectors and, more importantly, the sectors that will generate the additional jobs and growth that we need.

Secondly, as all my fellow Members have said, we still do not know if, when and where a large part, almost half of the money, some 2.4 billion, will come from. The other day we were talking in the Committee on Budgets to Commissioner Kallas, who is unable at present to give us an answer as to where the appropriations will come from.

Thirdly and perhaps most importantly, we are providing solutions which will not help us to address the problems in the long term. It is no solution to keep taking the money left over from agricultural policy; it is no solution to shift the balances underground between agricultural and regional policy and the Union's other needs. Europe needs a global plan in the face of the crisis, which it does not appear to have at present. I am afraid that this opportunity has been lost for the European Union and I am afraid that it has been lost mainly by the Commission itself.

Salvador Garriga Polledo (PPE-DE). - (ES) Madam President, Commissioners, President-in-Office of the Council (wherever he may be, because he is not here), in this House words are important: calling EUR 5 billion a 'European economic recovery plan' is a flash of humour by the European Commission, but it has nothing to do with reality; it is a simple budget diversion, which is modest, of limited scope and with limited effects.

However, we should welcome it, not so much because of the funding allocation, but for what it means in political and budgetary terms: it means, firstly, an acknowledgement that the current financial framework that we adopted for the 2007-2013 period does not have appropriate instruments with which to tackle a situation of economic crisis. In order to find EUR 5 billion it has been necessary, as Reimer Böge said, to force a way through the budget procedures, to strain the interinstitutional agreement and for the three institutions to work for six months; and all this, as has been said many times, in order to leave half the funding subject to the hazard of another conciliation procedure.

It is also a strange way of protecting Community agriculture. Let us make no mistake: what it comes down to is that extra money from the common agricultural policy is funding the inadequate allocations of other categories of expenditure. This is a direct consequence of the mistakes made in negotiating the financial framework. We will see what the results are when we have to negotiate the next agricultural agreement in 2013.

I therefore welcome this package's aims, but I hope that we will not in the future be forced to repent the means that we have used.

Glenis Willmott (PSE). - Mr President, our citizens expect us to provide real help for them in these troubled times. The European economic recovery measures before us constitute an important package, and I applaud the strong emphasis on green jobs and technologies that will help reduce our carbon emissions and promote energy security.

I am also, naturally, very pleased that my own country will be receiving up to EUR 500 million of financing to promote offshore wind energy and carbon capture and storage projects. However, it is clear that the overall package proposed is lacking in both size and ambition. I would like to see more emphasis placed on youth unemployment. We need to give the younger generation hope for the future. Nevertheless, what we have here on the table today is, without doubt, better than doing nothing at all. Labour MEPs will therefore support these measures, although we are clear that a new economic recovery plan is needed.

I hope the Conservative MEPs present will also vote to support these measures in defiance of the 'do nothing' approach of their isolationist leader, David Cameron, who has consistently opposed Labour measures in the UK, which offer real help to those worst hit.

Oldřich Vlasák (PPE-DE). - (CS) Madam President, ladies and gentlemen, European countries are adopting bailout packages worth billions to save their financial institutions and industrial sectors. The European Union as a whole is also seeking to invest in the European economy. The debated proposal to support economic recovery through Community financial assistance for projects in the energy sector is part of a European

economic recovery plan which envisages allocating an overall sum of EUR 30 billion. This EUR 5 billion plan for public investments is aimed primarily at energy infrastructure, high-speed Internet access, and agricultural restructuring. It should be understood that European diplomats spent several weeks debating the specific shape of the package. The presidency, led by the Czech Republic and the Commission, has made a responsible attempt through this package to respond – among other tasks – to the gas crisis, and in so doing to defuse some sensitive issues, particularly in Central and Eastern Europe. The fact is that some of the issues remain unresolved. Some Member States that are slower in drawing down EU funds may pay the price of failing to prepare all of their projects by next year. Doubts also persist as regards financing the package. However, in my opinion, these facts do not justify us rejecting this hard-won compromise. Rejection may eventually cause not only a shortage of money for energy-saving projects, but also a lack of funds to ensure reliable supplies of gas to our homes. And voters would surely count that against us come the next gas crisis.

Margaritis Schinas (PPE-DE). - (EL) Madam President, today's debate is defined by two important parameters. Firstly, by the incontrovertible need for us to do more in Europe for electricity interconnection and broadband Internet. Secondly, today's debate indirectly raises the very important question of the present and the future of agricultural spending under the Community budget.

The positive message, of course, is that Europe is using the Community budget as a tool against the crisis. That is positive and we must hold on to it. The five billion is not much, but our systemic method of using the Community budget as a tool to fight new problems is the right method and that was precisely why the Heads of State and Government approved it at the recent summit, where they upheld this approach. However, we must be careful. If this systemic method leads us to the simplistic deductive reasoning that agriculture will always have unused appropriations to pay for new requirements and from that we conclude, in the run-up to the important debates on the future of agriculture after 2013, that agriculture already has more than it needs, that would be a huge strategic mistake for Europe. In other words, we should not consider that we need to go 'lower' in agriculture, because the budget proved that, up to 2013, we always had money, which we took from for Galileo, for energy and for broadband Internet.

Farming needs resources and it will still need resources after 2013. At the same time, we must clarify something in the European Union which is self-evident: new priorities will always need new resources.

Lutz Goepel (PPE-DE). – (DE) Madam President, Mr Graefe zu Baringdorf, the 'peanuts' have meant that, in my small village of 450 inhabitants, it has been full steam ahead with work on bridging the broadband gap. I believe that, in three to four months' time at the latest, we will have it.

Mrs Stavreva, thank you very much for your report. It is very good.

Ladies and gentlemen, I have been able to work in this lofty Chamber on the development of agriculture for 15 years, helping to shape it, irrespective of farm size and legal form. The time has now come for me to do something else. I would like to thank all my fellow Members, officials, Mr Piebalgs and, in particular, you, Mrs Fischer Boel.

Atanas Paparizov (PSE). – (BG) I would first of all like to thank the rapporteur, Mr Maldeikis, and emphasise the importance of the projects linked to energy security. They will create proper conditions for greater solidarity between Member States through the diversification of gas supply sources and the actual suppliers.

I would like to mention that after the negotiations, my country, which was hardest hit by the energy crisis at the start of the year, received some resources and connections were established with the systems in Greece and Turkey. The resources earmarked for Nabucco and the reverse supply of gas will also contribute to security in south-eastern Europe.

I think that these measures from the Commission and these proposals are just the start of devising an energy security policy. I am expecting a strategy for improving the gas supply directive, as well as a draft common energy policy to be proposed in the very near future.

Margarita Starkevičiūtė (ALDE). – (LT) I would like to talk about the macroeconomic impact of this package. We often say that we need to solve the banking problems and give the banks more liquidity, more funds. This package is important because it boosts our common market's liquidity. As capital circulates among countries because of the crisis – a natural process in economic development – in many countries companies have ceased operating because of a shortage of funds.

Such a package is needed not as some sort of subsidy or aid. It is needed to sustain our united European market, our integration, which we have built up over many years.

Paul Rübzig (PPE-DE). – (DE) Madam President, ladies and gentlemen, first I would like to thank Commissioner Fischer Boel and Commissioner Piebalgs. This is a good sign: agriculture and energy side by side, working together. The same is true of Mr Schierhuber and Mr Karas, Members of Parliament, who are putting themselves on the line, so to speak, for small and medium-sized farms. This is a good sign. This debate about the EUR 5 billion shows that we have the right agenda and that we have to strengthen purchasing power in rural areas. In a time of economic and financial crisis in particular, our challenge is, as a matter of priority, not to send the money we need for energy to the Russia oligarchies and oil magnates, but to keep it in Europe and strengthen rural areas here.

I should like to express my congratulations on this initiative and am particularly pleased that we can adopt it today.

Silvia-Adriana Țicău (PSE). – (RO) I too would like to congratulate our rapporteurs. This document is important as the interconnection of the energy infrastructure must be a priority.

However, I think that more must be invested in modernising the infrastructure for producing and transporting electrical energy. I say this, bearing in mind the power outage a few years ago, which affected many European states. I do think, however, that the Nabucco project must be allocated a larger amount of money. It is good, nevertheless, that the importance of this project is being recognised once again through this document.

With regard to energy efficiency in buildings, compared to the communication from the Commission in October in which EUR 5 billion was earmarked for this area, we do not find anything about resources in this document. We have this provision linked to intelligent cities, but the resources will only be able to be used if there are unspent resources left over. I think that this situation is unacceptable because jobs need to be created and this sector has huge potential.

Andris Piebalgs, Member of the Commission. – Madam President, I see broad support for our proposal and I think it is very important to remember where we were at the beginning of this Parliament.

We have more or less 27 national energy policies and 27 markets with different states of liberalisation. Cooperation between Member States on energy issues has been rather complicated. We provided for the very important common drivers, namely the energy and climate change package and strengthening the European dimension of the European internal energy market. But the issue of where the money comes from was always there and until now we really have not dedicated substantial sums of money to energy. Due to the financial crisis we are clearly facing delays in a lot of energy- and capital-intensive projects. Additionally, the gas crisis at the beginning of the year again reminded us how vulnerable Europe is with regard to its energy supplies and how badly we are interconnected, making it hard to use the scale and scope of the European Union. The lion's share of this package actually goes to this much needed interconnection.

Mr Paparizov mentioned Bulgaria. If Bulgaria were to have three additional interconnections there would be less suffering in Bulgaria, and it does not cost a lot of money. The question is why it was not developed. There are many factors. Interconnection is not just developed by one Member State: you need at least two for this. You also need companies to deal with this. This package also actually provides for political drivers. The Baltic States talked a lot about cooperation and interconnections with the Nordic market but, until the formulation of this package, we had somehow stopped short of real development on Baltic interconnection. A recent meeting of Baltic prime ministers and the decisions taken there are so vitally important that the Baltic countries will no longer be an energy island.

I believe the package provides exactly what the Parliament is looking for to achieve three goals: security of supply, sustainability and EU competitiveness. So I would ask the Members of this House to support this proposal, because it really is a significant change in European energy policy.

Mariann Fischer Boel, Member of the Commission. – Madam President, I have listened carefully to the many positive, constructive remarks in the discussion here today.

First of all, as some of you have said, we have to make it very clear that we will not be facing a situation where there will be absolutely no margin in the agricultural budget. We have a surplus because we have not had extraordinary expenditures – we have had very low costs on intervention and a very low cost on export refunds – and therefore we can manage this specific situation. But we are not leaving ourselves in a situation where there is no margin in the budget, because of the reasons mentioned by Mr Mulder. If we run into a situation with an animal disease, I can give a guarantee here today that we will not face a situation where there will be no money or insufficient money to solve these situations.

It is also important to underline the solidarity in the distribution of the money. When you look at rural development, it is obvious that it has been redistributed in accordance with the money available in the rural development budget for the various Member States, which de facto gives an advantage to the new Member States.

It is also important to see this injection of money as a one-off. In rural development it is simply going to cover the gap that we have in 2009 because the Health Check only enters into force on 1 January 2010 and therefore we found ourselves in a situation where we had no money to meet the new challenges. Those challenges are quite in line with my dear colleague Mr Piebalgs's ideas on renewable energy in the rural areas, using new technologies, using waste from the agricultural sector to contribute to the reduction in greenhouse gas emissions, climate change, water, biodiversity and the challenges that we are now facing in the dairy sector in Europe.

Finally, I completely agree that broadband is an advantage, not only for the agricultural sector but also for everybody. However, it is very important that we secure a link to the broadband network in rural areas to encourage small and medium-sized companies and to make it easier for people to move out and still use their computers, maybe one or two days a week, to take care of a job that might be in the city. So broadband is one of the issues for the future.

In general, and in conclusion, I think there has been broad support and I hope that the investment we are going to make in this one-off payment will prove to be well spent.

Petya Stavreva, rapporteur. – (BG) I would like to thank you for your positive attitude, as well as for the recommendations and views which you expressed. I also wish to thank Commissioner Boel for her positive approach and for the support which she continues to give farmers and rural inhabitants. I wish to extend special thanks to the chairman of the Committee on Agriculture and Rural Development, Mr Parish, and our coordinator, Mr Goepel, for their support and confidence.

Today when we are discussing the future of the common agricultural policy and the opportunity for adequate support, it is very important for us to say that hundreds of millions of European citizens live in the rural areas which cover a large percentage of the Community's territory. They need support through our solidarity.

I am very pleased that all the reports which we have been discussing over recent months here in the European Parliament in Strasbourg with the common agricultural policy as their main subject are all drafted in the same spirit and have the same general thrust: that we must take into account and recognise the needs of and opportunities for farmers and rural inhabitants from all Member States.

As a representative of Bulgaria, one of the last Member States to join, I feel it is paramount for European institutions, and in particular the European Parliament, to send the Community's inhabitants today a clear message of support to show that we are there to help in the difficult times of an economic crisis. It is important on the eve of the European elections for European institutions to show that they are close to the people and that they want to help them during the difficult times which we are currently going through.

Eugenijus Maldeikis, rapporteur. – (LT) I would like to thank all my colleagues for their support. This debate has revealed that the package is of huge importance and we simply cannot forget how complicated it was for the Commission to prepare it and to ensure that this agreement is adopted. I think we must value the fact that, within a very short space of time, Member States were able to come to an agreement, and this document is in Parliament and will be put to the vote.

It was very difficult, I think, to strike a geographic balance for the funding of these projects and assess recovery measures (by which I mean how much they will impact on macroeconomic processes and individual sectors), and to use various energy subsector projects for funding. Thus I believe that the composition, which we now have, must provide a result, and today I was very glad to hear Commissioner Piebalgs mention that calls for tender should be announced before the end of May. This demonstrates that we are reacting in a sufficiently strategic manner, knowing the sensitivity of this whole question.

I think that this package is also very important in the sense that investment processes in the European Union are slowing significantly in the face of the economic crisis, and this package will be a very good impetus and signal both to Member States and energy companies to continue their investment activities, so that our strategic energy goals within the European Union can be achieved.

Once again I thank everyone for their support and I urge you to vote and support this package.

President. – The joint debate is closed.

The vote will take place today.

Friedrich-Wilhelm Graefe zu Baringdorf (Verts/ALE). – (DE) Madam President, you overlooked me during the catch-the-eye procedure. That is, of course, your prerogative, but now I would like to make a personal statement according to the rules of procedure.

President. – It is not possible, Mr Graefe zu Baringdorf, the debate is closed. You know very well that there are five minutes available under the catchtheeye procedure and that Members who have not spoken in the debate have priority. I therefore cannot allow you to speak now, the debate is closed. I am sorry.

Written statements (Rule 142)

Adam Gierek (PSE), in writing. – (PL) The regulation establishes a programme of aid for the EU economy during the crisis. Allocating this aid to energy projects will lead to economic recovery, increased security of energy supplies and a reduction in emissions of greenhouse gases. At least, it is assumed this will happen.

A sum of EUR 3.5 billion has been allocated for this.

Will this programme contribute to overcome the crisis? I doubt it. Not many jobs will be created immediately with that money. Time is needed to prepare each of the projects, so they will improve the economic situation only after a delay. The projects differ in their importance. The most important are the ones which concern energy connections between networks. This will strengthen cohesion within the EU.

In my opinion however, the projects should include energy connections between Poland and Germany.

In the area of carbon capture-and-storage technology the eligibility criteria are too high, and there is an assumption that this technology has already been developed on that kind of scale, although, in fact, it has not.

The nonchalant manner in which the Commission squanders the Community's money is puzzling, and I think it is the result both of poor discernment and of the doctrine behind their approach. Surely money thrown down the drain, I mean money thrown into CCS installations, would have done more to tackle the crisis if it had been used for the large-scale renovation and insulation of buildings, or for the construction of hundreds of biogas stations. The environment would also have benefited.

Zbigniew Krzysztof Kuźmiuk (UEN), in writing. – (PL) In the debate on the report on budgetary discipline and sound financial management as regards the multiannual financial framework (2007–2013) I would like to draw attention to three matters.

1. We should support the allocation of EUR 5 billion to financing energy projects in 2009 and 2010 and to financing development of the Internet infrastructure in rural areas. We should allocate EUR 3.5 billion to the energy network and EUR 1.5 billion to the Internet infrastructure in rural areas.

2. Having given my support, I would like to express my concern that the source of this additional money is found in heading 2, so this means the common agricultural policy, where the annual ceilings foreseen for the financial perspective for 2007 to 2013 will be reduced by EUR 3.5 billion in 2009 and EUR 2.5 billion in 2010. This is particularly disturbing, when the food security of the European Union is under threat.

3. I must also express my concern at the fact that this kind of fundamental change in the financial perspective for 2007 to 2013 is being made two months before the end of the current parliamentary term, in great haste, and without any chance of objective debate on the subject.

James Nicholson (PPE-DE), in writing. – As part of the European Economic Recovery Plan, an extra €1 billion has been earmarked for the development of broadband internet infrastructure in rural areas via the European Agricultural Fund for Rural Development.

As someone who focuses on agricultural and rural issues, I heartily welcome this initiative. In many Member States including my own, farmers and rural dwellers do not enjoy the same levels of broadband access, putting them at a distinct disadvantage in comparison with people who live in cities and towns.

We should remember that this initiative is part of a package which aims to stimulate failing European economies. In this context, I am hopeful that improved broadband access will help stimulate small and medium-sized enterprises in rural areas.

Sirpa Pietikäinen (PPE-DE), in writing. – (FI) It is excellent that the five billion package promised by the Commission when the economic crisis first began has at last been approved. The cash was badly needed, and I think that the Commission's chosen priorities of energy and rural support, which means in particular the development of broadband networks, are worthwhile. The 100 million granted for the Estlink 2 submarine cable project will have a special impact on Finland. It is excellent that the Estlink project should have remained on the list, its sum unchanged, right from the time the Commission first put forward its proposal.

The priorities for the energy recovery package, however, are really very irritating – the fact that the Commission's original idea purely and simply to support power lines, carbon capture and storage (CCS), and offshore wind projects has not changed along the way. Power lines and offshore wind did, of course, deserve the additional cash. The unreasonable emphasis on carbon capture and storage, however, is incomprehensible, especially as this is likely to receive considerable funding from revenue from emissions trading.

Other renewable energy projects should also definitely have had an equal chance to apply for the extra recovery funds, apart from those relating to wind power. Instead of investing in CCS technology, which is an uncertain venture, the emphasis ought to be on renewable energy sources. The various solar energy projects, in particular, would have deserved to receive financing.

There was a statement that came with the package that suggested that unused funds might be channelled into projects to promote energy efficiency and renewable energy sources. In the Commission's original plans, funds would have been earmarked for energy efficiency, rather than using any of the crumbs that might have been left over for this. It is also very unfortunate that the component originally planned for 'smart cities' was, in the end, excluded from the recovery package.

Czesław Adam Siekierski (PPE-DE), in writing. – (PL) Madam President, the European Economic Recovery Package, also known as the 5 billion package, is connected with the development of rural areas in the EU. We will allocate an additional sum of over EUR 1 billion to improving Internet access in rural areas and to the new challenges which are specified in the review of the common agricultural policy. It is a pity that the money available has been somewhat reduced, but now the most important thing is to complete the entire legislative process as quickly as possible. This action will enable us to reduce the disproportion which exists between rural and urban areas in the development of broadband Internet infrastructure and of services related to new technologies. The Internet is not only a special kind of window on the world, and a tool for exchanging views and gaining knowledge, but it is also a means for facilitating many administrative matters.

By accepting this package the EU will send a positive signal to our rural society. Farming plays an important role in rural areas, but many kinds of small enterprises are also found in rural areas, such as shops, workshops and warehouses. I believe that development of the Internet will contribute to the development of education and of small enterprises, including tourist services, in these areas. It may also help to gain additional income, especially in small, family holdings.

Vladimir Urutchev (PPE-DE), in writing. – (BG) Ladies and gentlemen, the timing of the European programme for supporting economic recovery, including the investment of almost EUR 4 billion in energy projects, is ideal and it will have at least a two-fold positive effect: boosting the recovery of important sectors in the economy and resolving the substantial energy problems.

The recent gas crisis showed in no uncertain terms that the security of energy supplies is directly dependent on the interconnection of the energy infrastructure between Member States, without which assistance cannot be provided to the countries affected. Without establishing good connections between the systems in the relevant countries, it is not possible either to create a unified energy market or to apply the principle of solidarity in the EU.

The economic crisis demands quick solutions. This is why I support the programme being proposed, while being clearly aware that the way in which projects are selected and resources are distributed is not the fairest.

I would like to highlight support for the Nabucco gas pipeline separately, because it is high time for the EU to put more effort into this project if we do not want to miss out on the opportunities to use gas from the

Caspian Sea to diversify our sources. I urge the Commission to take much more active intervention so as to achieve real results and progress on Nabucco as soon as possible.

Thank you for your attention.

3. Credit requirements directives: Directives 2006/48/EC and 2006/49/EC - Community programme for financial services, financial reporting and auditing

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

- the report (A6-0139/2009) by Mr Karas, on behalf of the Committee on Economic and Monetary Affairs, on the proposal for a directive of the European Parliament and of the Council amending Directives 2006/48/EC and 2006/49/EC as regards banks affiliated to central institutions, certain own funds items, large exposures, supervisory arrangements, and crisis management (COM(2008)0602 – C6-0339/2008 – 2008/0191(COD)), and

- the report (A6-0246/2009) by Mr Hoppenstedt, on behalf of the Committee on Economic and Monetary Affairs, on the proposal for a decision of the European Parliament and of the Council establishing a Community programme to support specific activities in the field of financial services, financial reporting and auditing (COM(2009)0014 – C6-0031/2009 – 2009/0001(COD)).

Othmar Karas, rapporteur. – (DE) Madam President, Commissioner, ladies and gentlemen, today I have the opportunity to present to you not only the findings of the Committee on Economic and Monetary Affairs but also the results of long negotiations with the Council and the Commission. Last week we reached agreement in a trialogue on a common approach to developing a new framework for the financial markets.

I tell you, I ask you, to look on these proposals, which we are debating today, as a complete package. Some of us wanted more, some of us wanted less, in this Parliament, in the Council and in the Commission. I can tell you that we did not agree on the smallest common denominator but attempted to agree on more than the biggest common denominator.

We have proposed a line for the next steps, because this can only be a first step. We have not come up with an answer to the economic and financial crisis. But we are ready to take a new step, to achieve a breakthrough in the development of a new framework for the financial markets, which will lead to the simplification of financial market regulation and to Europeanisation, which will create certainty on the financial markets and stability for all market participants, which represents a development of the financial markets, is a reaction to the financial crisis and safeguards the decentralised sector.

I would like to thank Mrs Berès, Mrs Bowles and my fellow Members in the other groups for their support and, especially, the Secretariat and all staff members.

This proposal leads to more transparency, more legal certainty and more stability and therefore creates more trust in a time characterised by a lack of trust. It is not the only body of laws we are proposing. In the last plenary sitting we decided to regulate the rating agencies, we adopted the new supervisory structures for the insurance industry, and the Commission presented a new proposal for hedge funds. It is an additional package, with which we are pointing the way.

There are five points. The first is financial market supervision, where, as a first step, we have strengthened the role of CEPS and that of the European Central Bank. We have also enhanced the balance between home and host regulators. The second step is that we must now achieve stronger integration of financial market supervision. All the requirements are contained in this report, because we need an integrated supervision structure to enable us to overcome the new challenges.

The second area is securitisation, the granting of loans. For the first time we are introducing the rule that a loan can only be granted if the lender holds a retention for securitisation in its books. We have provided for a retention of at least 5%, but we have commissioned CEPS to look into whether an increase is reasonable and to publish its findings in a Commission review before the end of the year, taking international developments into consideration. This is an important signal to the markets: without a retention there is nothing. The retention leads to transparency and also to better control.

Thirdly, we have regulated large exposures in terms of the own funds/risk ratio. No large exposure may account for more than 25% of a bank's own funds. And, when banks lend to each other, the sum of EUR 150 million must not be exceeded.

The fourth point is that we are working to improve the quality of own funds and hybrid capital. However, we are taking into account existing statutory regulations in the Member States, because we do not wish to have procyclical effects during the economic and financial crisis. That we have created a correct, professional transitional regulation is an important point, especially for cooperatives, savings banks and silent capital contributions in Germany. Nonetheless, there is still a lot to do.

I would like to single out pro-cyclicality as the fifth point.

This reports states that the Commission must clearly identify the pro-cyclical effects of the existing directives very quickly and that we must see that the necessary change is made before the autumn.

I call on you to accept this report and the proposal for agreement with the trilogue so that we, as the European Union and as the European Parliament, can maintain our leading role in the reform of the financial markets. It is also important that we implement all the requirements for future development so that can open the door to an improved, more stable and more trustful financial market and once again assume a leading role at the next G20 Summit. I ask for your support in this.

IN THE CHAIR: MR MAURO

Vice-President

Karsten Friedrich Hoppenstedt, rapporteur. – (DE) Mr President, Commissioner, ladies and gentlemen, the lack of financial oversight operating uniformly throughout Europe and the failure of the system at international and European level are some of the reasons for the current financial and economic crisis. We must therefore ensure that information is integrated in the system in a coordinated manner and that the individual organisations exchange information so as to prevent another crisis.

The good public oversight operating in some Member States must be optimised for all 27 Member States to ensure the good transfer of information. This needs financial resources. We must resolve the crisis now and provide the resources now. This is exactly what the Community programme to support specific activities in the field of financial services, financial reporting and auditing achieves.

I welcome the fact that the Commission has responded to Parliament's call for action and is proposing to provide financial support for the Community in the financial services sector and in the financial reporting and auditing areas as well as for the activities of certain European and international institutions in order to ensure that Community policies in this area are effective. A new Community programme will be brought out to enable direct contributions to be made to finance these individual institutions from the Community budget.

Cofinancing of this kind for the committees and the supervisory authorities can to a large degree help to ensure that they fulfil their mandates independently and efficiently. The programme must be flexibly designed and adequately funded to ensure that the requirements of at least the level 3 committees, including CESR, CEIOPS and CEBS, are covered. The Commission proposal was 40% below what the level 3 committees considered necessary for the next four years. There was little appetite in the Council for substantially increasing the budget even though it was clear that considerable improvement of financial market supervision was called for.

At the end of the negotiations we had agreed on a figure of approximately EUR 40 million over the four years: EUR 500 000 for the level 3 committees for 2009 and a further EUR 38.7 million from 2010 to 2013, 13.5 million of which are earmarked for these committees. As regards the financial reporting and auditing committees, the original Commission proposal for reform of this organisation was too weak. This means, therefore, that we, as Parliament, have been able to make improvements and, following the trialogue negotiations, we have achieved an acceptable result as far as the individual financial reference amounts and financing periods are concerned. The latest findings of the Larosière Group and of the report indicate that there are good reasons why the Commission should present to Parliament and the Council no later than 1 July 2010 a report and the necessary legislative proposals for further reform of the regulation and oversight of the European financial markets to adapt this programme to the changes made.

Against the backdrop of the current financial crisis it would seem essential to give top priority to expanding convergence on oversight and cooperating in the area of financial services in connection with financial reporting and auditing.

In the plenary session on Solvency II 14 days ago I said that it was important that Europe sent clear signals that were heeded in the rest of the world. I believe that we have sent clear signals in recent weeks, including with the report by Mr Karas on the rating agencies, that we can be taken seriously by our international partners and that we are not just passengers, as we have been over the last few decades. This is a good signal.

I would like to thank my shadow rapporteurs, Mrs Bowles and Mrs Berès. As this is my last speech in this Parliament, I would also like to thank the Commission, my fellow Members and the Council for their cooperation. It has been a pleasure to work with you all. Let me give you an example of a pleasing result of this cooperation. The Czech Presidency of the Council decided 30 minutes ago to accept the outcome negotiated in the trialogue negotiations. We have a proposal that we can adopt today and I am certain that the large Groups in this Parliament will also vote in favour of these proposals.

Many thanks once again for your cooperation.

Charlie McCreevy, *Member of the Commission*. – Mr President, two weeks after our last debate on measures against the financial crisis, I welcome this opportunity to discuss with you further actions which were jointly taken to face this challenge.

Today I am particularly pleased to welcome the prospect of a first-reading agreement on two key measures: the Community programme to support specific activities in the field of financial services, financial reporting and auditing, and the review of the Capital Requirements Directive (CRD). They would both make an important contribution, not only to the recovery efforts, but crucially to the long-term effectiveness of financial supervision and the strength of the EU financial sector.

Firstly I would like to welcome Parliament's amendments to the proposal for a Community programme to support specific activities in the field of financial services, financial reporting and auditing. The financial crisis has demonstrated the need to further strengthen EU supervisory arrangements. It has also reminded us of the importance of transparency and independence for bodies active in the field of financial reporting and auditing standards.

For the Commission, an essential move to achieve those aims is to reinforce the role of the key bodies in these fields, but at European and at international level. This is why the Commission proposed to provide them with financial support.

We believe there is a consensus that these bodies all need stable, diversified and adequate funding. When adopted, the programme will enable them to accomplish their mission in a more independent and more efficient manner. For the three committees of supervisors, the programme will be a first step in the strengthening of their capabilities in line with the recommendations set out in the de Larosière report.

It would give them the opportunity to develop projects which will enhance the convergence of supervision in Europe and the cooperation between national supervisors. In particular, exchange of information will be made easier by the setting-up of new IT tools. Common training for national supervisors will enable the emergence of a common supervisory culture.

The programme will also prepare the ground for the next steps of supervisory reforms, which the Commission will be dealing with in the coming weeks. We also need to ensure high quality for finance reporting and auditing rules, which are harmonised at international level. We need to make sure that there is a level playing field for European users and these rules are being developed by the standard-setters.

This is an important condition for creating a favourable business environment for firms, even more so in the current economic context. By avoiding the reliance of the International Accounting Standards Committee Foundation, the European Financial Reporting Advisory Group and the international Public Oversight Board on voluntary funding from non-diversified potentially interested parties, we can improve the quality and credibility of the standard-setting process.

By strengthening the European Financial Reporting Advisory Group we will provide stronger advice for the European Union when international financial reporting standards are being developed by the International Accounting Standards Board. By helping the international Public Oversight Board to increase its oversight

capacities, we aim to ensure that the international auditing standards will fit the EU's requirements for quality when applying them.

The proposed amendments make adjustments to the Commission's proposal on the way the envelope should be redistributed between beneficiaries. We are not fully satisfied with this. In particular we would have preferred that no amounts be redistributed from the European Financial Reporting Advisory Group (EFRAG) to the EU Committees of Supervisors.

EFRAG is a European body. It is an essential element of the EU's influence in the standard-setting process of the International Accounting Standards Committee Foundation. Distributing amounts under the envelope from EFRAG to other European bodies does not send the right signal. However, we recognise that only a very limited amount will be redistributed from EFRAG to the EU Committees of Supervisors.

We also believe we can still achieve most of the objectives we are aiming at under the programme and for these reasons we can support the amendments. As Mr Hoppenstedt said, I am pleased to take this opportunity to announce that Coreper has adopted proposed amendments this morning and this means both the Council and the Commission can now support the Parliament proposal.

Moving to the review of the CRD, I am pleased to express the Commission's general support for Parliament's amendments. General support, but not full support, as the Commission still harbours some concerns on securitisation.

The proposal adopted by the Commission last October is the outcome of extensive consultation, a process that started before the financial crisis. In many aspects this review of the CRD has turned out to be a timely and robust first response to the crisis.

The European Parliament has commendably responded with a sense of urgency to adopt this proposal at first reading. As a result, we now have tighter liquidity risk management principles, strong rules on risk diversification, strengthened supervision, a better capital base, and skin in the game, coupled with due diligence requirements for securitisation. By any measure this is significant headway.

On the now famous 5% retention for securitisation, I am pleased to see that Parliament has resisted the call from industry to do away with what they had only last year characterised as complete nonsense. I would like to say that the retention rule has emerged as something that is not nonsense but plain common sense. It is now recognised by the G20 as a key measure to strengthen the financial system. Looking forward, the Commission will, without a shadow of a doubt, support any further efforts making the text even more watertight.

The Commission has been at the forefront of the global initiatives to tackle the crisis. The Basel Committee on Banking Supervision will follow suit. I therefore very much welcome the clause providing for a review by the end of 2009 suggested by the European Parliament. The Committee will consider the need for an increase of the retention requirement, taking into account international developments.

I am also pleased to see that Parliament has resisted the calls from industry for less stringent rules on interbank risks. Let us just remind ourselves that banks are not risk free. This is a crucial lesson of the financial crisis. Adequate diversification and collateral are critical to ensuring financial stability.

On own funds I understand the reluctance of some Members that Parliament could consider the downgrading of certain national instruments that do not meet the eligibility criteria for Core Tier 1. Let me be more precise. I understand this reluctance, but only for the current economic context. Much recovery is on track. The Commission is strongly committed to further enhancing the quality of own funds, as agreed at the G20 Summit.

As regards securitisation, the Commission still considers that in some aspects there would have been merit in further clarifying and specifying the way the 5% retention will be calculated. I understand that the European Parliament has worked under time pressure and I am pleased that the Commission has been given a second chance to tighten up the text in a report due by the end of 2009.

The two reports on which you will vote today demonstrate that, when MEPs, Ministers of Finance and Commissioners think ahead of the curve and provide political leadership, a speedy and effective response to the challenges we face is possible. Both measures discussed today will significantly contribute to paving the way for the revision of the EU financial and supervisory framework.

In addition to these measures, last Wednesday we presented a package of crucial initiatives to respond to the financial crisis, on alternative investment funds, on remuneration structures and on packaged retail investment products.

Last but not least, in three weeks' time a Commission communication will set out its views on follow-up actions to the recommendations of the de Larosière report on financial supervision. Upon endorsement by the June European Council, further legislative proposals will be presented in the autumn.

Gary Titley, *rapporteur for the opinion of the Committee on Budgets*. – Mr President, I rise on Mr Hoppenstedt's report to give the Budget Committee's opinion. Like Mr Hoppenstedt, this will be my last speech before this Chamber after 20 years.

The Budget Committee recognises the importance of these proposals and their urgency. It is quite clear that some key EU policies will be undermined without proper financing and therefore we are happy to support the proposal. However, we would point out that this money is coming from the margin of heading 1a, so that will reduce the margin and therefore reduce the availability of funding for other projects which may be important in the future. We should bear that in mind.

Secondly, we should also ensure that these organisations do not in any way become agencies because, if they did, they would of course be subject to the interinstitutional agreement on agencies.

Finally, we would not want the Budget Committee's position to be in any way undermined by the rush for these proposals. That is why the Budget Committee was happy to support Mr McCreevy's proposal on Monday night about interim funding, so that we can ensure that proper financial procedures and a proper dialogue takes place on the financial implication of these proposals.

President. – Thank you, Mr Titley, for the 20 years you have dedicated to the European cause.

John Purvis, *on behalf of the PPE-DE Group*. – Mr President, we seem to be a succession of old hands rising to speak, but would that I were not making my last speech in the European Parliament in the worst economic situation of my lifetime – and that is a lifetime that started in the blighted 1930s – and would that I were not also having to speak in a debate on a piece of European legislation which is not, I am afraid, wholly satisfactory: the Capital Requirements Directive.

I and my group will support the compromise reached by rapporteur Karas with great skill and patience under heavy time pressure and in the current feverish economic circumstances. But I hope my colleagues who return here after the election will revert to the full codecision process, which can really fully test and refine our legislation. I fear that much of this over-hasty legislation will reveal unintended and untoward consequences. For example, I fear that the rules on large exposures, extolled by Commissioner McCreevy and prompted by genuine concerns about counterparty risk, will make it that much more difficult to reactivate the interbank money market to its full and desirable extent. I fear that the new retention rule, also extolled by Commissioner McCreevy, will, in fact, impede the revival of securitisation, which is an essential and predominantly beneficial mechanism for funding mortgages, car loans and consumer spending.

All the government-induced stimuli which one might contemplate cannot compensate for a moribund securitisation market. So I just hope that, when the time comes to review this directive, the necessary impact assessments will have been made, that wise counsels will have been consulted, that the global context will have been properly and fully considered and that fully appropriate rules are ultimately implemented.

Pervenche Berès, *on behalf of the PSE Group*. – (FR) Commissioner, I deplore the absence of the Council Presidency. Mr McCreevy, you have made your mandate as commissioner for the internal market one of regulatory standstill. Unfortunately – I do not know how to phrase this – you should have changed your mind and ultimately taken the advice of the Socialist Group in the European Parliament which, when Mr Katiforis's report was presented, told you that legislation on rating agencies was needed, or you should have listened to our rapporteur, Mr Rasmussen, who told you that retention on securitisation needed to be introduced in the banking sector.

Finally, you should have also decided to introduce guarantees for bank deposits. You see, the regulatory holiday is not news. Fortunately, we will no longer have to address these issues with you in the next parliamentary term. I say this because the last proposal that you submitted to us on alternative funds and investment funds was unreasonable, and the fact that you will not even agree to come and discuss it with the Committee on Economic and Monetary Affairs proves it.

As for Mr Karas's report, I think it is an important report that we should adopt today, because it gives the signal, within the Union, to our banking sector and to all our G20 partners that retention must be introduced for securitisation. Own funds must be defined better. In future, there will need to be more transnational supervision of groups, and integrated supervision along the lines of Jacques de Larosière's report. Finally, we have to organise clearing houses for derivatives and credit default swaps.

I would also like to thank Mr Karas for the way in which we have been able to re-open the dialogue so that we will be able, in the period before this directive comes into force, to revise the retention threshold. Having ordered studies, and having given CEBS a mandate to determine under which conditions this retention should be expertly planned, we have been able to verify whether the 5% threshold that we are going to vote on today was the appropriate threshold, even more so now that we have corrected the scope of the retention by making what I believe was the right choice and getting rid of the guarantees sought by Mr Purvis.

As for Mr Hoppenstedt's report, I wish to thank him most sincerely, as I believe that, here, we are getting involved, usefully and positively. In the past, the Commission would tell us that it could not fund level 3 committees; today, it is possible even before these committees become agencies. We welcome this. At the rapporteur's instigation, both the operating costs and the project costs will thus be eligible for funding, and Parliament will have a clear insight into the nature of the projects being funded in this way. We can only welcome this; it is along the right lines.

Finally, in relation to accounting standards and the conditions in which international organisations contribute to their drafting, we have put pressure on these organisations so that they improve their governance and define their roles better. I believe that in this area, too, the European Parliament, with Mr Hoppenstedt's report, has done a useful job, and I wish to thank all of the rapporteurs, as well as this House if, as I hope, it adopts these two reports by a large majority later on.

Sharon Bowles, on behalf of the ALDE Group. – Mr President, the agreed CRD text is a good step forward on core capital, exposures and supervision. The securitisation provision, now with proportional penalties for due diligence failures, is not perfect but it is fit for purpose – the purpose to rebuild confidence and repair the securitisation market. Review at the end of the year on the retention per cent means we have covered all bases, including international cooperation.

European problems with securitisation came on the buy-side from the US, but fear has dried up our own securitisation. Banks have lost the main instrument that enabled them to sell on their loans – an important instrument because it freed up capital for further lending and was a major driver for growth. In 2006-7 European securitisations totalled EUR 800 billion: EUR 526 billion supporting European mortgages and tens of billions each on car purchases, credit card spending and SME loans – yes, including something like EUR 40 billion of German SME loans. These are the very areas where the credit crunch is biting hardest. It is no coincidence. Because we have to face the fact that bank lending is limited by their capital and they are stuck until either more capital is raised or the loan sold on. So the sooner that we can get Europe's quality control securitisation working, the better.

It may seem that, if 5% retention guarantees good behaviour by banks, then 10% would guarantee it more, but the retained portion attracts a capital charge so it reduces the capital that can be freed up and in turn restricts lending. A 10% hit during times of ongoing capital stress would just hurt borrowers and businesses, not banks. That is why other forums – also having started with higher retention proposals – are tending to settle on 5% too.

Ultimately, it will be intelligent supervisory vigilance that will prevent future new abuses rather than regulation for the old and gone. On Level 3 committees we can see that, despite the problems and failures in supervision, it is Parliament that has recognised better than Member States that holes cannot be plugged without resources. It has followed this by demanding more resources for those committees. International accounting and audit bodies will also benefit from more diversified neutral funding and the EU can lead off on this, but not indefinitely if other countries do not join in. I am pleased to have clarified that. Funding should also be sought from the user-side such as investors.

Konstantinos Droutsas, on behalf of the GUE/NGL Group. – (EL) Mr President, today's economic crisis is a crisis of over-production and over-accumulation of capital. It is, as everyone now admits, a crisis of the capitalist system itself. Efforts to present this crisis as a financial crisis, as a liquidity crisis, are being made in order to mislead the workers and to avoid acknowledging the real causes, which lead to increased unemployment, reduced incomes, flexible labour relations and the all-out attack on them.

The measures being taken to supervise accounting standards with controls on lines of credit and own funds, not only fail to limit the unaccountability of the banks; in essence they are measures which the banks themselves are seeking in order to safeguard that unaccountability beneath superficial supervision and control, supervision which, instead of protecting the interests of small depositors who have been and continue to be at risk from the economic crisis, will safeguard the conditions of competition of the banks and will allow new tools to be used to increase their profits.

The reserve which the banks demonstrated even to their cofinancing by the state, in return for even minimal controls, is typical of their stand, a stand of unaccountability which, in the jungle of the market, again results in increased profits and prices, while the workers are again being called upon to pay the costs of the crisis. The workers are not being deceived or disorientated by the decisions of the European Union to end the crisis. They know that these decisions put the entire weight of the crisis onto their shoulders and seek to safeguard even greater profits for capital.

Nils Lundgren, on behalf of the IND/DEM Group. – (SV) Thank you, Mr President. We have now gone through a global financial meltdown and it is continuing to cause us problems. We need then to analyse why this has happened before we begin to act at EU level. I would like to say the following. Firstly, we have an ownerless capitalism. The large companies are no longer governed by their shareholders, but by pension funds, insurance companies and other types of fund. This leads to a situation in which officials can govern however they want to, and they do this in a way that suits their own interests, which are in increasing the risks enormously, and then the result is what we are seeing now. We have banks that are 'too big to fail', as the catchphrase goes. The Glass-Steagall Act was intended to prevent this, but it has been abolished in the US. We ought to consider whether this might not be part of the solution. We have deposit guarantees for small-scale savers and even quite large-scale savers. This means that people depositing money in banks do not give two hoots whether the banks are safe, as they know that taxpayers will protect them. This is a problem. The heads of the central banks do not burst the bubbles, but rather are praised when they constantly ensure that the bubbles can continue to grow *ad infinitum*.

Alan Greenspan gained an immensely good reputation for something which, in practice, is a significant explanation for why things have become so bad. Subprime lending was the start of this and a fundamental part, and it was introduced by politicians who are now saying that we will solve this by taking more power away from the market. I doubt that. The regulatory system in Basel II was circumvented by means of shadow banking. Now we are talking about new rules for capital. If this is more shadow banking, it is not going to help. I therefore believe that we should tackle this in a different way and ask what should be done. Then we will discover that very little should be done at EU level. This is a global problem and should be dealt with elsewhere.

Sergej Kozlík (NI). – (SK) Mr President, ladies and gentlemen, in my opinion one of the best steps taken by the European Parliament in the current functional period was last year's decision on the need for closer regulation and greater stability in the financial system. It is a pity this did not happen three years earlier. The submission of a draft directive on capital requirements is another practical outcome in this context. The financial crisis has drawn attention to the shortcomings in supervision mechanisms, including consolidated supervision.

I agree that the starting point for resolving the problem should be the creation of a decentralised European system of banking supervision bodies based on the model of the European central banks. I am also in favour of stricter securitisation rules. Originators should hold a certain percentage of the risk arising from the exposures that they securitise and further due diligence should be required from the investor. This is the only way to achieve progress.

Zsolt László Becsey (PPE-DE). – (HU) Thank you, Mr President. I wish to congratulate the rapporteurs and the groups' shadow rapporteurs for the compromise that has been reached. Although many of us find a large number of the arguments far from ideal or beneficial, I think it is important that the regulation is drawn up right now, before the elections.

I would like to make a couple of remarks. 1. As the rapporteur responsible for microcredit, I welcome the fact that the report featured the requirement, which also appeared in my report, for a risk management system to be devised reflecting microcredit features, such as no traditional collateral and excess. I hope this will happen as soon as possible. I would like to thank Mrs Berès for her amendment to the proposal. 2. I was highly critical of the supervisory arrangements even during the debate on the 2005 amendment. This applies particularly to the supervision of parent institutions, which actually also raises constitutional concerns with

regard to deployment in the country of the subsidiaries, although subsidiaries are generally located in the new Member States.

This vulnerability is reduced, if not actually stopped by the collegiate system which, in my view, is still only a step in the right direction, but not the real solution. Nevertheless, for the sake of compromise, I regard this situation as progress mainly because the current compromise also advocates that the draft regulation on the integrated supervisory system should be produced quickly based on the De Larosière material, which will already be good, in our opinion, as well as providing a very significant benefit for communitarisation.

I would like to say a special word of thanks for the solidarity shown to the countries outside the euro zone in connection with the amendment to Article 153(3) as, with the acceptance of my proposal, the separate risk premium will not apply until the end of 2015 to the credits for these countries, which they have generally received in euros from the public finances or central bank. Taking all these points into account, I propose block-voting on the compromise, including the 5% retention, since this in itself marks some measure of progress.

Finally, as this is my last speech, I would also like to thank you, Madam President, and all my fellow Members for the work which I have been able to do here for the last five years.

Elisa Ferreira (PSE). – (PT) This year European wealth will fall by 4% and unemployment will increase up to 26 million. The world and the European Union should have done more, better and earlier with regard to regulating the financial markets.

I welcome the work done by this Parliament, much of it in an atmosphere of urgency, but I would underline the contribution made by the Socialist Group in the European Parliament, which should have received more recognition at the appropriate time.

I regret that the Commission's reaction has been slower, more piecemeal and more limited than the situation required and requires, as illustrated by the recent proposal on hedge funds.

The adoption of the directive on capital requirements is another step in the right direction. We know that it is not ambitious enough and falls short of expectations, but today the most important thing is to give a clear signal to the financial institutions and markets that business as usual has come to an end. I applaud the work of the rapporteur and shadow rapporteurs, particularly Pervenche Berès, in their search for a compromise.

This directive does introduce clear rules, but a great deal of work will still have to be done during the next revision on some of the more controversial issues, particularly on the level of retention for the purposes of securitisation.

Today it is vital that this Parliament ensures the adoption of this directive, thus sending a clear message to European citizens that things are changing and will continue to change, and that we are particularly concerned about them.

Wolf Klinz (ALDE). – (DE) Mr President, ladies and gentlemen, the financial crisis has made it clear that the financial market framework of the European Union must be revised. My Group supports the proposals developed in the dialogue negotiations, especially the proposals for a new Capital Requirements Directive for banks. Risk-based supervision will increase, the abuse of special purpose vehicles will disappear and the quality of structured products will improve as a result of the 5% retention for securitisation. However, I regret that the rule for in-year interbank loans is very restrictive and that silent capital contributions are accepted as full-value capital for a transitional period only.

The progress achieved with the restructuring of the financial market framework is good but not yet sufficient. The work will therefore continue. I hope that the banks will prove to be more cooperative than they have been in the last few months, when I saw them more in the role of a brakeman than a partner in search of forward-looking solutions.

Werner Langen (PPE-DE). – (DE) Mr President, I would first like to say that we have started on this second project, which is under discussion today, to put financial market regulation on a normal footing. The financial market crisis can be attributed partly to a failure of the markets and partly to a failure of regulation. We have drawn up a list of measures that must be regulated by the rating agencies. We have adopted resolutions on the Capital Requirements Directive, on managers' salaries, on hedge funds, on accounting regulations and on the European supervisory structure. Today, we are dealing with the second point.

Negotiations are being conducted on the basis of a vote in committee, not in the normal first reading procedure but on the basis of an agreement reached between the Council, the Commission and Parliament. I acknowledge that Mr Karas has achieved many things. However, a large number of fellow Members, like me, are of a different opinion, as Mr Klinz pointed out. This primarily relates to the retention for securitisation. The securitisation market and the financial market crisis arose not least because financial market products without own risk were created. That is why the banks no longer trust each other, because no one has securities for which they take responsibility through risk. The proposal is for a 5% retention. In my opinion, 10% is far more appropriate and that is why I have tabled an amendment. I am certain that the Council, if it accepts all the other things, will have to consider this 10% retention. We, as Parliament, have a responsibility to give citizens further assurances that a global financial market crisis of this kind can never be repeated.

That is why I propose and request that we accept the compromise reached by Mr Karas apart from the 10% retention and the deduction of silent capital contributions.

Ieke van den Burg (PSE). - Mr President, I am standing here with mixed feelings in my last debate in this House. I am very happy with the decision that we took on the Hoppenstedt report to increase the funding of the Level 3 committees. This is a step towards strong European supervision of the financial markets that have developed far beyond national borders. I have been a strong supporter of this and I hope the debate on this will continue very strongly in the next term.

The other dossier on the Capital Requirements Directive (CRD) is not, in my view, a good example of better regulation under the Lamfalussy process that we have developed in the 10 years I have been active. I will support the results because we need to send a strong signal to the market, but I would have preferred a more principles-based approach and more transparent consultation in the political process. This was the pressure of obtaining this hasty result. I hope that, at the end of the year when there will be a fuller review of the CRD, the Lamfalussy process will also be taken properly into account. I strongly recommend that the Committee on Economic and Monetary Affairs reinstate this process.

In my last speech, I would also link to what Ms Berès has said and would say to Mr McCreevy that it is a pity that what he has done to regulate these financial markets is really too little and too late. I want to express my appreciation to my colleagues in the Committee on Economic and Monetary Affairs for their cooperation over these 10 years. I hope they get a Commissioner in the new term who will be exclusively devoted to the financial markets, handling a portfolio which really focuses on this very important subject that brought us into these dire straits nowadays, and who will really be devoted to regulation and proper European supervision of the financial markets.

Udo Bullmann (PSE). - (DE) Mr President, ladies and gentlemen, if you want to drain a bog you do not ask the fattest frogs how they would like it to happen. That is exactly the problem with the report on the Capital Requirements Directive, which is under discussion today. If we do not wish to still be setting up bad banks in ten or twenty years' time then we must get banks and credit institutions to assume a significant business risk if they continue to deal in critical products. Five per cent is not significant.

Commissioner McCreevy brought up 15% and was then beaten down to 5% by the industry. The Council went along with this and the European Parliament cut a very sorry figure indeed. We German Social Democrats will vote for a higher retention and we will also vote for the continuation of the silent capital contributions, because a competition policy that attacks a business model and that has nothing to do with restructuring the banks is unfair.

I hope that we will adopt a reasonable resolution and that, after 7 June, we will have a Parliament that, with courage and more guts, speaks a clear language during the restructuring of the financial market.

Antolín Sánchez Presedo (PSE). - (ES) Mr President, as a first response to the financial crisis of August 2007, the adoption of this directive should not be delayed. In view of the circumstances, it should be applied with prudence, in order to avoid U-turns, and it should be accompanied by a more ambitious revision, in accordance with international developments.

The financial institutions require a solid capital base and need to compete in a balanced way through a harmonised definition of own funds, in particular of hybrid instruments, and a proportionate strengthening of the management of major risks. It is vital to bring in more transparency and align the interests of issuers and investors in securitisation processes. Retaining at least 5% of securitised products on the balance sheet, avoiding multiple use of such products and stepping up the due diligence of investors are steps in this

direction. Creating colleges of supervisors for cross-border groups and making the role of the Committee of European Banking Supervisors more robust are moves towards more fully integrated European supervision.

Margarita Starkevičiūtė (ALDE). – (LT) I would also like to thank my colleagues for five excellent years of cooperation, although I have to say that there are still unsolved questions for the next legislative term. Above all, this directive does not solve the problem of assessing bank activities.

The risk-based approach was not fit for purpose and we really need to think about another type of assessment, perhaps what is known as the performance-based approach. Moreover, we still have not decided who will pay. Which country's tax payers are going to risk their own money, if a large European group has problems?

Will a special fund be set up at European level? Will various countries contribute to a joint fund? Until we have the answer, we cannot say that we have strong and well prepared regulation of the financial sector.

Miloslav Ransdorf (GUE/NGL). – (CS) Mr President, I firmly believe that the measures we are debating here should also be of a preventive nature, since the situation is very grave. The volume of financial derivatives on the world market is five times larger than the worldwide gross domestic product and this is a bubble that is going to burst, with the risk that gross domestic product will drop dramatically, particularly in the United States. The whole world, including European countries, would suffer. There is also the danger of hyperinflation, since the prevailing idea, especially in the United States, appears to be that all problems can be resolved by pouring more and more money into the system, even though this strategy displays serious shortcomings. I therefore believe that the preventive aspect is highly important, and that some of the more controversial instruments used on the financial markets, such as shadow banking for example, should simply be banned.

President. – Before Commissioner McCreevy takes the floor, because several Members have today spoken for the last time in the Chamber, I feel it is my duty, on behalf not only of the MEPs but also of all European citizens and voters, to thank them for their commitment over the years. I believe that their chosen task of seeking to improve things deserves the gratitude of all our fellow citizens.

Charlie McCreevy, Member of the Commission. – Mr President, firstly may I thank in particular the rapporteurs, Mr Karas and Mr Hoppenstedt, and others for their dedication in finding compromises in these two particular areas.

As regards the Hoppenstedt report, the positive outcome of Coreper this morning paves the way for an adoption at first reading. An agreement on this strategic initiative is very welcome because it sends the right signal: a signal of our determination to respond to the financial crisis, to strengthen financial supervision and to improve the standard assessing process for financial reporting and auditing. But this is only a first step in a very long process. In the months to come, I look forward to continuing this work with you in the new Parliament.

On securitisation, we all agree that the 5% retention requirement is a first step. The Basel Committee will work on quantitative retention. This has been required by the G20. The European Union is ahead of the curve, and we will contribute to bringing about further consistency at global level.

Let me just make a point concerning securitisation. Mrs Bowles made a pretty strong contribution in this regard. She is very much for securitisation and pointed out the good aspects of it and the amount of money that is contributed to the capital markets for small and medium-sized enterprises and to lenders at large in all Member States of the European Union. In case there is any impression that I do not see the benefits of securitisation over the years, may I say that I certainly do! In my previous capacity, and long before I came here, I was aware of the benefits of securitisations. However, the issue is what proportion the originating securitiser should hold in that particular matter. I accept what Mrs Bowles said: that in future a holding of whatever percentage will attract a capital charge. One cannot be certain as to when the current financial crisis will end. But, irrespective of when that end is going to be, I think we can be absolutely certain in years to come that financial institutions will be required, at all levels, to hold more significant and more quality capital against their lending. I will not be here – but many of you will – but, whatever the end is, that will be the inevitable outcome of this particular financial crisis – not immediately, not maybe in the medium term, but in the longer term that will be a certainty. If I looked into my crystal ball, that is what I would see in years to come. So it is the percentage which is being debated. People know my views on this. I have held very strong views on this for a long period of time.

Various amendments have been put forward during the Council of Ministers stage and with the European Parliament about different 'outs' on one thing and another, which my officials, at my request, are very, very

strongly against, because I strongly believe in the very simple proposition that 5% of something is better than 55% of zero. The more outs that there are – we can have 5%, 10%, 15% – 15% of zero is still zero. That is why I welcome the opportunity that the Commission in its report by the end of this year will come back to this particular matter in order to ensure that the wording is fairly tightened up. I am strongly of that view because I do not wish to see particular outs. But I readily appreciate what Mrs Bowles and others have said regarding the merits of securitisations for the capital market. I hope I have never given the impression that I did not.

Finally, may I, too, join with the President in wishing those Members who are retiring well in their future careers, whatever they might be. I have known most of them in some capacity or other in my five years here and I appreciate their contributions, even though I have not always agreed with them. I suppose I should not single out any one person, but I would like to make special mention of Mr Purvis in this regard. I always found his advice to be wise, measured, considered and not dogmatic, and I wish him, in particular, a very successful future.

Othmar Karas, *rapporteur*. – (DE) Mr President, ladies and gentlemen, I would first like to thank you for your support and for the signal we are sending to savers, businesses, banks and the world of finance.

The debate was very open. It also highlighted the weaknesses and the need for further development. I can tell you that all your wishes, as well as your criticisms and reservations, played a role in the negotiations, that we tried to incorporate them in recitals and in the request for reviews. There is nothing that was said here today that did not also play a role in the agreement presented – in some cases not a very strong role – but everything played a role.

It is therefore absolutely clear that this is an important step forward, but it is not the final step, because we are announcing, giving notice of and promoting further steps in this agreement and specifying the direction for this debate. In other words, the debate will continue, it has to continue. But I believe that it is important that we send a clear signal now, in this legislative period, that we are competent, that we wish to create trust, security and stability, that we can react quickly and that we know what still needs to be done in the future. I therefore call on you to take this step together and with a big majority.

Thank you very much for the debate.

Karsten Friedrich Hoppenstedt, *rapporteur*. – (DE) Mr President, I have already given my opinion on certain things in the first round of talks. However, I would like to say once again very clearly that the world, including our partners in the United States, China and other places, is watching the European Union, the Council, the Commission and Parliament to see how we will react to the crisis. I have already said that there has been a reaction, which we notice in certain rules that are being re-drafted. Things are moving somewhat in the US in terms of the Reinsurance Directive and other things like that, such as the collaterals. Moreover, the received wisdom is that, if we, as Europeans, do not have anything concrete in our hands, then our partners will not react.

Last month and this month we took decisions and got them off the ground, and we managed to find reasonable solutions together with the Council.

I would once again like to take this opportunity to thank the Commission, which was sometimes a bit heavyhanded, and the Council, where we tried to find reasonable solutions in night sittings and in many trialogue sittings, because, just an hour ago, they also approved the reasonable compromise we found.

I of course thank my co-combatants in the Committee on Economic and Monetary Affairs, Mrs Berès, Mrs Bowles and others, but also the members of staff, who had to bear a large part of the burden.

I believe that it is important to perhaps point out once again that I was involved in the introduction of the European Single Market, as coordinator during the introduction of the euro and other things like that. These are milestones that have naturally informed this work and also policy making. It has been fun working with you all, and I should once again like to thank my fellow Members, the Commission and the Council – I have already said that – for their cooperation. I wish all those who will voluntarily not be returning all the best for the future.

There are many tasks, including the task of conveying just how important the European Union is and what an important job the European Parliament does. It is also important for the elections to be held in Germany on 7 June and elsewhere from 4 to 7 June that people's attention is drawn to just how important our work

is. I hope that there will then be a high turnout. Once again, many thanks to you all and all the best for the future. This is my last speech, as I have already said.

President. – The joint debate is closed.

The vote will take place today, Wednesday 6 May 2009.

Written statements (Rule 142)

Paolo Bartolozzi (PPE-DE), in writing. – (IT) Mr President, ladies and gentlemen, by amending the directives on credit institutions, their own funds, large exposures, supervisory arrangements, and crisis management, the European Union is moving towards a general realignment of the entire system.

The amended directive would eliminate the discretion the Member States have over their own funds, which would hinder the harmonisation of supervisory and fair competition practices between banks. These discrepancies must be overcome by common rules to allow audit bodies and central banks to face up to the possible insolvency of the banking system, particularly in countries that have adopted the euro. The amendments concern the need to tighten up the supervision of cross-border banking groups.

The reopening of interinstitutional negotiations on the agreement reached between the European Parliament and the Council concerned the minimum threshold to be allocated to the nominal value of the securitisations. This refers to the amount of risk that banks must retain in their own balance sheets when they place 'structured' products with savers.

Within the Council all the Member States voted to keep a threshold of 5%. Raising it would make it impossible for the securitisation market to recover and would not help to make the markets safe again.

(The sitting was suspended at 11.50 a.m. and resumed at 12.05 p.m.)

IN THE CHAIR: Diana WALLIS

Vice-President

Andreas Mölzer (NI). – (DE) Madam President, I refer to Rule 145 of the Rules of Procedure. In the sitting of 24 April, in my absence during the vote Hans-Peter Martin claimed that a vote was illegally cast with a voting card from my seat by an unauthorised person. The Presidency was able to reject this immediately as incorrect.

I understand that, at present, in the election campaign, many of my fellow Members are becoming nervous. However, this is tantamount to an accusation of deception, fraud, and unjust enrichment on my part. It is an accusation of a serious criminal offence. Mr Martin defames, denounces and maligns Parliament, its Members, even the officials and, especially, his Austrian colleagues time and again in public with distortions, half-truths and untruths, and the extent of what I can tolerate has been exceeded. I demand the retraction of this accusation, an apology and a condemnation by the Presidency.

(Applause)

President. – Thank you, Mr Mölzer. As colleagues will know, the machine was checked last time and it was found that there was no other or inappropriate use of the machine, so the matter has been clarified.

I see that Mr Hans-Peter Martin would like the floor. I give it to you briefly.

(Murmurs of dissent)

Hans-Peter Martin (NI). – (DE) Madam President, could you please call for silence in the Chamber?

(Laughter)

Or will I be punished through the withdrawal of my daily subsistence allowance if I dare to call out 'referendum'?

I have the right to make a personal comment under Rule 149. I absolutely reject what my fellow Member has just uttered. I recall what I actually said in plenary in the absence of many of the right wing extremists and the mob behind me. I stand by it. And if I am being accused....

(Protests)

You can hear many other protests here that are so terrible that I do not wish to repeat them in public. But that is what the right wing extremists are like. We know that from history and that is the huge danger that lies ahead of us.

As regards the accusation of the unlawfulness of my action, I would just point out that there may have been various attempts to criminalise me, but never any criminal investigations, not because the Austrian judges or public prosecutors were prejudiced but because they saw how unfounded those allegations were. If the right wing extremists now go on the offensive with such arguments, it is up to the electorate to judge.

(The President cut off the speaker)

President. – We have listened to you. I have said that the matter has been clarified. That is enough. Thank you.

*
* *

Beniamino Donnici (ALDE). – *(IT)* Madam President, ladies and gentlemen, Madam President, as you are aware but many of my fellow Members are not, due to the extreme lack of information supplied by the Presidency on this matter, which is being kept quiet, the European Court of Justice has finally reached a verdict on the long dispute that has unfortunately seen me oppose the European Parliament and Mr Occhetto.

The Court has overturned the decision taken by this House on 24 May not to confirm my mandate following the proclamation by the national authorities, and the European Parliament has been ordered to pay costs. The intention of the Court's timely decision was to restore Parliament's legitimate composition before the mandate came to an end, but at 5 p.m. on 4 May President Pöttering gave this Chamber a one-sided, ambiguous and confused account of the affair, calling once again on the Committee on Legal Affairs to confirm my powers even though he was well aware that this was only a notation. Not only this, but he also failed to request an extraordinary meeting of the Commission, because this was the final sitting of the parliamentary term, unless he decides to extend my mandate to the next term too.

I therefore call on the Presidency to rectify this further gross mistake by tomorrow in order to comply with the Court of Justice ruling. Madam President, I would have preferred the European Parliament to have been spared this heavy legal defeat, and, in spite of everything, I offer my sincere regards to you and my fellow Members.

President. – Thank you, Mr Donnici. Your comments have been noted and, of course, the President did make a statement on Monday afternoon. Your comments will be passed on to the Bureau meeting this afternoon.

4. Voting time

President. – The next item is the vote.

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

4.1. Responsibilities of committees (B6-0269/2009)

4.2. Number of interparliamentary delegations, delegations to joint interparliamentary committees and delegations to parliamentary cooperation committees and multilateral parliamentary assemblies (B6-0268/2009)

– *Before the vote:*

Francis Wurtz, on behalf of the GUE/NGL Group. – *(FR)* Madam President, ladies and gentlemen, my group would like a separate vote on the last indent of paragraph 1 (a), entitled, and I quote: 'Delegation for relations with Albania, Bosnia-Herzegovina, Serbia, Montenegro and Kosovo'. In our opinion, this represents *de facto* recognition of the existence of Kosovo, which we find unacceptable.

I would therefore like us to be able to vote separately on this paragraph.

President. – The request is outside the deadline, but if it is accepted... Are there any objections?

Bernd Posselt, *on behalf of the PPE-DE Group.* – (DE) Madam President, I have serious objections. This House voted in favour of the independence of Kosovo by a three-quarters majority, as did the Commission and almost all the Member States. I find this unacceptable.

(Parliament rejected the request for a separate vote.)

4.3. CFP: repeal of Directive 83/515/EEC and 11 obsolete decisions (A6-0203/2009, Philippe Morillon)

4.4. CFP: repeal of 14 obsolete Regulations (A6-0202/2009, Philippe Morillon)

4.5. Support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (A6-0259/2009, Petya Stavreva)

4.6. The petitions process (amendment of Title VIII of the Rules of Procedure) (A6-0027/2009, Gérard Onesta)

4.7. Amendment of the Interinstitutional Agreement of 17 May 2006 (A6-0278/2009, Reimer Böge)

4.8. Draft amending budget No 4/2009 (A6-0281/2009, Jutta Haug)

4.9. Draft amending budget No 5/2009 (A6-0282/2009, Jutta Haug)

4.10. Indication of the energy consumption of television sets (B6-0260/2009)

4.11. Indication of the energy consumption of household refrigeration equipment (B6-0259/2009)

4.12. 2009 Annual Action Programme for Non-State Actors and Local Authorities in Development (Part II: Targeted projects) (B6-0285/2009)

4.13. General revision of the Rules of Procedure (A6-0273/2009, Richard Corbett)

– *Before the vote on Amendment 9:*

Monica Frassoni, *on behalf of the Verts/ALE Group.* – Madam President, I am making a request for referral back to committee and I would like to explain why. When discussing this legislation we talked a lot about impact assessments. That is to say: every time you introduce a new rule you have to be able to say what the impact will be. Concerning the new rules that we are going to vote on today in the Corbett report, we do not understand what the consequences will be of dramatically changing the way in which we make legislation by allowing the possibility of committees and multiple rapporteurs being able to present completely contradictory procedures and amendments for the vote in plenary.

That is why the Verts/ALE Group demands a referral back to the committee, not because we believe that we cannot improve the situation but because this involves pushing through a reform that will make our legislative life very difficult in the future.

(Applause)

Jo Leinen (PSE), *Chairman of the Committee on Constitutional Affairs.* – (DE) Madam President, the reform of the European Union is difficult enough but the reform of the European Parliament appears to be even more difficult. However, I must say to Mrs Frassoni that this reform process has now lasted two and a half years. We had a reform group that Mrs Frassoni herself belonged to. Our Committee complied with the conclusions

of the reform group point by point. In other words, today we are presenting in plenary something that took two and a half years to discuss, debate and decide. There is therefore no reason why this point should be referred back to committee. Today, we should complete this final act and prepare for the new legislative period with many improvements to our work. I am therefore voting against the motion tabled by Mrs Frassoni.

Richard Corbett, rapporteur. – Madam President, I do not really think I need to add anything except that Monica Frassoni's justification about particular amendments might be a reason for her to vote against those amendments. They are certainly not a reason to refer the whole thing back to committee, which would preclude the adoption of any of the amendments that have been tabled today and which would be most unfortunate.

(Parliament rejected the request.)

– Before the vote on Amendments 49 and 67:

Richard Corbett, rapporteur. – Madam President, before you proceed to vote on Amendments 49 and 67, could I ask that you reverse the order of the vote and vote first on 67, which is a later compromise that emerged after the vote in the committee? I think it would be more helpful for us if we were to proceed that way around.

(Parliament agreed to the request.)

(The sitting was suspended briefly.)

IN THE CHAIR: MR PÖTTERING

President

5. Address by the President of Parliament

President. – Ladies and gentlemen, in a few weeks' time, between 4 and 7 June, the citizens of the European Union will elect the new European Parliament. For the first time 375 million people from all 27 Member States will be able to take part in the European elections together.

For many of you this will be your last week in Strasbourg. For me, too, this is the last week in which I will be allowed to chair the plenary part-sessions.

We all know that democracy gains strength through constant change. We do too. Together we have covered a good part of the way towards creating a forward-looking European Community. Together we have been able to achieve a great deal.

We have been successful not only during the last two and a half years of my term of office but also in the term of office of my predecessor, Josep Borrell Fontelles. What we have achieved in the last five years has been achieved by all of us.

I would like to extend to you all my sincerest thanks for your commitment and for your passion for our common European cause.

As the European Parliament, we are the directly elected representatives of the citizens of the European Union. Ladies and gentlemen, we all embody the rich diversity of our European continent and reflect, through our political families, the huge variety of convictions and attitudes. What is more, a few days ago we celebrated the fifth anniversary of the historic enlargement of the European Union, the reunification of our continent on the basis of our common values. In the words of our Berlin Declaration of 25 March 2007, 'We, the citizens of the European Union, have united for the better'.

(Applause)

The successful integration of Members from Member States joining the European Union in 2004 and 2007 and the adaptation of our parliamentary work to a European Parliament now bigger and more diverse rank among the most significant successes of this parliamentary term.

We, the 785 Members of Parliament, have learned to meet each other half way, to learn from each other and to work better with each other. During this time, the European Parliament has gained in experience, strength and cultural richness.

Ladies and gentlemen, new Members will soon revitalise the work of Parliament. They will join those who are re-elected in June. I hope that we will continue to have the mutual respect that binds us across all political and national boundaries.

In my work in the last two and a half years, I have been guided by a basic feeling for parliamentary work and I have you all to thank for your support, encouragement and counsel. The President is responsible for ensuring that all the rules of the European Parliament are followed and must ensure that these rules apply equally to all Members and are applied uniformly, and that the dignity of our Parliament remains intact. That is what I have striven for.

(Applause)

I would like to say to those entering Parliament that we are only convincing if we preserve the dignity of the European Parliament and always defend it on the basis of our common laws.

Today, very few resolutions are adopted in the European Union without the explicit consent and involvement of the European Parliament. To an increasing extent, the European Parliament has developed into the place where, crucially, political compromises are found at a European level. Evidence of this is the adoption of the Services Directive and the Chemicals Regulation, REACH, in recent years.

For the 2007-2013 financial perspective, the codetermination of the European Parliament was groundbreaking. The European Parliament was instrumental in ensuring that the necessary funding was provided for programmes such as Erasmus to promote the young generation. Ladies and gentlemen, we have also placed tackling climate change at the top of the political agenda. The fact that we arrived at an acceptable result lent tremendous credence to the European Union for the negotiations at the Conference to be held in Copenhagen in December.

Today, we are no longer alone in our endeavour; the new US administration led by President Barack Obama supports many of our proposals. Our task is now to win the hearts and minds of our global partners to support measures to combat climate change. One often hears that others are taking the lead in tackling climate change. We have taken the lead in tackling climate change and, ladies and gentlemen, it is something we can be proud of.

(Applause)

Financial market reform at European level is, in many respects, taking place on the initiative of the European Parliament. Since 2002, Parliament has called for better financial market supervision and regulation. All legislative procedures for better banking and financial supervision and for regulating hedge funds and managers' salaries should be completed as quickly as possible.

The European Parliament has already set many important benchmarks as a result of the resolutions it has adopted. There is still a lot of work to do, however. The newly elected European Parliament must continue this work in a committed and resolute manner in order to find a way out of the crisis on the basis of the social market economy defined in the Treaty of Lisbon and to safeguard the competitiveness of the European economy for the benefit of society against a backdrop of globalisation.

Ladies and gentlemen, the overwhelming majority of Members see Parliament as the motor of the European unification process. In the last two and a half years we have revived debate on institutional reform and driven forward the process leading to the conclusion of the Treaty of Lisbon. We also succeeded in ensuring that the basic principles we have always represented are maintained in the Treaty of Lisbon.

The Treaty of Lisbon contains the central reforms required to make the European institutions more democratic, transparent and capable of action. We should put all our effort into ensuring that the Treaty of Lisbon can enter into force at the beginning of next year. We are hoping for a positive outcome in the Czech Senate in Prague.

(Applause)

Ladies and gentlemen, Parliament is celebrating its thirtieth anniversary as a directly elected democratic European Union institution. It is now at the heart of a European parliamentary democracy unimaginable in 1979. Together we have advanced parliamentary democracy in the European Union and beyond.

The European Parliament and national parliaments are now partners. Our work is complementary. We have deepened our cooperation with national parliaments and held regular meetings to move the important current issues forward together.

The development of our relations with parliaments in third countries has always been a core concern of all our efforts. Today, Parliament is a partner respected around the globe, an advocate for human rights and democracy. And it must stay that way.

Ladies and gentlemen, I have made every effort to ensure that Parliament is represented, through its President and through representatives of the political groups, in bodies of importance for shaping our common future. The President of the European Parliament now participates in the annual meetings of the Heads of State or Government of the G8 and in summits with third countries, such as the EU-Africa Summit, the EU-Latin America Summit and the EU-US Summit. Tomorrow morning, I will participate in the Troika summit on employment and tomorrow afternoon in the Summit for the inauguration of the Eastern Partnership in Prague.

It is also an achievement of this legislative period that the role of Parliament in the European Councils is no longer restricted to the inaugural address by the President. Now Parliament also participates in the institutional and constitutional deliberations of the summits. At the Intergovernmental Conference that led to agreement on the Treaty of Lisbon, the European Parliament was fully involved at the level of the Heads of State or Government through the participation of its President and, at the Intergovernmental Conference itself, through a delegation consisting of three Members. This is a huge step forward.

Ladies and gentlemen, the reform of the working methods and procedures of the European Parliament was and still is a major project. To this end, the Conference of Presidents set up a working group equipped with a detailed mandate, in which all Groups were represented. The work was completed successfully. Much – approximately 80% – of what was proposed by the working group has been put into effect and implemented. This includes the reorganisation of the plenary debates, the reform of the legislative process, the improvement of the work done in committee with enhanced cooperation between the committees as well as the possibility of legislative initiative reports or conflicting resolutions.

I would specifically like to thank the Chair of the working group, Dagmar Roth-Behrendt, and her – our – colleagues for their special commitment.

(Applause)

Together we have succeeded in adapting the working methods of the European Parliament to changing political circumstances. Now we have modernised procedures and reorganised working methods at our disposal and that is a good basis for the work to be carried out in the new parliamentary term.

In the Bureau of the European Parliament we have also tried to improve the administration of Parliament, to make the day-to-day work of Members easier and to modernise the infrastructure for communicating with the citizens of the European Union through the introduction of Web-TV, the prize for journalism, the citizens' prize, and the European Charlemagne youth prize.

The new Statute for Members, on which we have worked for many years, will come into force in the new legislative period. It is an important contribution to the policy on Members' finances, transparency and public relations.

The adoption of a clear, transparent assistants' statute is an important step forward and a huge success, for which we have to thank all our fellow Members.

Ladies and gentlemen, today I should like to repeat and reaffirm the central idea that, for me, sums up the work of European integration. We are committed to the dignity of every human being. It is the supreme value. It unites us in the community of shared values of the European Union. Human dignity must always be respected – it is the ethical answer to the moral crises in Europe's past.

(Applause)

For us, this leads to the precept of the unconditional protection of human dignity and the promotion of a dialogue of cultures, which have been guiding principles during my term of office.

A lasting impact was made by the European Year of Intercultural Dialogue, be it dialogue with the Euro-Mediterranean Parliamentary Assembly, encounters between young people of different faiths – including from Israel and Palestine – or the Arabic and African weeks held in the European Parliament.

We have laid the foundation of a lasting dialogue, which must also direct, inspire and commit us in the future.

A peaceful settlement in the Middle East is also important for peaceful coexistence between Christians, Jews and Muslims as well as the people of the European Union and of countries across the globe. Gaza and the West Bank are not in the back of beyond; they are on our doorstep on the Mediterranean. We must be more self assertive on the international scene and contribute to peace and stability in the Middle East.

As Members of the European Parliament, we can offer an additional perspective in Middle East relations, as we can think and act outside conventional diplomatic channels. With this in mind, I have campaigned for a working group to be set up to deal with the Middle East crisis. Especially in the light of new developments in the Middle East it is important that we resolutely support a two-State solution – Israel within secure borders and a Palestinian State within secure borders. We must not allow these principles to be called into question.

Ladies and gentlemen, I would like to say that, in our day-to-day work, we deal with many issues, sometimes relating to very specific circumstances. We should never forget our roots or lose sight of the values that bind us. Today's free, peaceful and socially committed European Union was a long time in the making.

We must breathe life into the foundations on which the European Union is based. That is why I am particularly thankful to you for your encouragement and continuing support for my initiative to establish a 'House of European History'. In particular, I should like to thank not only Vice-President Miguel Angel Martínez Martínez for his unflagging support but also my fellow Members in this Chamber. The 'House of European History' will be used as a place where our European identity can be remembered and renewed. The basic decisions for establishing the House have already been taken.

The constituent meetings of the two oversight bodies were held yesterday. With your support – if I am reelected as a Member of the European Parliament on 7 June of course – I will devote myself to the task of ensuring that the 'House of European History' is completed by the end of the next legislative period in 2014.

In 2014 we will be commemorating the one hundredth anniversary of the outbreak of the First World War. A hundred years later we are living in a new Europe of peace, freedom and unity.

Many people support us in our constant striving. In particular I thank all the committed staff in the administrative services of the European Parliament, especially our new Secretary-General, Klaus Welle, and his deputy, David Harley, without whose commitment, expertise and dedication our political work would not be possible.

(Applause)

You are worthy of our thanks, our support and our appreciation.

I extend my sincerest thanks to my personal staff in my Cabinet, but, above all, I thank you, fellow Members, especially the Bureau and the chairmen of the political groups, for your trustful cooperation. We have just had another meeting of the Conference of Presidents. On Monday evening we had a meeting of the Bureau, and we will have another meeting today. On substantive issues of European democracy, hardly any contentious, really controversial decisions were taken, and we agreed on the basic issues. A bond of trust was created, for which I am sincerely thankful.

We have achieved a great deal together and we must once again gain the trust of our electorate. We do this, firmly convinced that this is the historically correct way towards European unification. The upcoming election campaign gives us the opportunity to speak with citizens about why the European Union is necessary. I should like to call on all citizens to vote in the elections and to cast their votes for the future of Europe in the 21st century.

Much work awaits the newly elected Parliament. This includes helping to overcome the economic and financial crisis, implementing a European energy policy, moving to a low-CO₂ economy, providing more security for the citizens of Europe and peace and stability across the globe. Our work has provided a good basis for the newly elected Parliament to build on.

My work over the last two and a half years as President of the European Parliament has been a tremendous challenge, and I have carried it out gladly and with dedication and will continue to carry it out until 14 July. It is a great privilege to be at the service of Europe.

I thank you most sincerely for placing your confidence in me and for every moment of this collaborative effort in working towards a unified Europe. I wish you all the best for the future.

(Sustained applause)

Joseph Daul, *on behalf of the PPE-DE Group*. – (FR) Mr President, my dear Mr Pöttering, ladies and gentlemen, this Parliament is the voice of 500 million Europeans and they are not sufficiently aware of this.

They are even less aware that this Parliament has a heart and a soul. Mr Pöttering, during the two and a half years of your presidency, not only have you been the citizens' spokesman, you have also personified the heart, generosity and solidarity of Europe. Some say that it is not possible to fall in love with Europe; you have proved the opposite.

Although this parliamentary term is coming to an end, I wish to stress how far European integration has progressed and how much our Parliament, under your leadership, has contributed to this. I will mention only the most remarkable examples of this, which you have already referred to: the energy and climate change package, the Services Directive, the 2007-2013 financial perspective and, more recently, the regulation of the financial markets.

However, rather than running through a tedious list of directives and regulations, I would like to stress how much, behind the often very technical legislation that we debate and adopt here, our joint work has meaning. This meaning is the general interest of all Europeans. It is often said that Europe is removed from its citizens, but are issues such as toy safety, research into the prevention of rare diseases or of Alzheimer's disease, consumer protection, environmental protection measures and the fight against global warming, energy policy or the defence of human rights around the world really removed from citizens' daily lives?

Under your presidency, this Parliament has seen other major advances. I am thinking of the internal reform, which you have brought to fruition and which will make our institution more transparent and more effective, and of the new statute for Members of the European Parliament and their assistants. Under your presidency, this Parliament has multiplied the initiatives within the framework of the European Year of Intercultural Dialogue, doing justice to the great wealth of cultures and faiths in our society, and sending out the best possible image of Europe: that of openness and tolerance. Under your presidency, Parliament has seen the importance that it attaches to the future of the Mediterranean region and its desire to help bring about peace in the Middle East.

Mr President, on 25 March 2007, you signed on our behalf the Berlin Declaration commemorating 50 years of the European Union. That declaration reminds those who might have forgotten the objective of our daily work, in other words the integration of a free, democratic, tolerant Europe that respects the rule of law. By taking the initiative of creating a House of European History, you are giving a lasting dimension to the work carried out by yourself and your predecessors and by all those who, in their own way, have contributed to our common history.

For all these things, I would simply like to thank you, Mr President.

(Applause)

Martin Schulz, *on behalf of the PSE Group*. – (DE) Mr President, ladies and gentlemen, I should like to thank you, Mr President, for your hard work. I should like to say on behalf of my Group that you have exercised your office with great dignity. You have given Parliament dignity through the way in which you have led this House.

This is not the time to review your work. The legacy of a President of the European Parliament is always subject to political scrutiny. You can agree or disagree with one thing or another. A review of the President's work must focus on what the President has done for the success of this House. You have presented your conclusions. There is nothing to add. The question therefore remains: what has the President, as a human being, done for this House? For me and my colleagues in the Socialist Group in the European Parliament it is clear that you have conferred dignity on this House, both inside and outside.

This House does not always conduct itself with dignity. But that is true of all parliaments worldwide. The dignity of a multinational joint parliamentary assembly of well over 700 Members from 27 countries, who belong to eight different parliamentary groups, who belong to different faiths, who have different skin colours, who come from different political traditions, who have experienced different historical development, must be safeguarded. To unite them and to give them a sense of unity through their own representation is difficult. That is exactly what you have done. And for that you deserve our sincere thanks.

(Applause)

Mr President, you have tackled many activities in your two-and-a-half-year term of office. To underpin what I have said about the way in which you have exercised your office, on behalf of our Group I should like to single out one point on which we fully shared your view and where you gave this House a voice that extended far beyond the bounds of political divisions, and hence gave a voice to disenfranchised people in a place that is assembled in exactly the way I have described. You raised your voice against the scandal in Guantanamo at a time when it was not easy to do so. That, Mr President, will remain an enduring milestone in your term of office. You have shown that the requirement you placed on yourself to be a tolerant and cosmopolitan person on the one hand and to be committed to your fundamental Christian understanding on the other has been met.

But to place the entirety of human dignity, whether it comes from the tradition of enlightenment or, as in your case, from a religious orientation, at the core of your activity has earned you the distinction of being a good President of the European Union and that is how we will remember you. Thank you very much.

(Loud applause)

Graham Watson, *on behalf of the ALDE Group*. – Mr President, your words today were typical of your time as President. Our groups may not always agree, but during your mandate you have proven an honest, fair and unifying figure, one whose modesty masks your many achievements.

You were elected on the basis of a worthy pledge to engage our House in intercultural dialogue but your record reaches further than that. On Members' allowances, you concluded the vital work started by Pat Cox. On parliamentary procedures, you oversaw the reforms that many of us have long called for and, through initiatives like Europarl TV, you have supported modern methods of communicating with our citizens. That is a record to be proud of and a legacy on which your successors should build.

I hope you will write about your experiences and impressions. They will be too interesting to be left in the cold and powerful hands of oblivion. Moreover, as the poet Emerson taught us, there is no such thing as history, only biography. This Parliament has become more powerful over the years. It will be more powerful still under the Lisbon Treaty, if and when it is eventually ratified. It will be interesting to see what plans future presidents will bring to expand on the role that you have played, projecting the common values and principles that we hold dear.

But today I think I can speak for many when I say that you have earned our respect and affection. Like you, this is my last plenary speech in my current role. Having led my group since 2002, I have a touch of what we call in English the seven-year itch. Although I will not sit in this seat again, I know you are aware that I am keen to try sitting where you are. President, on behalf of my group, I thank you. I thank the session services and the interpreters and all the staff who have contributed to the very fine job you have done as President of our House.

(Applause)

Cristiana Muscardini, *on behalf of the UEN Group*. – *(IT)* Mr President, ladies and gentlemen, during this term, Parliament, especially under your presidency, has reinforced its ability to make a political impact on the future of the Union, even though we will have to wait for the new treaty to see the realisation of the ambitions of those who have always believed in the need for increased legislative power for our institution, which is unique in the world because it is elected by the citizens of 27 countries.

Events – tragic ones, in many instances – have followed one another thick and fast during this term, and on many occasions, particularly during the last two and a half years, Parliament, through you, Mr President, has been able to perform a crucial role in mediating proposals. Ours has become an increasingly obvious political role that must help us to overcome the party differences that divide us in our own countries so that we can achieve shared goals in the common interest of our peoples and ensure more justice, peace and safety in the world.

When the parliamentary term began, we finally saw nations join us that for many decades had been deprived of their freedom, and the accession of Romania and Bulgaria during the parliamentary term has reinforced the world's image of a Europe that is able to create unity by respecting differences.

We are concluding the parliamentary term in the midst of an economic crisis that has made us realise that we have a systemic crisis on our hands, and the new Parliament must therefore also be a driving force that will help society to rediscover values that are nowadays too often neglected. Now more than ever, parliamentary democracy, in Europe and nationally, represents a guarantee of freedom.

Mr President, I thank you on behalf of my group and personally for your commitment – you have represented all of us – and for the great contribution you have made to establishing the reputation of our institution, for which we demand not only ever more transparency, but also due attention on the part of certain sections of the media that have taken an interest in Europe solely for the purpose of stirring up petty, futile debates instead of contributing to the growth of common awareness and shared progress.

Mr President, after the 20 years I have spent in this Parliament, I feel it is my duty to join you, representing me magnificently in this Chamber, in thanking the millions of European citizens who, through their daily toil and respect for the principles of solidarity, justice and the roots of our past, are contributing to the development of a society that is more respectful of rights and more aware of its own duties.

Monica Frassoni, *on behalf of the Verts/ALE Group.* – (IT) Mr President, ladies and gentlemen, *Herr Präsident*, you have had the immense privilege of presiding over the most original institution in the world, and we in the Group of the Greens/European Free Alliance are sure that you have done so with motivation and with passion, and we thank you for this.

When, two and a half years ago, I stood against you as a candidate for the Presidency of the European Parliament on behalf of my group, I laid great emphasis on the need for the President of Parliament to represent an institution free from the interests of the Member States and the pressures exercised by financial lobbies, to guide an equally free administration chosen on the basis of merit and not of political loyalty, and to be able to speak to an increasingly divided and indifferent public. At the time, we very strongly criticised the joint decision taken by yourself and the Socialist Group in the European Parliament to rule out any attempt to relaunch the constitutional debate following the 2005 referendums, an enormous mistake that made it easier for the States to reappropriate the process of European reform.

Two and a half years later, we in the Verts/ALE Group would assess your work, President Pöttering, as having its ups and downs. We approved and supported your work in the Middle East, particularly your work in the Presidency of the Euro-Mediterranean Parliamentary Assembly. We appreciated your unwavering pro-European belief, the idea of a Parliament open to citizens, groups, associations and the boldest cultural initiatives, and your determination over the Assistants' Statute.

We also looked positively on your determined commitment to fundamental rights, even in places that did not sit comfortably with the majority of the European Parliament, from Russia to China, and on your new green credentials, as borne out by your comments on climate change made a short time ago.

Yet it is also clear, Mr President, that, under your presidency, our Parliament has continued its gradual transformation from an institution that demands and fights for democracy to an assembly that is all too often submissive and careful not to rock the boat of this or that government. It has resigned itself to not making this fight or transparency privileged areas in relation to which voters have visibility – one need only think of the entirely orchestrated failure of the working party on lobbies, which has come to an end today having achieved nothing despite a very explicit resolution approved a year ago, or the silence on the matter of the two seats in Strasbourg and Brussels and on that of the waste of money and CO₂ that is incomprehensible to our electorate.

Mr President, I will now conclude. Through the successive reforms of the rules, your presidency has also overseen the gradual centralisation of power into the hands of the few in our institution, with respect to strengthening the work of the committees and the role of individual MEPs, and doing more to promote diversity and pluralism.

Mr President, perhaps there will be a new majority in the new Parliament, but we are certain of one thing: the long fight for strong, respected, pluralist and sympathetic European democracy is not over, and at least in this we will always have you by our side.

Francis Wurtz, *on behalf of the GUE/NGL Group*. – (FR) Mr President, your presidency – as you have just pointed out – has been marked by events of major political import, which have, on more than one account, been a challenge for Europe and, at the same time, for our Parliament.

Some of these are internal to the Union, especially what many call the institutional crisis, and which I would describe instead as an additional symptom of a crisis of confidence in, or a crisis of legitimacy of, the current European model among a growing number of our fellow citizens.

Others have an international dimension, such as the conflict in the Middle East, which you mentioned. The latter, far from advancing towards a just and sustainable peace, is worsening as we watch and is poisoning international relations, when it is not threatening the cohesion of our societies.

Others, finally, are shaking the entire planet, such as the environmental crisis and, ultimately, the financial, economic, social and political crisis, which is imposing on us certain choices of society or indeed civilisation.

It is in this exceptionally complex context that you have had to lead the European Parliament and to represent it before our Member States and before the world. My group and I consider that you have fulfilled your duty with honour.

Of course, our political choices are manifestly different and are sometimes at odds with one another. However, it is precisely on the ability to manage these necessary and healthy conflicts of ideas, whilst respecting everyone, that the holder of a high office such as yours is judged.

Now, I can say that, as the chairman of a minority group which, in many people's opinion, expresses ideas outside the current mainstream, I felt at ease under your presidency. Better still, whilst our political differences naturally remain unchanged, our relationship as people has been noticeably enriched.

Mr President, we have known each other for 30 years. We have really got to know each other in the last 10 years of our excellent cooperation in the Conference of Presidents. I greatly appreciate your personal ethic, which has enabled you to recognise – at least I think so – that it is possible to be simultaneously a communist, a democrat, a European and a humanist. Thank you.

(Applause)

President. – Thank you, Mr Wurtz. Ladies and gentlemen, on behalf of you all I should like to thank Mr Wurtz, who has been a Member since 1979 and will now leave Parliament. Our thanks also go to three other fellow Members, who have been here since 1979 and will now leave: Klaus Hänsch, a former President, Ingo Friedrich, former Vice-President and Quaestor, and Karl von Wogau, former Chairman of the Committee on Economic and Monetary Affairs and currently Chairman of the Subcommittee on Security and Defence. I should like to extend my sincere thanks on behalf of you all to these four and to all other departing fellow Members for their huge commitment. Thank you very much.

(Loud applause)

Nigel Farage, *on behalf of the IND/DEM Group*. – Mr President, the Independence and Democracy Group has tried to be helpful, positive and constructive right through this parliamentary term.

(Mixed reactions)

Yes, because we have been providing the voice of opposition and, in a democracy, opposition is essential. It is vital. But sadly, as President Václav Klaus pointed out when he came here, you do not actually think there should be any alternative view and, as a result of that, your presidency has been marked by your deeply prejudicial manner in the way in which you have treated the Members of this House who have stood up and opposed the Constitution/Lisbon Treaty.

The defining moment for me in this House was when we had the French say 'no', we had the Dutch say 'no' and then we had the Irish say 'no', and this Parliament wilfully carried on ignoring the wishes of the people. You just do not get it, do you? 'No' means 'no', and it is truly incredible that 499 Members of this House voted to ignore the Irish 'no' vote and to continue with the Treaty. What kind of a Parliament is this? If you believed in democracy, you would not just bulldoze aside those three referendum results.

Worse still, you are now so fearful of public opinion – you know that you are losing the argument – that you have sunk to abuse. I have had Mr Watson saying that I behave like an English football hooligan, when all I did was to gently point out that Commissioner Barrot is a convicted embezzler. Gary Titley said that I

was a paranoid reactionary living on the fringes of society. Well, he may have a point, I do not know; but Danny Cohn-Bendit, that great champion of free speech, said that opponents of the Treaty were mentally ill, and Martin Schulz, the leader of the Socialists, said after one of the 'no' votes that we must not bow to populism and that the 'no' votes opened the door to fascism.

I hope in the next four weeks, in this campaign, that the voters of Europe can see the real face of this project. You are nationalistic; you are bullying; you are threatening; you are anti-democratic; you are a complete shower!

(Applause)

President. – That you can make such a speech shows that this is a free and democratic European Parliament!

(Applause)

Daniel Hannan (NI). – Mr President, some colleagues may find this hard to believe but I am going to miss you. In all the time I have known you, first as leader of the Christian Democrats and then as President of this Parliament, you have been a model of dignity, restraint and courtesy. You are an Anglophile as well as a Europhile and you represent all that is best in the integrationist tradition. You will be very relieved, no doubt, to hear that I cannot recall ever having agreed with you.

(Laughter)

But in the career that we have both chosen, we know that ideological commitment is a rare commodity and we value it even when we find it in an opponent.

You will remember how we clashed over your interpretation of this House's Rules of Procedure. Those of us who wanted referendums on the Constitutional Treaty had made our point in peaceable explanations of vote. Our right to do so was set out unequivocally in the Rules of Procedure. You chose arbitrarily to disapply those rules – you did not seek to change them, which would have required a certain amount of time, you simply disregarded them. This is not the time to have that argument all over again. Instead, let me say this: the President of this Chamber is meant to embody the entire House, including those who espouse minority views, and when you treat us differently you open the door to despotism. For example, virtually every month there are demonstrations here about something or other and they are tolerated, but when we held up placards with the one word 'referendum' you sent in the ushers to snatch away our banners and several of us were later fined.

I can understand why the word 'referendum' causes so much disquiet in this Chamber: the electorates of three nations had rejected your constitutional model. It made you feel vulnerable and that made you tetchy and, since you could hardly attack the voters directly, you took out all your frustration on us, the visible Eurosceptic minority in this Chamber.

Colleagues, I do not expect to change your minds about the desirability of centralising power in Brussels. But, from your own point of view, I would urge you to be a bit more even-handed in your dealings with those of us who are the minority. If only you could conquer your reflexive dislike for us, you might find that it would bolster your own democratic credentials. All organisations need their critics. Your insistence that the EU is an absolute good and that any criticism of it is either dishonest or xenophobic has done you no favours, because without critical scrutiny the Brussels institutions become bloated, self-serving and corrupt.

My friends, I hope that there will be many more of us *souverainistes* here in July. For the first time in 50 years, this Parliament will have something in the nature of an official opposition. It will be up to your successor, Hans-Gert, how to deal with that opposition, but I hope he will live up to the value of tolerance which this Chamber keeps claiming to espouse.

(Applause)

President. – We have taken note of it.

Jan Kohout, President-in-Office of the Council. – Mr President, I am grateful to you for this opportunity to say a few words on behalf of the Presidency and on behalf of the Council, in response to you and to the interventions from the representatives of the political groups. It is particularly significant for us that the five years of this legislature have coincided with the first five years of membership of the European Union for the Czech Republic and for the other countries which joined at that time. All the more so, given that the Czech Republic has had the privilege of holding the Council Presidency as this legislature draws to a close.

I would first like to pay tribute to you, Mr President, for the exemplary manner in which you have led this institution throughout the last two and a half years. It is a powerful witness to your qualities, in particular of fairness and integrity, that you are held in such respect by this Parliament, a respect which clearly cuts across party political divisions. As one of the relatively few Members first elected back in 1979, you have been able to bring your considerable experience, wisdom and knowledge to this office. Speaking in particular on behalf of the Presidency, I can only say that we have very much appreciated all your qualities in the contacts we have had both before and during our Presidency. On behalf of the Council, may I wish you all the best for the future.

I hope you will allow me, since we are looking back over the past five years, to pay tribute also to your predecessor, Mr Borrell, who manifested the same qualities of impartiality and leadership. You have both ensured that this office of President is one which is held in respect and esteem. This Parliament and the Union more generally have good reasons to be grateful to you both.

During the course of the last five years, this Parliament has made effective use of its powers and prerogatives, not least in the important area of codecision where the Council and Parliament find themselves on opposite sides of the table, sometimes with very different views and objectives. Despite these differences, both institutions work together to ensure that the system delivers. We can disagree and we can argue constructively, but we do so within a framework of agreed rules and procedures. I think both institutions can take some pride in our shared commitment to making the system work, and the last five years have provided plenty of examples that it does work and work very effectively.

Mr President, Honourable Members, in less than three months' time a new Parliament will take up office. There will be many new Members. You will elect a new president and a different Member State will be seated here as the presidency representing the Council. I am sure that all of them will, during the course of the next five years, look back with gratitude and respect at the legacy which you, Mr President, have left this institution. Thank you for your attention.

Margot Wallström, Vice-President of the Commission. – (DE) Mr President, under your presidency relations between the European Parliament and the Commission have developed very well, not to say smoothly. It is to your credit that, even during election campaigns when, as is generally known, the potential for conflict is at its greatest, at no time did the normal political debates turn into a crisis among the institutions.

If I may be permitted to make a personal comment, I should like to thank you warmly for your, at all times, friendly and courteous approach to your work. You not only acted politely but also took corrective action when necessary. And you were always gentlemanlike. I should also like to emphasise how important it was for this Parliament and for the entire European Union that you had the courage and the willingness to defend the democratic principles and privileges of this Parliament, even against Heads of State where necessary.

(Applause)

I should also like to congratulate you on 30 years as an elected Member of the European Parliament. Your personality has very much left its mark on these decades and you have made a significant contribution to shaping the development of Parliament.

President Barroso would very much have liked to come himself but, as you know, he is attending the EU-Canada Summit in Prague. On behalf of the President of the Commission and the entire Commission I should like to thank you warmly for your successful presidency. Thank you.

(Applause)

President. – Madam Vice-President, ladies and gentlemen, I warmly thank you for your largely favourable reviews. I wish all my fellow Members who are not standing for re-election all the best for the future and I hope that we will meet again. To all my fellow Members who are standing for re-election and who are re-elected, I should like to say that I hope that we, provided of course that I am re-elected, will continue our good work. What the chairmen of the political groups have said today has encouraged me to continue along the path towards a unified Europe. Many thanks to you all and I hope we will all see each other again.

(Loud applause)

IN THE CHAIR: Diana WALLIS*Vice-President*

Thomas Mann (PPE-DE). – (DE) Madam President, I have a question on order in the Chamber. Shortly before we were able to vote, when the sitting was suspended for just a short time, a Member of our honourable House apparently succeeded in smuggling in a parliamentary candidate, having a few cheeky promotional photographs taken with her and, in my view, abusing our Body. Is it not necessary to hold these candidates to account?

President. – Thank you, Mr Mann. It will be investigated.

6. Voting time (continued)

President. – We now continue with the vote.

6.1. Electronic communications networks, personal data and the protection of privacy (A6-0257/2009, Malcolm Harbour)

– *Before the vote:*

Hanne Dahl (IND/DEM). – Madam President, I have one thing to say regarding the vote that we are about to hold. It seems, from the voting list, that we are voting on the compromise text from the committee, instead of the amendments, first. Normally I would have thought that we would vote on the most far-reaching amendments first, so I would ask you to use the power that you have according to Rule 19 in the Rules of Procedure and change the order of the vote so that we vote on the amendments. This concerns the citizens' rights amendments. This is very important for both the Harbour and the Trautmann reports.

President. – Mrs Dahl, as far as I am aware there is no problem. I see no problem with the voting order on the Harbour report. We will proceed as it is on the order paper.

6.2. Electronic communications networks and services (A6-0272/2009, Catherine Trautmann)

– *Before the vote:*

Rebecca Harms, on behalf of the Verts/ALE Group. – (DE) Madam President, I have asked for the floor because I do not agree with the voting order on the Trautmann report. I request that I be given the floor before the vote on Compromise Amendment 10 to explain why the voting order should be changed.

– *Before the vote on Amendment 10:*

Rebecca Harms, on behalf of the Verts/ALE Group. – (DE) Madam President, I should like to request that the voting sequence be changed and that Compromise Amendment 10 be put to the vote after we have voted on a number of other identical requests by various Groups that were due to be voted on after Amendment 10.

My reason for this is that, in my opinion, the amendments proposed by the various Groups go far beyond the Compromise Amendment regarding the item 'Protection of citizens' rights against intervention in Internet access or capping of Internet access'. I believe that it would be a good thing for Parliament, which so clearly declared its support for the infamous Bono/Cohn-Bendit Amendment, to speak out once again in support of the highest protection of citizens' rights.

I regret that, at the end of a very good consultation with Mrs Trautmann I am unable to request this, but this friendly consultation, the good result of the telecoms package, should not ultimately mean that we curtail citizens' rights *en passant*.

(Applause)

Alexander Alvaro, on behalf of the ALDE Group. – (DE) Madam President, on the basis of Rule 154 and Rule 155(2) of the Rules of Procedure, the Group of the Alliance of Liberals and Democrats for Europe would like to endorse the request by the Group of the Greens/European Free Alliance to change the voting order of the

amendments and to put Amendments 1 c, p, 2, 5, 6 and 9 to the vote before Compromise Amendment 10. This also relates, among other things – perhaps there is something else on your voting lists – to the fact that, following the motion adopted by our Group yesterday, Compromise Amendment 10 will no longer be supported by the ALDE Group. As regards the voting procedure, Rule 154 explains which amendment is to be dealt with first when there are corresponding or conflicting requests. It is important to us that a court ruling be issued before any intervention in the behaviour of individuals can take place. That is why we have withdrawn the amendment.

Angelika Niebler, *on behalf of the PPE-DE Group*. – (DE) Madam President, I am not speaking in my capacity as Committee Chairman but as rapporteur for my Group on the Trautmann report. I urge the House to reject the procedural motion and to allow the voting to take place in the order proposed by you on the voting lists.

Mrs Harms, no one in this House wishes to curtail the right to free Internet access. We have incorporated this aspect into the compromise, which we discussed with the Czech President-in-Office of the Council over many months. All political parties were heavily involved in these discussions. I request that the proposed order be kept and that the change to the voting order now being proposed by the Group of the Greens/European Free Alliance and the Group of the Alliance of Liberals and Democrats for Europe be rejected.

Catherine Trautmann, *rapporteur*. – (FR) Madam President, I would first of all like to point out that, in relation to the request for a change on the voting list, if I have understood rightly, if the compromise was included by the services, using their common sense, before groups tabled the amendment, it is because it goes further than Amendment 46. It includes clauses that are not limited merely to restricting access to the Internet but that also include all devices that may adversely affect users' rights.

Secondly, I would also like to tell the Members that this compromise has been tabled in Article 1, which relates to the scope, and that it therefore has an across-the-board effect, whilst the amendment tabled by the groups concerns Article 8, which affects the objectives of the national regulators.

Throughout the negotiations on this compromise, I have worked faithfully and harmoniously with all of the political groups. I note, Madam President, that at this very moment one of the groups has withdrawn its signature from this compromise. I would therefore like to say to you that, as rapporteur, I continue, of course, to support this compromise, and that I have also voted in favour of Amendment 46.

I would like to say that, in the circumstances in which we are holding the debate, it is wiser for our House to decide on the voting order, rather than leave it up to you or the rapporteur alone to take this decision. However, I would like to present this request to you very directly, as it must be understood what happens next if the vote is reversed.

If the vote is not reversed, the list stays the same. If the vote is reversed, Amendment 46 is adopted if it obtains the qualified majority. In that case, Madam President, I would also ask you to put the compromise – which goes further than Amendment 46 – to the vote after this vote is taken. If Amendment 46 does not obtain the qualified majority, at that stage we will vote on the compromise and, therefore, our House will have made its choice.

President. – I have heard from several people and I take very carefully into account what our rapporteur has said.

I took the step before this vote of taking advice from the services, and I have listened very carefully to what has been said. I have the power as President under Rule 155(2) to decide on the order of vote. It seems to me that this issue is of such importance, both within and outside this House, that it would be appropriate to vote on the earlier amendments, but I do this also on the basis procedurally that, as I understand it, Amendment 10 was a compromise that came forward only after the committee vote. So it seems to me that there are both procedural and other reasons why we should reverse the order of the vote.

(Parliament accepted Rebecca Harms' request.)

(Applause)

6.3. Body of European Regulators for Electronic Communications (BEREC) and the Office (A6-0271/2009, Pilar del Castillo Vera)

– On the Trautmann Report (A6-0272/2009)

Catherine Trautmann, rapporteur. – (FR) Madam President, I asked that we also be able to vote on the compromise, as it has a broader scope than Amendment 46 alone. You decided not to put this compromise to the vote without giving us any explanation and without giving any reply to the rapporteur. I wanted you to be aware of this and to tell you that I regret that our recommendation has not been followed, just like the rapporteur's recommendation on our House's vote.

I would also like to say – to explain the vote that has just taken place – that when any part of the entire compromise is not adopted, it is the whole package that is subject to conciliation. That is the consequence of the vote that is being taken today.

President. – Thank you, Mrs Trautmann, I think the House understands the consequences of what it has done, but I thank you, nevertheless, for pointing that out. It would not have been appropriate to take the other compromise and, indeed, the vote was more than clear.

*
* *

6.4. Frequency bands for mobile communications (A6-0276/2009, Francisca Pleguezuelos Aguilar)

6.5. Equal treatment between men and women engaged in a self-employed capacity (A6-0258/2009, Astrid Lulling)

– Before the vote on Amendment 14:

Astrid Lulling, rapporteur. – (FR) Madam President, I agreed with Mr Cocilovo, who was the draftsman of the opinion of the Committee on Employment and Social Affairs, to insert the following clause into this important Article 6: 'If the legislation of a Member State does not stipulate obligatory affiliation to the social security system for the self-employed, affiliation is granted on request to the assisting spouse.'

I shall explain what I mean by this. We insist that assisting spouses be compulsorily insured, as is the case for the self-employed. However, if, in a country, the self-employed are not compulsorily insured, we cannot require that this be the case for their spouses, as the latter cannot be affiliated to an insurance scheme that does not exist. That is why this additional paragraph has to be adopted. I am also acting on Mr Cocilovo's behalf in this matter.

(The oral amendment was not accepted.)

6.6. Pregnant workers (A6-0267/2009, Edite Estrela)

– Before the vote:

Edite Estrela, rapporteur. – (PT) Madam President, I should like to ask the services to take into account that the Portuguese version is authentic for all amendments.

Secondly, I should like to ask that the order of voting be changed, and that Committee Amendment 43 be voted on before Amendment 83 for the sake of coherence.

Finally, I would point out that this directive that we are going to amend is 17 years old and is clearly out of date. The revised directive will not enter into force before the end of the next legislative term. In other words, we are legislating for the future, not for today.

In particular, we are legislating for the good of the citizens, thereby giving them more reasons to vote in the June elections.

I will therefore end by asking my fellow Members to support my report.

Astrid Lulling, *on behalf of the PPE-DE Group*. – (FR) Madam President, as things stand at present, there are 89 amendments to this report. It is totally chaotic, and the vote that we are going to take will not allow us to hold a truly objective debate with the Council and the Commission. These 89 amendments are all totally at odds with each other. I propose we refer this report back to committee because, as Mrs Estrela said, we have plenty of time to do so.

(Loud applause)

President. – Ms Lulling, could you kindly confirm to me whether or not you make that request on behalf of your political group?

Astrid Lulling, *on behalf of the PPE-DE Group*. – Yes, Madam President, I never make anything not on behalf of my political group!

(Laughter and applause)

Edite Estrela (PSE). – (PT) Madam President, it does not make sense to refer this report, or this proposal, back to committee, because it was discussed with all the groups. It is presumably supported by a majority in this House. It was also discussed with the Commission and with the Council.

Naturally, people have different opinions. We know that, regrettably, the Council under the Czech Presidency has adopted a very conservative attitude to the promotion of gender equality.

I therefore call on the House to vote for the proposals and to support my report, because it will give the citizens more reasons to go out and vote in the European elections.

(Parliament decided to refer the matter back to committee.)

6.7. European Globalisation Adjustment Fund (A6-0242/2009, Gabriele Stauner)

6.8. Economic Recovery Programme: energy projects (A6-0261/2009, Eugenijus Maldeikis)

– *Before the vote on the legislative resolution:*

Reimer Böge, *on behalf of the PPE-DE Group*. – (DE) Madam President, after consulting briefly with the rapporteur, we agreed that paragraphs 2, 3 and 5 of the legislative resolution should be adjusted. I would suggest the following English text for paragraph 2:

‘Considers that the reference amount indicated in the legislative proposal is compatible with the multiannual financial framework as the latter has been revised;’

In paragraph 3, the first sentence should be deleted, the rest remaining unchanged: ‘Recalls that any redeployment that would lead...’ and so on.

Paragraph 5: ‘Recalls that the legislative process has been completed after the financing of the programme has been agreed;’.

(The oral amendments were accepted.)

6.9. Credit requirements directives: Directives 2006/48/EC and 2006/49/EC (A6-0139/2009, Othmar Karas)

– *Before the vote:*

Udo Bullmann, *on behalf of the PSE Group*. – (DE) Madam President, this report was strongly disputed in several Groups and, to guarantee the fairness of the vote, I would ask you to give me the floor before the vote on Recital 3 so that I can give my opinion on the voting order.

– *Before the vote on recital 3:*

Udo Bullmann, *on behalf of the PSE Group*. – (DE) Madam President, the report presents different ideas on how to regulate core capital and Amendments 91 and 92 go somewhat further in that they present a clearer and more precise definition of core capital, which will make less work for us in future. I therefore request that they be voted on first and that Amendment 89 to Recital 3 is then voted on. I hope that my fellow Members agree and I also ask you to accept that the vote on Amendment 89 to Recital 3 be taken by roll-call vote.

Othmar Karas, *rapporteur*. – (DE) Madam President, I should like to point out that we made it quite clear in the debate that the amendments are clearly taken into account in the compromise in a sufficiently detailed form. I therefore request that we keep to this order. I have no objection to a roll-call vote.

(Parliament accepted Udo Bullman's request.)

6.10. Community programme for financial services, financial reporting and auditing (A6-0246/2009, Karsten Friedrich Hoppenstedt)

6.11. Protection of animals at the time of killing (A6-0185/2009, Janusz Wojciechowski)

– *Before the vote:*

Janusz Wojciechowski, *rapporteur*. – Madam President, I have two or three short technical, but important, points.

Firstly, we have a block of amendments proposed by the Agriculture Committee, among others Amendment 64. This amendment should be voted separately. It focuses on the issue of creating the National Reference Centre, which is a very important part of the whole regulation. The Agriculture Committee has proposed to remove the obligation to create the Reference Centre at a national level. My opinion, as the rapporteur, is that this is against the general logic of the whole regulation. I suggest voting on Amendment 64 separately.

Secondly, please note Amendment 28, which focuses on the controversial and emotional question of ritual slaughter. Voting in favour of this amendment will eliminate the possibility of a total ban on ritual slaughter at national level. Voting against Amendment 28 will preserve the possibility of this ban.

The third point concerns Amendment 85. The Commission has proposed to reduce the time of transport of animals from farms and waiting in slaughterhouses to 24 hours. Voting in favour of Amendment 85 will eliminate this reduction of transport time. Voting against Amendment 85 will support the Commission proposal to reduce the transport time.

(The request was rejected as over 40 Members objected.)

6.12. Renewed Social Agenda (A6-0241/2009, José Albino Silva Peneda)

– *Before the vote:*

Philip Bushill-Matthews, *on behalf of the PPE-DE Group*. – Madam President, very briefly, I hope the House will forgive me for this last-minute oral amendment to paragraph 14. Colleagues may be aware that this is a sensitive issue and in some languages and for some Member States this does give difficulties. It is important that we try to get the maximum support for this report at the end.

The suggestion is that, instead of paragraph 14 as written, we replace the whole paragraph with a paragraph that has already been accepted by the House. This was paragraph 23 of the Parliament resolution of 11 March 2009 concerning the Spring 2009 European Council on the Lisbon Strategy, and which covers exactly the same ground. I will read it; it is just a few sentences:

'Notes that some Member States have introduced the concept of a minimum wage; suggests that other Member States might benefit from studying their experience; calls on the Member States to safeguard the preconditions for social and economic participation for all and, in particular, to provide for regulations on such matters as minimum wages or other legal and generally binding arrangements or through collective agreements in accordance with national traditions that enable full-time workers to make a decent living from their earnings;'

As I said, this has been approved by political groups in the past. My apologies for tabling it now. The rapporteur is OK by this, and I hope the House will at least allow the oral amendment to be tabled.

(The oral amendment was accepted.)

Jan Andersson (PSE). - (SV) Thank you very much. I would just like to say something briefly about the Swedish translation. In paragraphs 13 and 36, 'minimum income' has been translated by the Swedish word 'minimilön', which means 'minimum wage'. It should be 'minimiinkomst'. There is a difference between 'minimiinkomst' and 'minimilön', and so there is an error in paragraphs 13 and 36 of the Swedish translation.

6.13. Active inclusion of people excluded from the labour market (A6-0263/2009, Jean Lambert)

*
* *

President. – Exceptionally, colleagues, and those who are waiting to give explanations of vote, you will appreciate that it is now very late. We have all been here some time, as, particularly, have our interpreters. There are a very large number of explanations of vote, and I suspect we would not get through them by 15.00. That being the case, I am taking the decision, as we have done before, that they will be dealt with at the end of business tonight.

Daniel Hannan (NI). - Madam President, the rules are very clear that, after the vote, every Member has the right to make an explanation of vote for up to 60 seconds. I am conscious that our interpreters have been here for a long time. I am conscious that we are keeping a lot of people from their lunch. May I suggest a compromise that was used by your fellow Vice-President, Alejo Vidal-Quadras, the last time that this happened, which is to allow people to make explanations of vote one person after another, which speeded up proceedings very considerably.

President. – Thank you, Mr Hannan. We did consider that formula. There are so many that I do not think it would work. You will be able to make your explanations of vote after the vote, in the sense that it will be tonight. I am sorry for that, but it really is too late – and you know how I enjoy your contributions!

Written explanations of vote

- Proposal for a decision (B6-0268/2009)

José Ribeiro e Castro (PPE-DE), in writing. – (PT) The European Commission's Communication COM(2007) 281 set all the European institutions a challenge: 'The time has come to look at Brazil as a strategic partner as well as a major Latin American economic actor and regional leader'. This partnership was established on 4 July 2007 in Lisbon during the Portuguese Presidency of the European Union. On 12 March 2009 the European Parliament adopted a recommendation to the Council which stated that 'the Strategic Partnership should provide for the establishment of a regular structured dialogue between the Members of the Brazilian National Congress and Members of the European Parliament'.

Despite this statement of principle and my calls to the President of this House, I note with sadness that Parliament is sticking with the anachronistic option of making Brazil the only BRIC economy without an independent parliamentary delegation. This contradicts Parliament's own decision and demonstrates a deplorable inertia and short-term attitude, given Brazil's real importance in the world. I hope that future Members of this Parliament, particularly Portuguese Members, will help to change this regrettable state of affairs and establish direct and productive communication with the Brazilian National Congress.

I voted against.

Francis Wurtz (GUE/NGL), in writing. – The GUE/NGL Group has abstained in the vote on the number of interparliamentary delegations, due to the reference to 'Kosovo' in the formation of a 'Delegation for relations with Albania, Bosnia-Herzegovina, Serbia, Montenegro and Kosovo'.

The formation of a delegation for relations with a self-proclaimed state that is a result of violation of international law constitutes in itself a de facto violation of international law.

This abstention does not concern all other delegations referred to in the same decision, which we support.

- Report: Philippe Morillon (A6-0203/2009)

Glyn Ford (PSE), *in writing*. – I am delighted to vote here today on this report to repeal a directive and 11 obsolete decisions and note that our next report from Mr Morillon (A6-0202/2009) will repeal a further 14 obsolete regulations.

I congratulate my colleague on a move that we would do well to replicate across all our committees and all our spheres of competence. I would certainly favour some regulations and directives having a fixed lifetime that would stop the continued acceptance of laws and regulations and the burdens that consequently fall on us all.

- Report: Petya Stavreva (A6-0259/2009)

Katerina Batzeli (PSE), *in writing*. – (EL) The PASOK parliamentary group voted in favour of the Stavreva report, because it gives Member States the facility to choose support measures for rural development at a particularly crucial time for the countryside and for farmers. The original text of the Commission proposal was also improved on the basis of the amendments which I tabled in the Committee on Agriculture and Rural Development.

However, under no circumstances can opportunistic reductions in the financial limits of the common agricultural policy be accepted on the pretext that it has unused resources. The Community budget cannot be recycled using the flexibility mechanism. Instead of this practice, it would be politically and materially expedient to debate an increase in the Community budget, so as not to affect existing Community policies, including the CAP, which will be called on to cover the financing of new policies to deal with the crisis and improve the competitiveness of the EU.

Călin Cătălin Chiriță (PPE-DE), *in writing*. – (RO) I voted in favour of the report on the proposal for a Council regulation amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

I support this document as it is allocating an additional EUR 250 million to supplement the funds earmarked for 2009 and it offers greater flexibility in terms of allocating and using the financial resources for developing broadband Internet in rural areas and for tackling the new challenges in the agricultural sector.

This top-up to the EAFRD is necessary, especially at a time of crisis. Romania must access this fund through the implementation of viable projects, with the aim of developing our villages and raising the standard of living of those inhabiting our rural areas.

Zita Pleštinská (PPE-DE), *in writing*. – (SK) The report on the proposal for a Council regulation amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD).

Zdzisław Zbigniew Podkański (UEN), *in writing*. – (PL) The European Agricultural Fund for Rural Development represents a great opportunity for historically underdeveloped regions. The fund is also an opportunity to reduce the disproportion between old and new European Union Member States.

When administering the fund we must remember that the common agricultural policy is full of injustices and inequalities. Differences in subsidies, and so in the incomes of farmers, lead to the maintenance of these disproportions, and even to their increase. These disproportions concern not only the economic situation of residents of rural areas, but also the entire infrastructure, including access to the Internet. We must, therefore, remember that German farmers, for example, receive subsidies which are twice as much as Polish farmers receive, and three times more than Romanian farmers.

We must also remember that the regions which most need help are found in Romania, Bulgaria and the Eastern Wall of Poland.

- Report: Richard Corbett (A6-0273/2009)

Guy Bono (PSE), *in writing*. – (FR) I voted in favour of this report, presented by my British fellow Member of the Socialist Group in the European Parliament, Mr Corbett, on the general revision of Parliament's Rules of Procedure.

I support the initiative by the Socialist Group President, Mr Schulz, who sought to use this revision to prevent the French leader of an extreme-right party from having the honour of chairing the inaugural session of the new parliament.

Under the new provisions, Parliament's inaugural session, to be held on 14 July, will be chaired by the outgoing president, if he is re-elected, or by one of the 14 vice-presidents in order of precedence if re-elected.

European democracy in fact holds principles of respect and tolerance among peoples that Mr Le Pen wilfully disregards through his determination to make revisionist remarks.

Glyn Ford (PSE), *in writing*. – I voted in favour of this report, and in particular Amendments 51 and 52, which replace the oldest Member taking the chair at the opening of the new Parliament by a 'provisional choice'. I do not understand why we have ever had this bizarre rule. Maybe the 'father or mother' of the House has a logic. The longest serving Member at least has experience to fall back on, rather than merely age.

We have already had this system abused by Mr Le Pen and his Front National when in 1989 Claude Autant-Lara was parachuted into this Parliament and made a farce of the opening of the institution with a lengthy and highly offensive intervention. Within months he had stood down, having performed his function of bringing ridicule upon the European Parliament. We cannot, 20 years on, allow Mr Le Pen a second opportunity to bring Europe into disrepute.

Bruno Gollnisch (NI), *in writing*. – (FR) Mr Corbett's report aims at bringing Parliament's Rules of Procedure into line with the current practice of general consensus and prior bargaining in small groups, which turns the plenary into nothing more than a meeting that records texts cooked up previously by a handful of experts. As a result, the institutionalisation of a final public vote on each text is merely the minimum level of transparency that the citizens can expect of the work of this House.

However, this report is above all an unexpected opportunity to adopt *in extremis* a mind-boggling amendment, despite it having been rejected in committee, and drafted exclusively to prevent a single individual from performing a duty that is, moreover, recognised in all the world's parliaments: that of the oldest Member chairing the election of the President at the inaugural session. A real exceptional act, the crime of a real political scoundrel! Unheard of in a democracy!

The signatories are none other than Mr Daul and Mr Schulz, who should definitely try to become known and recognised in Germany, rather than in France. This is extra proof, if such were needed, of the ongoing collusion between the soft right and the sectarian left, which vote together on almost all of the texts adopted in this House.

Jean-Marie Le Pen (NI), *in writing*. – (FR) After the amendment on the oldest Member was rejected by the Committee on Constitutional Affairs, Mr Schulz and Mr Daul, those two liberal-social-democrat cronies, reintroduce the same amendment in plenary.

The Classics used to teach that to err is human; to persist in error is diabolical.

The lesson has clearly not been learned. Focusing the work of the European Parliament on my humble self borders on the pathetic. In fact, flouting our own Rules of Procedure to such an extent is to sow the seeds of latent totalitarianism.

When will the minority groups be eliminated? When will recalcitrant Members be eliminated?

From Claude Autant-Lara to Jean-Marie Le Pen, we have come full circle. In 1989, after the great filmmaker's remarkable speech, the oldest Member's speech was abolished. Twenty years later, the oldest Member is to be got rid of to prevent that devil Le Pen from presiding over the election of the President of the European Parliament.

Such democratic progress, ladies and gentlemen!

Mr Schulz and Mr Daul are unwittingly giving me remarkable free publicity, which I will not fail to exploit. Alone against the world, I will take up the gauntlet and take as witness the true democrats and sincere Europeans: this masquerade and this denial of democracy serves not Europe but the hidden, partisan interests of a small coterie of politicians.

Patrick Louis (IND/DEM), *in writing*. – (FR) As a French Member of the European Parliament and a member of the Independence and Democracy Group, I chose not to support Amendments 51 and 52 to Mr Corbett's report.

It is, in fact, unreasonable to change a general rule to suit a specific case.

Moreover, these manoeuvres will undoubtedly have the opposite effect to that intended, in other words, they will highlight the disrespect in which many Members hold some of their fellow Members and candidates.

Moreover, there is nothing to prevent a political party unhappy with the current oldest Member from presenting an older candidate.

Astrid Lulling (PPE-DE), *in writing*. – (FR) I did not vote for the general revision of Parliament's Rules of Procedure because, in seeking to avoid having an oldest Member by the name of Le Pen in the chair, an inelegant, indeed counter-productive solution has been found, despite there being a solution that would have been acceptable to all those here who are in favour of the policy of gender mainstreaming.

We could therefore have replaced Article 11 with the following text: 'Alternately, the oldest male Member or the oldest female Member from amongst the Members present will, as oldest Member, take on the role of President until the proclamation of Parliament's choice. The alternating order will begin with the oldest female Member.'

In this way, we could have avoided having a Le Pen as the presiding oldest Member without this House murdering the Rules of Procedure and adopting a procedure that exists in no other parliament of a democratic country.

That is a shame. Personally, I have more confidence in the French electorate. I hope it will prevent the election of Mr Le Pen and that this exercise will thus prove pointless.

Andreas Mölzer (NI), *in writing*. – (DE) The European Union in particular, which takes up the cause of democracy, tolerance and freedom of opinion, would itself appear not to take them so precisely. Whether it is in terms of the right of peoples to self-determination, accession criteria or solutions to present-day problems, two different EU standards are applied depending on what is convenient.

Anyone who does not meet the requirements of political correctness, who is an inconvenience to the EU establishment, who depicts uncomfortable realities in the EU establishment, is excluded and all of a sudden subject to other rules. The principle of *idem ius omnibus* – equal justice for all – must be strictly applied if the EU does not want to slide into politically correct hypocrisy. Personal animosities must not be cited as backing for quasi 'knee-jerk legislation'.

Andrzej Jan Szejna (PSE), *in writing*. – (PL) The amendments proposed by the rapporteur make the rules on the register of European Parliament documents more flexible, and they simplify the Rules of Procedure. In addition, some of them aim to adapt the Rules of Procedure to new rules and to present practice.

One of the most important changes is to give the President of the European Parliament the authority to invite national parliaments (of States which have signed a Treaty on the accession of a State to the European Union) to designate from among their own members a number of observers equal to the number of future seats in the European Parliament allocated to that State. Those observers shall take part in the proceedings of Parliament pending the entry into force of the Treaty of Accession, and shall have the right to speak in committees and political groups. They shall not have the right to vote or to stand for election to positions within Parliament.

Another change to the Rules of Procedure regulates the procedure for joint committee meetings and joint votes. The respective rapporteurs shall draw up a single draft report, which shall be examined and voted upon by the committees involved at joint meetings held under the joint chairmanship of the committee chairs concerned.

Important changes from the point of view of the progress of parliamentary proceedings concern allocation of speaking time and drawing up the list of speakers, and also amendments concerning taking the final vote on a piece of legislation. Roll call votes increase MEPs' accountability towards citizens.

- Recommendation for second reading Malcolm Harbour (A6-0257/2009)

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) In the European Parliament's first reading of the telecoms package, a majority of Members voted in favour of Amendments 138 and 166, which have been under discussion. By doing so, the European Parliament made it clear that a court ruling should be required in order for someone to be excluded from the Internet, and that users have the right to free expression and to privacy. However, the Council chose to ignore the wishes of the European Parliament and deleted Amendments 138 and 166. The European Parliament and the Council have now agreed on a compromise. This compromise does not contain Amendments 138 and 166 in their original form. We therefore voted against the compromise in today's vote.

The June List and the Danish June Movement are keen for Amendments 138 and 166 to be included in the telecoms package and have therefore tabled a number of amendments which have been referred to as 'Citizens' Rights Amendments' by Internet activists and which have received the support of a couple of other political groups within the European Parliament. If our proposals had won the support of MEPs there would have been a good chance of the European Parliament and the Council finally agreeing on a telecoms package that seriously protects the rights and privacy of Internet users.

Andreas Mölzer (NI), *in writing*. – (DE) We are trying today to support economic interests by hook or by crook. A flurry of copyright laws is suddenly to be introduced in a framework law for the provision of telecommunications. It is sufficient for the EU to introduce a duty to warn customers of the dangers of violating 'intellectual copyrights'; the sanctions could then be regulated at national level. Afterwards, each can then lay the blame on the other person. In this report, major software developers have also tried to incorporate a stumbling block for smaller developers.

There may well be rights violations on the Internet, such as child pornography, which we must oppose, but this must not get out of hand to the extent that data protection is sacrificed at the altar of the economic interests of a few large companies and multinational corporations. The original idea behind the telecommunications package was perfectly sensible, but with the huge number of amendments, one or more amendments criticising the package could have slipped through.

- Recommendation for second reading Catherine Trautmann (A6-0272/2009)

Guy Bono (PSE), *in writing*. – (FR) I voted in favour of Amendment 138, which I tabled in September last year and which was adopted by 88% of MEPs.

I am pleased that it has again been upheld by an overwhelming majority of Members, who have thus reaffirmed their commitment to defending the rights of Internet users.

One month from the European elections, that is a strong sign. Contrary to what the UMP and its minister of culture seem to think, the European Parliament's opinion does matter.

This is another blow to Sarkozy and the French Government: Parliament has said 'no' to Sarkozy on both form and content. MEPs have said 'no' to the flexible response and 'no' to the inadmissible pressure exerted by France on the primary democratic body of the European continent!

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) Millions of Europeans rely on the Internet, whether directly or indirectly, in their daily lives. Limiting, restricting or conditioning the Internet would have a direct and negative impact on the day-to-day lives of the general public and many of the micro-enterprises and SMEs which depend directly on this resource to carry out their business.

It was therefore important that our group's proposal be adopted, through our vote in favour, as this will maintain the freedom of exchanges between users, without these being controlled or sponsored by intermediaries.

However, it seems that the Council is not ready to accept this amendment, which is supported by a majority in Parliament who are against the limitation agreement reached in negotiations with the Council. However, this is a small victory, given that it has prevented the adoption of a bad proposal.

All those who defend freedom of movement on the Internet and free software are to be congratulated. This is a struggle with which we will continue in order to ensure the protection of citizens' rights and unrestricted access by end-users to services.

Bruno Gollnisch (NI), *in writing*. – (FR) Firstly, the amendments that best protect citizens' rights and freedoms have not been adopted by this House in the Harbour report, which complements this report.

Next, an issue with the voting order, which fortunately has been resolved, has put a question mark over the way in which a major political problem can be settled here: by sly, petty political manoeuvring, and then laying the blame on an administration that can do nothing about it.

Finally, because the displeasure of Mr Toubon, a visibly ardent defender of the Hadopi law, when Amendment 1, known to Internet users as the 'Bono' amendment, was adopted, was succeeded by his joy and approval when Mrs Trautmann made it known that this text would go to third reading, the overall compromise having been amended, the clearly demonstrated will of the majority of this Parliament risks being trampled over, as were the results of the referendums in France, the Netherlands, Ireland ...

Mr Sarkozy and his friends in the 'majors' have some respite. The citizens, for their part, will have to remain alert. It will be the Parliament elected on 7 June that will negotiate for the third reading. It is not certain whether, once their seats have been secured, the socialists will remain on the side of freedom.

Dimitrios Papadimoulis (GUE/NGL), *in writing*. – (EL) The 'telecommunications package' requested by the Commission and the Council constitutes a potential threat to civil rights. The amendments which we tabled called for the safeguarding of civil rights, universal access and transparency and freedom on the Internet as an area in which ideas are exchanged and not as a resource controlled by politicians and businessmen. Internet users are customers, but they are also citizens. We shall continue to fight for the protection of the individual freedoms of all European citizens.

Vladimir Urutchev (PPE-DE), *in writing*. – (BG) Today during the vote on the electronic communications package, this parliament showed that the protection of consumer rights really is its number one priority.

Regardless of the fact that a relatively acceptable compromise in positions was reached at second reading, a majority in Parliament was not afraid to go against the arrangements and persuasively insist on its initial position against the possible introduction of restrictions on Internet access, unless they are imposed by a court judgment or public security is under threat.

In fact, the whole package has been reduced to a conciliation procedure and its introduction has been delayed. However, after today's parliamentary vote, we cannot fail to send a powerful signal to the Council and Commission.

However, let us acknowledge that what has happened today is down to the active involvement of people representing the Internet, who used every means available to express their position to MEPs and demand that they protect their rights.

This type of behaviour can only be encouraged.

This is why we should also come to the conclusion that we must always listen closely to what people are saying so that EU legislation focuses on their needs too, while ensuring the maximum possible protection for the interests of European citizens.

- Report: Francisca Pleguezuelos Aguilar (A6-0276/2009)

Carl Schlyter (Verts/ALE), *in writing*. – (SV) I am voting against this report, as guarantees should be given that parts of the available spectra will be used for nonprofit-making purposes and not go to the large telecoms companies.

- Report: Astrid Lulling (A6-0258/2009)

Robert Atkins (PPE-DE), *in writing*. – British Conservatives support ending the pay gap and other forms of discrimination between men and women. Equal treatment in all forms of employment is crucial for a fair and equal society. However, Conservatives believe that national governments and parliaments are generally best placed to act in ways that are most effective for their own societies and economies.

Conservatives support the sentiment that spouses of self-employed workers should have access to sickness pay and pensions and maternity rights. However, we believe these decisions are best determined by the Member States.

As the request for a new legislative proposal on equal pay based on Article 141 (3) of the EC Treaty is covered by the Conservative Party's pledge to opt-out of the social chapter, which we are not supportive of, we have chosen to abstain.

Avril Doyle (PPE-DE), in writing. – This report improves the way the principle of equal treatment applies to self-employed workers and assisting spouses in the EU. However, Ireland already provides that the spouses of self-employed persons may become self-employed PRSI contributors in their own right if a commercial partnership between the spouses is demonstrated. A person may, for example, choose to pay voluntary contributions which allow them to remain insured once they leave the compulsory PRSI system. Social insurance is a matter of national competence and for this reason I voted against Amendment 14. Since this Amendment to Article 6 of the report was passed, I along with the rest of my Irish colleagues in the EPP-ED decided to abstain on the final vote.

Edite Estrela (PSE), in writing. – (PT) I voted for Astrid Lulling's report on equal treatment between men and women engaged in an activity in a self-employed capacity, although I feel that it should have gone much further in reinforcing the rights of women and the protection of motherhood. Self-employment remains a minority form of employment in Europe, accounting for 16% of the working population. Only one-third of selfemployed workers are women.

This proposal should have removed the obstacles to women's access to self-employment, by providing for measures or specific advantages designed to make it easier to engage in self-employed activities.

I believe that assisting spouses should have a very clearly defined professional status and social security protection equivalent to that of self-employed workers.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) Social security systems differ depending on where you are in Europe. This is not a problem, as many seem to think. Instead, it is a natural result of the fact that the countries are different and public democratic elections have resulted in different political systems being voted through. As advocates of intergovernmental EU cooperation, it is therefore natural for us to reject the wordings in both the Commission's proposal for a directive and the report from the European Parliament which seek to give the EU more power over the national social security systems.

However, it is worth pointing out that the stringent proposals made seek primarily to ensure minimum levels. Thus, the wordings do not prevent the Member States from going further if they so wish. This is a positive thing, not least from a Swedish perspective. This flexibility and the fact that the equal treatment of women and men is so clearly emphasised as a fundamental principle of a well-functioning democratic society have led us to vote in favour of the report as a whole.

Andrzej Jan Szejna (PSE), in writing. – (PL) Selfemployed people currently make up only 16% of the working population. Barely one third of the 32.5 million self-employed are women.

The proposal to tackle the obstacles to women's access to self-employment, among others by adopting measures providing for specific advantages in order to make it easier for the under-represented sex to engage in selfemployed activities should be supported.

Directive 86/613/EEC has led to little progress for assisting spouses of self-employed workers in terms of recognition of their work and adequate social protection.

The new directive should, above all, provide for compulsory registration of assisting spouses so that they are no longer invisible workers, and place an obligation on Member States to take the necessary measures to ensure that assisting spouses are able to take out insurance cover for health care and retirement pensions.

Despite the fact that the Member States are far from unanimous about the need to improve the legal framework in this area, I hope that it will be possible to reach a reasonable consensus quickly, so that this directive can be adopted at first reading, before the European elections in June 2009.

Let us support initiatives for equality. By putting people first we can build a fairer society.

- Report: Gabriele Stauner (A6-0242/2009)

Călin Cătălin Chiriță (PPE-DE), in writing. – (RO) I voted in favour of Gabriele Stauner's report as I feel it is necessary to extend the European Globalisation Adjustment Fund's remit to also cover redundancies caused by the economic and financial crisis.

The purpose of the European Globalisation Adjustment Fund is to offer effective support to workers made redundant as a result of globalisation. After adopting this piece of legislation, the money from this fund can also be used for redundancies resulting from the economic and financial crisis.

The cofinancing rate for this fund is 50% and this figure may be raised to 65% by 2011.

The maximum annual financial package available to the European Globalisation Adjustment Fund is EUR 500 million, which is intended to be used to help people look for work or to finance professional training courses or mobility allowances.

I hope that Romania too will access the money from this fund to help people who are losing their jobs.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) This partial improvement of the European Globalisation Adjustment Fund falls short of what is needed in this serious crisis that we are experiencing. It takes no account of the proposals that we made to increase the Community contribution to 85% of the amount to be allocated to the unemployed, or even to double the amount of said Fund in order to cover more people who may fall victim to company closures. That is why we decided to abstain.

The amended rules of the European Globalisation Adjustment Fund, adopted today, are intended to allow this Fund to intervene more effectively in terms of cofinancing the training and job placement of workers made redundant as a result of the economic crisis. The new rules extend the scope of the Fund and provide for a temporary increase in the cofinancing rate from 50% to 65%, in order to provide additional support from the Fund during the financial and economic crisis. However, countries facing financial difficulties will have little recourse to the Fund, given that they will still have to support a high rate of cofinancing.

Andrzej Jan Szejna (PSE), in writing. – (PL) We are currently facing an unprecedented crisis. It has affected not only financial affairs, but also economic and social affairs, and has hit not just several Member States, but the entire European Union and the world.

Leaders of the Party of European Socialists have adopted a joint declaration calling on States 'For an ambitious recovery plan to safeguard employment and prevent mass unemployment'. The only way to have a real effect on the economy is to give it a budgetary stimulus which is adequate to the problem being faced and is coordinated across the whole of Europe. Our priority, which guides everything we say or do, is to make jobs secure and to fight unemployment, while also promoting sound ecological development.

If we do not make fresh efforts to combat the crisis in Europe, unemployment will rise to 25 million at the beginning of 2010, and the condition of public finance will worsen considerably.

The European Globalisation Adjustment Fund (EGF) was established in 2006 and will function until 2013. The purpose of the EGF is to provide support for workers made redundant as a result of globalisation. The Fund's maximum annual budget is EUR 500 million and it is used to support active labour market measures, such as assistance for people seeking work, in the form of further training grants and mobility allowances.

I support the idea of a reduction in the number of redundancies (to 500) required to trigger intervention.

- Rapport: Eugenijus Maldeikis (A6-0261/2009)

Laima Liucija Andrikiienė (PPE-DE), in writing. – (LT) I voted for Eugenijus Maldeikis' report on the regulation of the European Parliament and of the Council on EU financial support to projects in the field of energy.

I am delighted that a huge majority of Parliament (526 votes) voted in favour; they supported this document.

I would once more like to underline the importance of our decision.

Like Latvia, Estonia and Poland, my country, Lithuania, has already been part of the European Union in a political and economic sense for five years. However, in terms of energy it was and still is like an island, with no bridges linking it to the Community's energy market.

With today's decision the European Parliament allocated EUR 175 million towards the construction of an energy bridge, which will link Lithuania and Sweden.

Once this project has been realised, the countries in our region, which became EU Member States in 2004, will finally connect their energy markets to the Scandinavian states, and so to the EU market.

This is a fantastic project, a good beginning, and I would like to thank all of my colleagues who voted for it.

Călin Cătălin Chiriță (PPE-DE), *in writing*. – (RO) I voted in favour of the report on the proposal for a regulation of the European Parliament and of the Council establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy.

The European Economic Recovery Plan provides investments amounting to EUR 5 billion for energy projects, broadband Internet and rural development measures. EUR 3.98 billion will be invested in infrastructure for electricity, natural gas, wind power and for the capture and storage of carbon dioxide. The European Parliament supports the allocation of EUR 1.02 billion for rural development projects.

The economic recovery plan is allocating EUR 200 million to the construction of the Nabucco gas pipeline which will transport natural gas from the Caspian Sea region to the EU. Romania supports this project. The key items of interest to Romania include funding in this recovery plan for gas interconnection projects between Romania and Hungary (EUR 30 million) and Romania and Bulgaria (EUR 10 million), as well as for developing the equipment infrastructure enabling the gas flow to be reversed in the event of short-term disruption to the supply (EUR 80 million).

Edite Estrela (PSE), *in writing*. – (PT) I voted for the programme granting financial assistance to projects in the field of energy. The European Parliament's proposal for investment, based on an agreement reached with the Council, is built on three pillars, namely: interconnection of gas and electricity networks; carbon capture and storage; and offshore wind projects. As such, the proposal sets out procedures and methods of providing financial assistance to stimulate investment in the creation of a European integrated energy network, whilst enhancing the European Union's policy of reducing greenhouse gas emissions.

There is a need for immediate action to stimulate the European economy and it is therefore vital to have measures ensuring an adequate geographical balance and speedy implementation. In Portugal, gas network interconnection projects (infrastructures and equipment) are eligible, as too are projects to improve the electricity network interconnection with Spain.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) The Commission's ambition to increase investments in energy infrastructure is the latest in a long line of examples of the arrogance that has infected the officials in Berlaymont. The proposed investments are both extensive and costly, and it has yet to be demonstrated that all of these investments should be dealt with at EU level. In total, investments amounting to EUR 3.5 billion are proposed for 2009 and 2010 – money that is to be provided from the Member States' budgets. As far as Sweden is concerned, this will mean a significant increase in the membership fees by an additional SEK 1.4 billion. The fact that the Commission does not believe it has had time to carry out a thorough impact assessment of such a comprehensive proposal is utterly appalling.

The rapporteur for the European Parliament's report does not seem to be particularly concerned by these objections. Instead, an increase in assistance from EUR 3.5 billion to nearly EUR 4 billion is proposed!

Our mandate to work towards less costly EU cooperation leads us to reject this frivolous treatment of taxpayers' money. However, it should be pointed out that there are very good reasons for continuing to look for ways to improve and develop techniques for separating and storing carbon dioxide. We have voted against the report as a whole.

Anders Wijkman (PPE-DE), *in writing*. – (SV) The proposal to set aside around EUR 4 billion for projects in the field of energy within the European energy programme for recovery is a good one. However, the content has become far too focussed on fossil fuels. In addition, there is a complete lack of support for projects for improving the efficiency of energy use. At an early stage, the Commission proposed that EUR 500 million be set aside for 'sustainable cities' – a proposal that was, however, withdrawn.

The assistance for 'sustainable cities' would have enabled wide-ranging projects to develop district heating and combined heat and power as well as improvements in housing. Such projects would be cost-effective and would reduce emissions and create new jobs. It is deeply regrettable that the opportunity is not being taken, in connection with the economic crisis, to breathe new life into this type of measure.

- Report: Othmar Karas (A6-0139/2009)

Udo Bullmann (PSE), *in writing*. – (DE) The SPD Members of the European Parliament have rejected the report for two reasons:

First, the retention for the securitisation of loans is an important and correct instrument for involving financial institutions in the business risk of the loans in question. However, this requires a significantly large retention.

The 5% retention agreed in the trialogue does not meet this requirement. The European Commission originally called for a 15% retention in the consultation process but then bowed to pressure from industry and proposed 5%. Conservatives and liberals in the Committee on Economic and Monetary Affairs wanted to declare even this low-level participation in the business risk unnecessary through the submission of a guarantee by the financial institutions. The SPD Members of the European Parliament support a much higher retention and will also emphasise this demand in future reforms of the Capital Requirements Directive.

Second, the definition of core capital given in the Karas report violates the competitive neutrality of the regulation. It provides that, in future, silent capital contributions will no longer fully count as core capital, although they can be fully absorbed in the event of liquidity. This opens the floodgates to unfair competition against public banks in Germany. We note that silent capital contributions are a proven refinancing instrument, which is compatible with EU law. As the outcome of the trialogue does take account of the explanatory amendments we have proposed, we reject the report.

Astrid Lulling (PPE-DE), in writing. – (FR) I congratulate the rapporteur for his diligent work, both on the substance of the text and in the subsequent negotiations. The exceptional circumstances require us to take fast, appropriate action.

I can accept the result proposed to us in the area of securitisation. The systematic introduction of standardised Colleges of Supervisors is a major advance.

Since the autumn, the draft report has opened the way with its idea of a decentralised European supervisory system. The de Larosière group's report and the Commission communication of 4 March have usefully developed this idea. I am delighted that these ideas meet with general approval.

As for the scope, one thing must be said. Instead of taking the somewhat simplistic criterion of cross-border banks, it might be wiser to target the banks that have a systemic importance.

The latter would be directly subject to the new banking authority. The other banks would be supervised by a college or, in the case of purely national banks, by their national supervisor. For crisis management purposes, the systemic banks should also be subject to financial stability arrangements at European level.

Peter Skinner (PSE), in writing. – I congratulate Mr Karas. This vote is an excellent outcome for many reasons.

First, among them is the fact this is a package which Parliament recommended and negotiated. I have been in such negotiations and I know how difficult such talks can be.

Second, is the substance, which is to say this legislation delivers better protection for British and other citizens across the EU.

Securitisation was the method by which the so-called 'toxic assets' were spread between banks, leaving huge debts in many private and public banks.

The idea of retention of the originator asset by as much as 5%, subject to a review after impact assessments and international changes, is vital.

Reducing the 'leveraging' and ensuring the proper capital adequacy of banks is the guard against behaviour by banks which has brought us to the very edge of financial disaster.

Mr Karas can be satisfied with his work in the negotiations. I know how difficult it is for Parliament to get improvements to texts, but this first reading deal is a sensible one.

- Report: Karsten Friedrich Hoppenstedt (A6-0246/2009)

Ilda Figueiredo (GUE/NGL), in writing. – (PT) If anyone had any doubts about the real objective of this proposal, you would only have to quote the words in the text adopted today with regard to ensuring 'the dismantling of remaining barriers to the smooth functioning of the internal market'. Furthermore, Article 2 clarifies that 'the general objective ... is to improve the conditions for the functioning of the internal market'.

Once again it must at the very least be paradigmatic that, following the failure of the so-called 'European economic recovery plan' and the proclaimed 'European solidarity', the first and, up to now, only proposal to create a Community support programme is aimed at the financial services! It almost seems like we are not facing one of the biggest crises in capitalism, with worsening unemployment, destruction of productive capacity, increasing inequalities and growing difficulties for workers and the general population.

The proposals that we tabled – such as increasing the Community budget, creating Community support programmes for the manufacturing sector and protecting jobs with rights and public services – were rejected. Yet when it comes to supporting the financial market and the ‘smooth functioning of the internal market’, there is no lack of Community funding. This is unacceptable. That is why we voted against.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) We Eurosceptics are always seeking to make EU cooperation less costly. Taxpayers’ money must be used wisely. It is important, particularly during these turbulent times, for us to be careful with our common resources. Budget restrictiveness must remain a guiding principle for us as elected representatives.

However, the present report leads us in a completely different direction. The Commission’s original proposal for financing was deemed to be inadequate and in no time at all the large political groups within the European Parliament proposed that the appropriations for the financial supervisory bodies be doubled. On what grounds, we might ask ourselves. We are dealing with a full-scale global financial meltdown in which international efforts need to be made at a global level.

Supervision of the financial institutions within the EU is not a task for the EU at the present time. It is important to bear this in mind. However, the present proposal gives an indication of the ambitions of the powerful political elite. With vague references to the financial crisis and its conceivable consequences for supervision and scrutiny, this is nothing more than a brazen attempt to advance the EU’s position. We, of course, have no choice but to vote against the report and the alternative motion for a resolution.

- Report: Janusz Wojciechowski (A6-0185/2009)

Martin Callanan (PPE-DE), in writing. – Although I am a strong proponent of animal welfare I am hesitant to ban practices such as the import of seal products provided it can be shown that the suffering of animals is kept to a minimum when they are killed.

Nevertheless, there are some practices which give great cause for concern, not least ritual slaughter traditions for certain religious purposes. Given Europe’s cultural diversity, some of these practices, which are alien to the EU’s respect for animal welfare, have begun to take root. As a result, animals are suffering needlessly.

I accept that some religions attach fundamental importance to the way in which an animal is slaughtered in order for its meat to be consumed. However, the development of a culture of animal rights and animal welfare has been hard-won in Europe over the past 30 years, and we should not sacrifice it on the altar of political correctness. Animals killed by ritual slaughter methods must first be stunned in order to minimise suffering and further promote the values of animal welfare that we hold dear.

Edite Estrela (PSE), in writing. – (PT) I voted for the report on the protection of animals at the time of killing. Every year in the European Union, millions of animals are killed. Many animals are subject to treatment which involves unnecessary suffering, not only during their rearing and transport, but also at the time of slaughter or killing and related operations. The suffering of animals at slaughterhouses must be avoided, including animals reared for the production of food and other products.

In my opinion, the proposal is balanced and consistent with the Community objectives of ensuring the protection and welfare of animals. I agree that the largescale slaughter of animals should be carried out with due regard for humanitarian standards, limiting the suffering experienced by animals.

As a result, I did not vote for the amendment removing the ban on using systems for restraining bovine animals by inversion or any unnatural position because, in my opinion, this practice compromises the welfare of animals.

Filip Kaczmarek (PPE-DE), in writing. – (PL) Ladies and gentlemen, I voted for the Wojciechowski report on the protection of animals at the time of killing. Many people wonder how it is possible to protect animals while they are being killed. This may sound paradoxical, but it is possible. Everyone who has experienced the killing of an animal or observed such an act is aware of how painful the death of an animal may be. Introduction of new legislation in this area will limit the unnecessary suffering of animals, and this is why the legislation is needed.

Carl Lang (NI), in writing. – (FR) By affirming that animals must be slaughtered without unnecessary suffering, except in the case of religious rites, the majority of our House has demonstrated both its hypocrisy and its cowardice. ‘Religious rites’ mainly refer to the ritual slaughter practised in particular during the Muslim festival of Eid-al-Adha, when hundreds of thousands of sheep have their throats cut.

Legal recognition of such a practice is part of a much wider phenomenon, that of the Islamisation of our societies. Our laws and customs are changing progressively to accommodate Islamic Sharia law. In France, more and more local authorities are indirectly funding the construction of mosques. School menus are drawn up to meet Islamic dietary requirements. In some cities, such as Lille, the swimming pools have womenonly sessions. By creating the *Conseil français du culte musulman* in 2003, Mr Sarkozy, then Minister of the Interior, introduced Islam into France's institutions.

To put an end to these developments, we have to reject the Islamically correct, reverse the flow of nonEuropean migration and create a new Europe, a Europe of sovereign nations, without Turkey, affirming the Christian and humanist values of its civilisation.

Cristiana Muscardini (UEN), in writing. – (IT) Mr President, ladies and gentlemen, it is regrettable that the European Parliament should have chosen a schizophrenic approach at the end of its term and on such a sensitive issue, because it really is schizophrenic, on the one hand, to project oneself into the future even when the latter introduces technologies used to teach violence and rape and, on the other, to plunge back into the past in order to return to tribal rites and to placate those who need to see blood spilt and more pointless suffering in the eyes of the victim.

We firmly oppose tribal butchery that does not take into account the consensus and the free choice of individual Member States.

Lydia Schenardi (NI), in writing. – (FR) We approve of the desire to replace the 1993 directive in a way that improves and standardises conditions of slaughter throughout the European Union.

We also approve of the principle according to which animals should only be slaughtered using methods which ensure instant death or death after stunning, but we are totally against the idea of permitting exemptions in the framework of religious rites.

Public opinion is very sensitive and completely opposed to unnecessary, painful practices. Why tolerate them, then, in the name of religion, irrespective of whether or not the animals are immobilised prior to being killed?

Strict legislation that provides for verification of the procedures must be introduced to ensure that animals are stunned and cannot regain consciousness before dying, but it would be even better to prohibit such practices completely. They are from another age and can be rightly termed barbaric.

Kathy Sinnott (IND/DEM), in writing. – Protecting animals from cruelty is a very important responsibility. However, some of the proposals put forward in order to prevent cruelty, I believe, will actually cause more cruelty.

I particularly refer to the proposal to have all slaughter at slaughter facilities. Farmers would be forced to load and transport animals, even if they are sick or old, and such action would cause them pain and distress.

This proposal also carries risks in terms of contagious disease and infection. Sometimes it is better to contain sickness by slaughtering an animal on its own farm, as long as this is done in a humane manner. I did not make my oral explanation.

- Report: José Albino Silva Peneda (A6-0241/2009)

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) We Swedish Social Democrats have chosen to vote in favour of the report (A6-0241/2009) on the renewed social agenda. It is a good report, which, among other things, stipulates that economic freedoms and competition rules should never prevail over fundamental social rights.

However, the report also contains requirements for minimum wage systems. We Social Democrats believe that it is important for everyone to be guaranteed a decent wage that it is possible to live on, and we think that the EU should encourage this. This is particularly important to enable us to deal with the problem of the 'working poor'. How Member States then choose to guarantee their citizens a decent wage and whether they do this by means of legislation or by leaving it to the social partners to regulate via collective agreements must continue to be decided by the Member States themselves.

Robert Atkins (PPE-DE), in writing. – Conservatives support the principle of a minimum wage in the United Kingdom. However, we believe that social security schemes and the minimum wage should be determined at a national level.

Therefore, Conservatives have abstained on this report.

Edite Estrela (PSE), in writing. – (PT) I voted for the Silva Peneda report on the Renewed Social Agenda. In the framework of the current economic crisis, it is crucial that social policy goes hand in hand with economic policy, aiming at a recovery of the European economy. The European social models are facing several challenges, namely demographic change and globalisation, to which they cannot stay immune. Therefore, they need to be modernised with a long-term perspective, while also preserving their original values.

Europe must be ambitious with regard to social policy, all the more so now that we are facing a serious crisis. However, I believe that the Commission's Renewed Social Agenda is very unambitious, has come too late and is not really up to the challenges posed by the financial and economic crisis. Social and employment policies must be strengthened to reduce or avoid job losses and to protect Europeans against social exclusion and the risk of poverty.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) This report contains many contradictions. However, in essence, it insists on the existing guidelines of neoliberal capitalism, albeit mitigated here and there, but without altering the basic policies which are at the root of the current economic and social crisis. The guiding principle is the same as always. The 'crisis' is now being used to once again 'sell' the recipe of 'more of the same': flexibility, internal market, public-private partnerships, and so on, ignoring the fact that the EU's policies are also at the root of the crisis and have made it worse.

The correct 'concerns' included in the report do not tackle or respond to the main causes of the problems identified, particularly with regard to economic policies, job insecurity, liberalisation and privatisation of public services, and so on.

There are no alternative answers, particularly with regard to reinforcing the role of the State in the economy, in strategic sectors and in the expansion of high-quality public services, or even in the defence of higher wages and pensions. However, the report does consider the need for a fairer distribution of wealth, but without indicating the ways to achieve this or calling for a break with those policies that have worsened social inequalities.

Bruno Gollnisch (NI), in writing. – (FR) The social record of your Europe is a resounding failure. In France, dreadful figures have just come out: poverty has risen by 15% in two years, the number of poor workers has increased dramatically, and the number of highly indebted households, whose resources have for a long time been insufficient to cover day-to-day living costs, has grown exponentially as a result. Furthermore, we are just at the start of this profound crisis.

You urge citizens to be 'open to change' when, for workers, change equals losing their jobs and the certainty that they will not find new ones, thanks to your policies. You speak of 'social' whilst the Court of Justice tramples over workers' rights in the name of competition and the freedom to provide services. You add in flexibility, when this is merely Eurospeak for 'insecurity'. You even pretend to pay special attention to women and mothers, when your idiotic 'gender' policy results in the loss of their specific social rights, such as the ones they used to have in France in the areas of retirement and night work.

It is not a renewal of the social agenda that is needed, but a thorough change of your perverse system.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) This report insists that Member States need to modernise and reform their national social security systems, introduce minimum wages and review the curricula in schools. Moreover, there is to be higher financial participation of employees in companies' proceeds, and a European year of volunteering is to be introduced. These are unusually extreme examples of how the EU intends to take over national selfdetermination.

In addition, the report contains two references to the Treaty of Lisbon, which has still not entered into force. This is a brazen expression of the arrogance of power! The implication is that the democratic debate on the Treaty is seen as merely playing to the gallery and is not considered to have any significance for the outcome.

We therefore voted against the report in the final vote.

Carl Schlyter (Verts/ALE), in writing. – (SV) In general, this is a very good report with many good aspects, but on account of repeated demands for growth and for Member States to introduce minimum wages in conjunction with legally binding social conditions, which would involve a huge transfer of power to the EU, I am abstaining from voting.

Anja Weisgerber (PPE-DE), in writing. – (DE) The European social models are facing major challenges during the current financial crisis.

The German conservative group (CDU/CSU) is therefore speaking out in favour of a social Europe.

For this reason, we endorse Mr Silva Peneda's report on the Renewed Social Agenda.

We also welcome both the fact that job creation and promotion are being accorded priority in this time of crisis and our willingness to press ahead with measures relating to education and training.

Europe must create a social framework and establish standards at a European level.

We must certainly take into account the competences of Member States in that regard.

For this reason, we oppose the blanket call for the introduction of a minimum wage in all the Member States, as originally expressed in paragraph 14 of the report.

The introduction of a minimum wage is a decision which should be left to the sole discretion of Member States.

We are, therefore, pleased that the oral amendment to this paragraph has been adopted.

Sufficient benefits must be ensured to enable every person to lead a dignified life, but different options are available to Member States in this regard.

We have made it clear in our oral amendment that, in addition to the minimum wage, consideration should also be given to collective agreements and generally binding regulations, or a state-guaranteed minimum income.

In this way, we pay due regard to the principle of subsidiarity.

- Report: Jean Lambert (A6-0263/2009)

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) We Swedish Social Democrats have chosen to vote in favour of the report (A6-0263/2009) on the active inclusion of people excluded from the labour market. It is a good report, which is particularly important in the current economic crisis, where active labour market measures are needed to ensure that the weakest in society do not permanently remain outside the labour market.

However, the report also contains requirements for minimum wage systems. We Social Democrats believe that it is important for everyone to be guaranteed a decent wage that it is possible to live on, and we think that the EU should encourage this. This is particularly important to enable us to deal with the problem of the 'working poor'. How Member States then choose to guarantee their citizens a decent wage and whether they do this by means of legislation or by leaving it to the social partners to regulate via collective agreements must continue to be decided by the Member States themselves.

Robert Atkins (PPE-DE), in writing. – British Conservatives support much of the report and the provisions made for adequate income support, inclusive labour markets, and access to quality services. We also encourage a positive and inclusive approach to mental health, disabilities, and older people's rights to work, as well as a tough stance on the fight against human trafficking.

However, Conservatives do not support the concept of an EU Discrimination Directive. Furthermore, Conservatives cannot support the call to establish a legal framework for equal treatment in employment to combat discrimination in employment and occupation and for an EU target for minimum income schemes and contributory replacement income schemes providing income support of at least 60% of national median equalised income. For these reasons we have abstained. These issues should be matters of national competence.

Philip Bushill-Matthews (PPE-DE), in writing. – The EPP-ED Group is generally supportive of the thrust of the original report by Jean Lambert. However, in committee another political group injected extraneous points into the report which were not only outside the intended scope of the report but which were known

to be unacceptable to our group. They did this deliberately, for shabby party-political reasons, to make it impossible for us to support the report as presented to plenary. We have therefore tabled an alternative resolution which contains all the elements of her report which we do support.

Martin Callanan (PPE-DE), in writing. – This report poses the question: how do we include people in labour markets who are currently excluded from them? The answer is patently obvious. We need to create more jobs and more capacity in our labour markets.

The fact that the EU even needs to ask itself this question demonstrates one of the fundamental problems with Brussels. Far too much attention is given to job protection and not nearly enough to job creation. The European social model is primarily responsible for the fact that so many Europeans are unemployed. The European social model does exactly the opposite of what it's supposed to: it creates a two-tier labour market economy, bringing benefits for those in work and limiting the possibility of those without a job to get one. The social cost of endless EU regulation is also huge, dissuading employers from taking on new workers. So much for the EU's vaunted plan to be the world's most competitive economy by 2010.

In order to create jobs for unemployed people, the European economy needs the EU needs to go in a fundamentally different direction. British Conservatives are committed to accelerating that change of direction.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) This report addresses a number of important issues which in principle should be dealt with by the Member States and not by the EU. For example, the European Parliament insists that there is a need to introduce EU targets on minimum income guarantees and minimum wages. The report also contains a reference to the Treaty of Lisbon (which has still not entered into force). We have therefore voted against this report.

7. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 14.40 and resumed at 15.05.)

IN THE CHAIR: MRS ROURE

Vice-President

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

9. Composition of Parliament: see Minutes

10. Conclusions of the UN Conference on Racism ('Durban II' – Geneva) (debate)

President. – The next item is the Council and the Commission statements on the conclusions of the United Nations Conference on Racism (Durban II – Geneva).

Jan Kohout, President-in-Office of the Council. – Madam President, I would like to begin by thanking you for this opportunity to take stock of the Durban Review Conference, which I know has been followed closely by many Members here today.

The preparatory process leading to the conference was particularly complex, with a significant number of countries having serious misgivings about the process in the light of what happened in 2001. Because of their concerns that the conference would be used as a platform for expressions of hatred and intolerance in its most extreme form, several Member States, including my own, decided to withdraw from the conference. These concerns were confirmed by the intervention of one member of the UN at the very beginning of the conference. Not only did we find this totally unacceptable, but it was directly contrary to the very spirit and purpose of the conference.

It is unfortunate, although perhaps inevitable, that this incident and the subsequent walk-out of all Member States as well as other UN members, made the news headlines, overshadowing the consensual adoption of the outcome document. At the same time, I think that the very constructive and solid EU contribution through the preparatory phase of the conference should be fully acknowledged. This was particularly the case in relation to the drafting of the outcome document, in which the EU played a critical role. Despite the

distractions to which I have referred, the fact that the final outcome document of the conference respects all the EU red lines represents a considerable achievement.

The outcome document fully respects the existing human rights framework, particularly with regard to freedom of expression, and complies with many of our demands, such as the need to avoid any reference to the defamation of religions and to refrain from any singling-out of Israel. In addition, the paragraph on remembering the Holocaust was maintained in the text.

We now need to reflect on the implications for the EU of both the conference itself and the outcome document. We will need, in particular, to define how we support implementation of the commitments which have been undertaken. The Council remains extremely concerned by the phenomena of racism and xenophobia, which we consider to be among our most important human rights challenges today.

I know that this Parliament fully shares these concerns and that you have been instrumental in helping create much of the legislative basis and the practical tools to help combat this scourge. Fighting racism and xenophobia is an ongoing process which requires both political will and practical measures, not least in the area of education. There is also a continuing need to enhance dialogue and mutual understanding and to promote tolerance.

Whilst there are signs that the EU's anti-discrimination legislation is having a positive impact, the overall global progress in the fight against these phenomena remains regrettably slow. In fact the trend in a number of countries is even negative. We have seen cases where the current economic crisis is starting to fuel racist and xenophobic intolerance across the world. Against the background of the economic crisis, strong anti-racism policies are more important than ever. Both within Europe and more widely, we are facing an upsurge in violent attacks targeting migrants, refugees and asylum-seekers, as well as minorities such as the Roma.

The EU has a strong *acquis* on the fight against racism and xenophobia. Both these phenomena are incompatible with the principles upon which the EU is founded. The EU has repeatedly rejected and condemned all manifestations of racism and will continue to do so. The EU, within the limits of the powers conferred on it by the Treaties, will continue to tackle racism and xenophobia, both within the Union itself and in the context of our external actions.

Internally, we have adopted legislation prohibiting direct and indirect discrimination, on the basis of racial or ethnic origin, at work, education and with regard to access to goods and services. Legislation also prohibits discrimination on other grounds, including religion, age, sexual orientation and disabilities, particularly in the workplace. The EU has also adopted legislation to ban hate speech from TV channels, as well as to criminalise 'publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin'. The same piece of legislation makes it a crime to publicly condone, deny or grossly trivialise crimes of genocide, crimes against humanity and war crimes.

Externally the EU regularly raises racism and xenophobia issues in its bilateral political and human rights dialogues with third countries such as Russia and China. We have also ensured that racism and xenophobia are mainstreamed into our cooperation strategies such as the European neighbourhood policy action plans. Much is happening within various multilateral fora. Within the OSCE framework, Member States coordinate their work so as to ensure that the commitments made by the 56 OSCE participating states in this area are respected and implemented. This is also the case within the Council of Europe and within the wider UN framework.

These examples demonstrate our collective commitment to work on this issue both internally and more widely with partners worldwide. The Durban Review Conference was part of those wider efforts. It was not easy and quite clearly was marred by those who thought to deviate the results of the conference for their own narrow political ends. But for all that, we should welcome the fact that, in the end, it has focused attention both on the continuing need to tackle racism and xenophobia and on the commitment which we have, and which is shared by very many others, to eradicating this scourge.

Jacques Barrot, *Vice-President of the Commission*. – (FR) Madam President, ladies and gentlemen, I am pleased to have the opportunity to take part in this debate. The European Commission has followed closely the preparations for the Durban Conference and the search for a common European Union position on participation in this conference.

In this regard, we have taken into account the call by Parliament – by your Parliament – committing the European Union to active participation in the Durban Conference review in the framework of the resolution on the progress of the United Nations Human Rights Council – and especially the role of the Union – a resolution that you adopted on 19 January.

As you are aware, five Member States have decided against taking part in this conference. The Commission has decided to confirm its participation as an observer, as it shares the view of the majority of the Member States that the European Union's red lines have been retained in the conference document.

The final adopted document, which is the result of a compromise, is not an ideal text, but this document contains no defamation of an anti-Semitic character, no defamation of any specific country or region in the world, or of any religion.

The consensual adoption of the final document by 182 Member States of the United Nations confirms the commitment made by the international community to fight against racism and discrimination. This is in response to the deplorable attempts by some to manipulate the conference for anti-Semitic ends, attempts against which the European Commission has reacted strongly.

In any case, the events at the review conference in no way lessen the Commission's long-term commitment to do its utmost to fight against manifestations of racism and xenophobia in all their forms. The Commission remains determined to pursue its policies of fighting racism, xenophobia and anti-Semitism – both within and outside the European Union – to the full extent of the powers conferred on it by the Treaties.

I must say, Madam President, ladies and gentlemen, that I will personally monitor the Member States' implementation of the Framework Decision on Racism and Xenophobia very closely. I will undertake personally to monitor the transpositions of this framework decision, and I must stress that our Fundamental Rights Agency will henceforth also be a tool for us to observe all these phenomena, which call for a great degree of firmness on our part.

We can indeed hope that the next United Nations conference on racism will no longer be tainted by unacceptable speeches that are veritable incitements to hatred and racism. That said, it is also the case that the final compromise from the conference gives us a glimpse of a brighter future.

Charles Tannock, *on behalf of the PPE-DE Group*. – Madam President, Iranian President Ahmadinejad recently asserted at the UN Conference on Racism in Geneva that Israel is a racist country. It is tempting to dismiss him as a populist demagogue courting publicity, but he has in the past outrageously called for Israel to be wiped off the map, and Israel would undoubtedly be the first target for the nuclear weapon he so much wants to build. We should therefore see his intervention in the light of his implacable hostility towards the Jewish state, which is, quite rightly in my view, the EU's ally and strong partner.

Regarding the accusation of racism, it is hard to find a more ethnically diverse and less racist country than Israel, which includes Arab, Armenian, Druze and other minorities in its society. The image is still strong in my mind of the airlift of Ethiopian Jews to Israel in the 1980s.

Israel still of course maintains an open immigration policy based on its status as a home for the Jewish people the world over, but we should also consider the position of Israeli Arabs in society. They enjoy democratic rights and a standard of living that are rarely accorded by Arab countries to their own citizens. My suspicion is that Ahmadinejad is actually seeking to distract attention from the appalling and abhorrent human rights record of the Islamic Republic of Iran.

In Iran, journalists who dare criticise the regime are locked up, but Israel has a free press. In Iran, adulterers, homosexuals and juveniles are executed, including by stoning to death, while in Israel gays and lesbians have the full protection of the law. In Iran, minorities such as Christians and Bahá'ís are regularly persecuted, but in Israel minorities are valued and their rights safeguarded.

Yet still, despite all this evidence, many Members of this House would sooner criticise our democratic ally Israel, than denounce a barbaric and potentially catastrophic regime in Tehran.

Israel should know that it does have friends in this Parliament, friends like me who cherish human rights and reject fanaticism. Frankly, in my view, it is shameful that EU Member States sent delegations to Durban II, knowing full well that President Ahmadinejad would be present and come out with these outrageous comments.

Ana Maria Gomes, *on behalf of the PSE Group*. – (PT) There are some who regard the Durban Review Conference as a success. In fact, the final document respects the five red lines set out by the European Union and reflects a true global consensus, unlike the previous versions which led to so much and such intense debate.

However, unfortunately it is not this document that will remain engraved on the memories of those who, from around the world, attended the debates in Geneva. They will primarily remember the deep divisions caused by a conference dedicated to an issue of universal vocation, namely the fight against racism, and which grabbed the world's attention.

Europe has once again shown the fragility of European unity on the most politically polarising issues, as was definitely the case at this conference.

Nothing would have been more symbolically significant than the collective exodus from the conference hall of all the EU countries in response to the provocative and unacceptable proposals made by an Iranian president who, despite the change of tone in Washington, insists on putting his country on a collision course with the West. Regrettably, some European countries were not even in the conference hall to express their displeasure at a speech whose sole objective, as underlined by the UN Secretary-General, was to accuse, divide and even incite.

Union means strength, and the European Union, in presenting a divided front, showed weakness. The fight against racism and against the incitement of hate by President Ahmadinejad and others deserved better.

Sophia in 't Veld, *on behalf of the ALDE Group*. – Madam President, I wish to begin by making a general remark. Countries are not racist: people are racist. There are many people in Iran, I am sure, who do not share the views of their President and I think it was in fact a missed opportunity that Europe was weak, silent, divided and absent and did not speak on behalf of those people in Iran and that it left the podium to the likes of Mr Ahmadinejad to speak his racist language.

I personally was against the boycott of the conference, but I think what was even worse is that there was no European strategy. Why was Europe divided? Why? I would like an explanation from the Council – and I have tabled an amendment to this effect to the Obiols i Germà report that we will be discussing later – why there was no European strategy? Why are 27 European countries unable to agree on a strategy? If and when the Lisbon Treaty comes into force, which is something that the Council has supported, then the 27 countries will have to make a stronger effort for a joint strategy.

Concerning the issue of the defamation of religion, I am extremely worried that it is a UN body that is able to adopt resolutions calling for a total ban on the defamation of religions or on offending religions. In the end, I understand that it has been watered down in the final resolution, but I still think it is worrying that something like this can come out of the UN. However, I also see the irony in the fact that in this House it is also still very difficult to even criticise – not offend, criticise – religions, and one main European religion in particular, and there is another amendment tabled by myself and my colleague Cappato to the Obiols i Germà report criticising the Vatican for its position on condoms in the fight against AIDS. Again, I would like to ask the Council to explain what has been done to get to a European strategy.

Laima Liucija Andrikiienė (PPE-DE). – Madam President, I want to stress once again that the outcome document of the Durban Review Conference was adopted by consensus. Even though the text is not ideal, representing the result of complex negotiations, as far as the new position is concerned my understanding is that it is important to continue discussion of the new document and of often disputed issues such as racial discrimination, xenophobia, stigmatisation and stereotyping of people based on their religion or belief.

We should engage in further discussion in a non-confrontational manner, but with a strong reaction to unacceptable statements and attempts to use the Durban process for the expression of racist ideology. My firm belief is that, without a strong position of the European Union on protecting human rights and fighting against racism and xenophobia, the Durban process might take a wrong direction.

Hélène Flautre (Verts/ALE). – (FR) Madam President, what is obviously a pity is that the victims of racism and discrimination have not been the focus of the Durban Conference. This is of course because of the President of Iran's scandalous hijacking of the conference, which was – and I must voice my dismay at this – a trap into which several EU Member States fell. That is the problem.

Personally, I would like to thank the Member States of the European Union that nevertheless made and continue to make a commitment; we have conclusions that are wholly honourable, even if they are imperfect.

I would also like to hear the Presidency speak about the efforts made or not made by the Member States to ensure that the European Union did not appear disorganised at this conference, a state of affairs that was particularly pitiful.

Jan Kohout, *President-in-Office of the Council*. – Madam President, the EU was also fully engaged throughout the run-up to the conference and actively contributed to the drafting of the outcome document, with a view to making it as balanced as possible and ensuring that it respected the existing human rights norms, notably with regard to the freedom of expression.

The EU also succeeded in ensuring that Israel was not singled out in the text. It was to a large extent due to the EU's unified efforts that in the end we produced a text respecting our red lines, and this independently of the fact that some EU Member States decided not to participate in their national capacity.

It should also be added that the countries that did not attend the conference did not prevent the European Union, as such, from speaking at the conference. The Presidency continued the internal coordination of the EU's participation, including the preparation of two statements on behalf of all the EU Member States which were delivered by Sweden, the incoming Presidency. The final statement was delivered on behalf of 22 states.

The EU will analyse, in the aftermath of Durban, how it will continue to support the Durban agenda. The fact that five Member States out of 27 decided in the end not to participate in the conference itself by no means puts into question the EU's commitment to the fight against racism and discrimination in the future. We have a solid *acquis* on these issues on which we will continue to build. As was rightly pointed out – and I take it as a kind of criticism – at the end of the preparations for the conference we were not really able to find a common ground. There was never any common ground, so there was never an EU position before the conference. It was decided by consensus that there were national positions, so the delegations left the room in their national capacities.

I repeat that the ministers discussed this issue at the last meeting and lessons will be learned. We will have to reflect and come back, because the EU did not take the 'heroic' path at this conference. That must be noted.

Jacques Barrot, *Vice-President of the Commission*. – (FR) I am grateful for all your speeches. Last Monday, Commissioner Ferrero-Waldner received a letter from Mrs Pillay, the United Nations' High Commissioner for Human Rights, which was also sent to all of the Union's foreign ministers.

In this letter, Mrs Pillay recalled what she had already said in Brussels on 8 October, in a conference jointly organised by the European Parliament on the protection of human rights activists. Mrs Pillay considers that it is important to restore a certain unity in relation to the protection and promotion of human rights in the world, especially in terms of the fight against racism. She invites all the Member States of the United Nations to join in implementing the United Nations programme to combat racism, especially as it is defined in the final document from the Durban Conference.

I think that the European Union must reflect on the response to be given to this invitation. In any case, the European Union has adopted a policy of actively fighting racism. The Union must remain vigilant and committed so that international efforts on this issue can remain demonstrably effective. I personally share the view expressed here: a Europe with a strategy and which did not act in a disorganised manner would surely have been able to take real advantage of this opportunity to express, with one voice, its opposition to unacceptable statements. Let this be a lesson to us. I am grateful to the Presidency for having said that this should serve as a lesson and that – fortified, I trust, by the ratification of the Treaty of Lisbon – we must be able to make the European Union's external human rights policy, and thus European action in multilateral bodies, more effective. I can only add my voice, on this issue, to the speeches made by a number of Members, to whom I am grateful. Once again, this must encourage us to reflect in order to prepare more effective strategies in the future.

President. – The debate is closed.

11. Human rights in the world 2008 and the EU's policy on the matter (debate)

President. – The next item is the report (A6-0264/2009) by Mr Obiols i Germà, on behalf of the Committee on Foreign Affairs, on the Annual Report on Human Rights in the World 2008 and the European Union's policy on the matter (2008/2336(INI)).

Raimon Obiols i Germà, rapporteur. – (ES) Madam President, I would like to make some brief comments on the content of this annual report on human rights in the world and the role of the European Union in that field. Firstly, I would like to point out that the report has two different scopes: the first is to describe and assess the situation, which is unfortunately a negative one, of human rights in many countries and regions of the world, often bordering on or entering into the territory of human tragedy; the second is an assessment based on the past experience of this Parliament in the adoption of positions in response to various problems, and also based on a wish on the rapporteur's part for the report to be situated within the mainstream of the positions and acts of the various European Union institutions, not seeking to emphasise elements of disagreement, but rather, at heart, aspects of agreement. This is because the rapporteur believes that achieving convergent positions produces power and effectiveness in this slow and difficult task of improving the state of human rights in the world.

There is also a second aspect on which I have placed particular stress, and that is to try to identify specific priorities, or, in other words, to produce a summary of what the basic guiding elements of action by the European Union with regard to human rights throughout the world might be.

I would set out nine points on this issue which have been clearly picked out by all the contributions made by my fellow Members and by the report's general framework. The first places an urgent priority, if you like, using a term which is a little grandiloquent in historical terms, on the struggle for the definitive abolition of the death penalty throughout the world. Just as our forebears succeeded in the past in their goal of eradicating slavery everywhere, our perception is that today, for our generation, it is perfectly possible to achieve the historic goal of the universal abolition of the death penalty worldwide, and that the European Union must be in the vanguard and play a key role on this issue.

Secondly, special emphasis is placed on what the report calls 'the feminisation of the struggle for human rights'. In other words, it points out that women are the section of humanity that suffers the most from attacks on human rights and that the EU ought to pay special attention and give particular priority to that fact. Also forming part of this priority is the issue of children's human rights, on which the report contains several points that I believe are quite interesting.

Thirdly, the report calls for synergy between the Community institutions. It is not a given that there is a specialisation of roles – more *realpolitik* at the Council or, possibly, at the Commission, and more principles at Parliament – but there needs to be consistency between their positions in order to improve efficiency.

Fourthly, there is mention of the need to broaden and deepen the very positive trend of development of dialogue on human rights with non-EU countries.

Finally, the report mentions the need to seek alliances within international institutions in order to avoid situations such as that of the United Nations Human Rights Council, where at times the European Union's presence is, in a certain sense, in the minority.

Jan Kohout, President-in-Office of the Council. – Madam President, I would like to express the appreciation of the Council for the work of the rapporteur, Mr Obiols i Germà, and Parliament's Subcommittee on Human Rights. Mr Obiols i Germà, you have been a tireless and valuable partner in our collective work on human rights issues throughout this parliamentary term.

Your report offers us an opportunity to scrutinise the Union's overall policy in the field of human rights. We are very well aware of the challenges we continue to face in this area. The strengthening of relations between the EU institutions helps us face these challenges together. The report provides us with a valuable tool to look back at what has been achieved.

The European Parliament report underlines the relevance of the European Union Annual Report on Human Rights. Our attempt to make the report more interesting, readable and useful has been partly successful, but there is clearly room for further improvement. We will continue to work on this. Your report will certainly help us in our reflections on how to increase coherence generally across the EU's human rights policies. Discussions are under way on this issue and I would like to assure you that, whatever the outcome of these discussions, we will make every effort to bring greater visibility to our work on human rights issues. This could be through more effective use of web sources or by better publicising the annual report.

You have also underlined that more attention needs to be given to the role of the UN in this area. We have continued to undertake coordinated efforts in international fora, most particularly the UN Human Rights Council, as recommended in the Andrikenė report, as well as at the Third Committee of the UN General

Assembly. Efforts are being made to improve our efforts at outreach in an increasingly difficult environment. This is not easy, but I would like to draw your attention to a number of successes.

We have worked hard to ensure that the UN Human Rights Council gains greater credibility. 2009 can be regarded as a key test year for the functioning of the Human Rights Council. The EU played an active role at the 10th session of the Human Rights Council and secured the adoption of a number of important initiatives, for example the extension of mandates on Burma/Myanmar and the DPRK and the EU-GRULAC resolution on the rights of the child. More disappointingly, we failed to reintroduce the mandate of an independent expert on the DRC.

In the General Assembly, the role of the Third Committee in protecting and promoting human rights has been confirmed, and the EU took an active role at the 63rd Session of the UN General Assembly. This has led to positive results, in particular the follow-up resolution on the death penalty. A significant part of your report is dedicated to this issue. We have raised it constantly, including at the highest level, with partners who share our views, in order to support the global trend towards abolition. These efforts will continue.

Let me now say a few words on the EU guidelines. Following revision of the European Union human rights guidelines and the adoption of new guidelines on violence against women, the focus is now on effective implementation. As part of this, the Presidency put forward some proposals, such as arranging for guidance notes to be sent to Heads of Missions and Commission delegations. We also intend to raise these issues in our dialogues and consultations with third countries.

The report draws attention to the issue of women's rights, and I know that Mr Obiols i Germà pays particular attention to this issue. This is one of our top priorities. We are working on the implementation of the UN Council Resolution 1325, which we are using as a guiding principle for ESDP operations and which has allowed us to develop a framework for gender mainstreaming.

On human rights defenders, the EU will continue to cooperate with civil society organisations. Work at official level within the Council on the possibility of expanding the issuing of visas for human rights defenders is continuing. In dialogues with third countries, freedom of expression and raising individual cases will remain central to our agenda.

As far as dialogues and consultations with third countries are concerned, the EU will make every effort to ensure that these instruments become ever more effective tools for the implementation of our human rights policy. We have in particular agreed to hold local dialogues with five Latin American countries – Brazil, Colombia, Argentina, Chile and Mexico – and will continue to establish dialogues with the remaining central Asian countries.

I would like to say a few words about the 27th EU-China human rights dialogue to take place on 14 May in Prague. It is important to ensure that our dialogues are as productive as possible and that they deliver substantive results. The EU-China human rights dialogue is the longest-standing dialogue. It needs to be able to adapt and reflect progress made in the way we address human rights issues. Both of our institutions are following closely developments in China. Various events scheduled throughout this year will enable us to maintain a close channel of communication with our Chinese counterparts. This dialogue is valuable. We look forward to seeing increasingly tangible results from these talks.

To conclude, I would like to underline that promotion of and respect for human rights across the world is one of our main priorities in external policy. Through the use of démarches and statements, and through our various political dialogues and crisis management operations, the EU is working for improved respect for human rights worldwide. To achieve results, we have to adopt a consistent approach. This Parliament has been at the forefront in pushing for greater consistency at all levels and we very much welcome this.

I am very grateful in general for the work of this Parliament and its support on human rights issues. The value of the Sakharov Prize as an instrument for the promotion of our shared values is widely recognised. We will continue to review the extent to which the instruments of human rights clauses, sanctions and dialogue – all of which have been scrutinised extensively by this Parliament – can play an effective role as part of our overall external policy, whilst ensuring the highest standards of respect for human rights.

Jacques Barrot, Vice-President of the Commission. – (FR) Madam President, ladies and gentlemen, it is with great pleasure that I am participating in this debate in plenary on your report, Mr Obiols i Germà. I am replacing my colleague Mrs Ferrero-Waldner, who is detained in Prague, attending the European Union-Canada summit.

I first wish to thank Mr Obiols i Germà for the quality of his work. Thank you for giving a positive tone to your report which thus demonstrates the efforts expended over the years by the Commission and the Council to implement Parliament's recommendations.

Whether in the framework of dialogues on human rights or in that of political dialogues within international bodies, the institutions have striven to advance, to give the European Union the image of an ambassador – a fervent and credible ambassador – for the protection and promotion of human rights, fundamental freedoms, democracy and the rule of law.

Last year, 2008, was marked by the celebrations for the 60th anniversary of the Universal Declaration of Human Rights, which all the European institutions commemorated together. It was also the year in which the Commission was able to single out two priorities, namely women and children, and in which an interinstitutional approach was promoted.

We have tried to implement several general recommendations that appeared in previous reports and which have been recast very well in the report that we are studying today. We have agreed to focus our actions on certain countries as regards the application of the guidelines on the rights of the child, and we have mobilised the embassies of the Member States of the European Union and the European Community's delegations to monitor these actions. We have thus taken the lead in the fight against one of the worst forms of violation of human and children's rights, in other words the enrolment of child soldiers and the sufferings inflicted on children in armed conflicts.

Allow me to give a few examples. The Union adopted new guidelines on the rights of the child on 10 December 2007. In the first phase of implementation, it will focus its attention on violence against children. We are launching a pilot programme aimed at 10 countries on different continents. These countries have been chosen because their governments have already committed to combat violence against children, and also because their governments need additional international aid to continue to combat violence against children. In June 2008, the Council of the European Union revised the guidelines on children affected by armed conflicts in order to deal more effectively and more globally with the short-, medium- and long-term effects of armed conflicts on children.

Special provision is made in the Commission's communication for children within the European Union's external actions, and a consistent approach is recommended in order to advance the rights of the child and to improve the situation of children around the world. The communication has been the subject of very broad consultation. Special attention is paid in it to nongovernmental organisations. On the basis of this communication and its related action plan, in May 2008 the Council of the European Union adopted conclusions aimed at strengthening the Union's external policy on the rights of the child.

In 2009, we are continuing down this path with the following initiatives. In June the Commission will stage the European Forum on the Rights of the Child in Brussels. This Forum will focus specifically on child labour. We will strive to bring together all the stakeholders. I personally place a great deal of importance on this forum. In July, the future Swedish Presidency and the Commission will organise an NGO forum in Stockholm to deal specifically with violence against children. Finally, during the autumn we will publish a report on the measures, especially those relating to trafficking, taken by the Union to combat child labour. That, then, is a year which should further develop the European Union's commitment to children.

I will now turn to women's rights. In recent months, the European Union has strengthened its external policy on women's rights. The new guidelines on violence against women and the fight against all forms of discrimination against them recommend a certain number of actions. These actions will benefit from the commitment and support of the Union's missions and the Commission's delegations.

I wish to point out the recent adoption by the EU foreign ministers of the Union's global approach to the implementation of United Nations Security Council Resolutions 1325 and 1820. We should also recall the positive response of the United Nations Secretary-General to the joint appeal launched in 2008 by Mrs Ferrero-Waldner and 40 women who occupy prominent positions at international level.

This appeal called on the United Nations to organise a ministerial conference dedicated to the review of Resolution 1325. This ministerial conference is now planned for 2010. Evidently, we will work with the future Swedish Presidency in the preparation of the positions that we will have to take when reviewing this resolution.

That is all, Mr President; there is no doubt more to be said, but I would again like to stress that strengthening European policy in favour of democracy and human rights does, of course, demand a high level of synergy

between the institutions. The Commission is prepared to act along these lines. It wishes to establish close cooperation so that our three institutions can really offer each other mutual support. In this respect, the European Parliament can play an essential role since, by definition and by vocation, it is best placed to speak on behalf of the oppressed and those who are suffering.

Those are the items that I wished to share with you following the Presidency's speech, and I am now going to listen carefully to the Member's speeches.

Laima Liucija Andrikiienė, *on behalf of the PPE-DE Group*. – Madam President, I would like to thank our colleague, Raimon Obiols, for his report and resolution. The draft of the resolution we voted on in the Foreign Affairs Committee was balanced. Compromises have been reached. A long list of important issues on human rights are covered by the report and I hope that the resolution will be voted tomorrow with a big majority in favour.

Having said this, I would like to highlight some issues and point out a very controversial amendment tabled before the plenary session. I speak about the amendment tabled by our ALDE colleagues. As we all agree that our Union is based on values, including Christian values, how can anyone imagine that this Parliament will finish its term condemning the Pope, Benedict XVI, for his declarations? My position is that the wording used by the signatories of the amendment is absolutely unacceptable and should be declined.

Human rights defenders, I suggest that in the resolution we, the European Parliament, should reiterate our demand that all winners of the Sakharov Prize and, in particular, Aung San Suu Kyi, Oswalda Payá Sardiñas, the Cuban Damas de Blanco and Hu Jia be given access to the European institutions. We regret the fact that none of them were allowed to participate in the 20th anniversary ceremony of the Sakharov Prize.

Last but not least is the fight against terrorism and human rights. I suggest that the European Parliament call on the European Union and its Member States to carry out the fight against terrorism in full respect of human rights and fundamental freedoms as one of the main priorities of the Union and a key element of its external actions. Mentioning specific names in our resolution would be counterproductive.

Richard Howitt, *on behalf of the PSE Group*. – Madam President, can I congratulate my friend and colleague Raimon Obiols i Germà on this report. As one of this Parliament's annual human rights rapporteurs earlier during the mandate, and also as the Socialist Group's Vice-Chair of our Subcommittee on Human Rights, in this debate nearing the end of the five years of this European Parliament, I want to commend to the House what we have achieved.

I believe that we have coordinated well with the Parliament's delegations so that MEPs across this House have asked hard questions of governments in our representations worldwide, a process that I have been proud to take part in myself: from Columbia to Turkey, Georgia to Croatia. I am deeply proud of the work of the committee and of MEPs in relation to building democracy and election monitoring. Indeed my own experiences in Afghanistan, the Democratic Republic of the Congo, the Palestinian Territories and Angola have been some of the most special experiences for me during the last five years.

I am deeply proud of the fact that we have engaged and represented this Parliament – I think excellently – in relation to the Human Rights Council in Geneva. I think we have had real influence there. We have tried to move Europe away from a block mentality to reach out to other regions of the world, and of course we have worked closely with the special representatives and rapporteurs, including the recent visit I helped host of the UN Special Representative on business and human rights, an issue which is a passionate one for me.

I am delighted that we campaigned and were at the forefront of the campaign for the European Communities to sign up for the first time to a human rights instrument, the UN Convention on the Rights of Disabled People. I am delighted, Commissioner, that, despite opposition initially from within the Commission, this Parliament insisted that we maintain a separate initiative on democracy and human rights, so that our funding for human rights is visible, is prominent and continues even in countries with regimes that wish to resist human rights.

We are often commended for our work on human rights in this House but I commend the bravery and the courage of the human rights defenders whom we meet and talk to daily, who put their lives on the line for values and standards that are universal in our world and are precious to us all.

Jules Maaten, *on behalf of the ALDE Group*. – (NL) Madam President, it is always difficult to highlight a few points in a resolution like this one, because it can so easily turn into a Christmas tree. However, the rapporteur

has done an excellent piece of work and the points he has just raised, such as the death penalty, must, indeed, remain an absolute priority in all of our efforts in the field of human rights. He is quite right to say so, therefore.

I also think that the subject of women's involvement in human rights issues has been paid too little attention for far too long, certainly if we consider women in their role as 'human rights defenders'. As regards this point, my group will not go as far as addressing issues concerning the use of sexist language. I do not believe that you can solve such problems with a kind of *newspeak* or political correctness, but it is only right that this problem has been placed on the agenda.

The same holds true for children. The resolution says some very good things about children and, I refer, in particular, to the text about child sex tourism. As regards this particular topic, we, together with a few other MEPs, have launched a campaign which more than 37 000 people have now signed up to on the Internet. Unfortunately, we still have a situation where hundreds of European men are flying to South-East Asia, Latin America and Africa every week in order to abuse children there – sometimes very small children – and it really is high time that Europe took action on this front.

I am pleased to see that Commissioner Barrot is here with us today because he, in particular, has stuck his neck out and put forward some very good proposals. I think that sends out an important signal.

Human rights are still somewhat the Cinderella of European foreign policy. If you look at our foreign policy, you will see that it is still very much dominated by trade facilitation and similar things. I think that human rights must be given a much higher priority. In addition, I would call on the Commission, in particular, to pay more attention to the issue of Internet censorship because, on this score, Members of the four large groups of this House have launched an initiative for a Global Online Freedom Act based on the proposals put forward by the US Congress.

I understand that some commissioners, Mrs Reding and Mrs Ferrero-Waldner, for example, have shown an interest in this. I hope that we are really going to come up with some concrete proposals on this score because, although paying cash on the nail is important, we must also be prepared to promote our European approach to human rights and democracy.

Konrad Szymański, *on behalf of the UEN Group*. – (PL) Madam President, once again we are dealing with a report on human rights which has been written under the dictates of ideology. Today's left-wing ideology is completely blind to issues of religious freedom in different parts of the world. Christians are persecuted in China, India, Iran, Vietnam, Russia, and recently also in Pakistan. In spite of the clear provisions of Article 18 of the Universal Declaration of Human Rights and Article 9 of the European Convention, the Left is not interested in religious freedom. Instead, left-wing ideology concentrates pathologically on the principle of non-discrimination against sexual minorities, which is not so strongly enshrined in international law.

The proposal of the Group of the Alliance of Liberals and Democrats for Europe to attack the Holy Father Benedict XVI for statements he made in Africa is a real curiosity. It seems the liberals have forgotten the principle of the separation of the church from public life, of which they often used to remind us. It turns out that today the liberals are demanding subordination of religious institutions to the State and public authority. This demand is directed against the freedom of the church and freedom of speech, and adoption of that proposal means that we will vote against the report.

Hélène Flautre, *on behalf of the Verts/ALE Group*. – (FR) Madam President, the annual report prepared by Mr Obiols i Germà is excellent. Its aim, like that of all of the activities carried out in this parliamentary term by the Subcommittee on Human Rights, is to fill the gap between word and deed in Europe's external action and to root out any inconsistencies and weaknesses in our policy, beginning with the Member States, which are too often at odds with international law. It is enough to mention the treatment inflicted on migrants, the cooperation with the CIA's secret flights or the failure to ratify international conventions.

The Council's requirements too are inconsistent. How does one explain that the Council has not yet given the go-ahead to implement Article 2 of the association agreement with Israel after the persistent violations that we are observing? Our policies are compartmentalised. They therefore often lack a global perspective and are not integrated, and our instruments are not optimised, are not put in sequence. Imagine this: the Council has published a communication to welcome its human rights subcommittee with Tunisia, even though with that country we are still unable to support human rights activists because of the barriers it is putting up.

In our successive own-initiative reports, we have put forward specific recommendations, such as the drafting of human rights strategies by country and the more direct participation of Members in the policies, and we have succeeded in shifting the boundaries. I am thinking of the guidelines on torture, for example.

Today, human rights activists are better protected, and I welcome the fact that human rights clauses are now being studied in the Council and the Commission. Moreover, I wish to point out on this occasion that we would like this clause to be reworded. We would like a mechanism regulating the opening of a dialogue to be implemented and to appear systematically in all European Union agreements.

For five years we have been ready to start work with the Council and the Commission to improve the Union's policy. The task is under way, today at least, and I would like warmly to thank them, since their receptiveness, and that of all my fellow Members, has been essential to this success and to the increased credibility that we have, today, in this area.

Erik Meijer, *on behalf of the GUE/NGL Group*. – (NL) Madam President, we continue to witness the fact that, in the world outside Europe, governments are killing people for acts which we do not consider liable to punishment, or which merit, at most, a light punishment. We still have regimes which attempt to cling on to power by resorting to violence, we still have people who are being discriminated against and there are still people living in miserable and humiliating conditions below the poverty line.

There are still population groups without their own state who feel that the government of the state in which they find themselves would prefer it if they left the country in order to make room for people who belong to the majority group. There are governments which take no interest in certain sections of their population and which refuse to tackle their problems.

In Europe, we agree that this is unacceptable, but we continue to operate double standards. Countries whose friendship we want to maintain, because they are large and economically powerful, or those which are important trading partners or whom we see as our allies, are able to get away with more than small, powerless countries. We have to put a stop to that. Otherwise, the reliability of our statistics on human rights abuses will be called into question.

Bastiaan Belder, *on behalf of the IND/DEM Group*. – (NL) Madam President, as the rapporteur responsible for monitoring relations between the European Union and China, it pleases me enormously to see that paragraphs 80 and 87 of the present report dedicate substantial attention to the seriousness of the human rights situation in China. However, there is one serious violation of human rights in the People's Republic of China which has not been included in the report, and by this I mean the political misuse of psychiatry against dissidents.

This perversion of healthcare goes under the name *ankang*, which, distressingly enough, means 'health through rest', and it is true enough: if you knock people out with tranquilisers, they will be tranquilised. Officially, China has always strenuously denied all the allegations about the *ankang* system mentioned in my report. What I very much look forward to, however, is receiving information from the Commission about the political misuse of psychiatry by Beijing.

I was very interested to hear that the Czech Presidency has just announced that a human rights meeting will be taking place next week. I would, therefore, ask the Czech Presidency to enter the issue of political psychiatry in China on the agenda for this meeting. I would be grateful if you could do so, especially in the light of the Chinese denials.

Madam President, I would like to conclude by saying that, one year ago, I visited China personally and experienced the kinds of things that members of Protestant home churches have been going through. Any of them who show any intention of speaking to a foreigner are punished with lengthy police detention or preventive intimidation. Fortunately, the three Chinese people whom I later spoke to were released relatively quickly.

Occurrences like this can be prevented when the Commission and Parliament take adequate action, as Mr Jarzembowski has said. I thank him for mentioning that. For me, this is conclusive evidence that the European Union can be effective when it comes to protecting human rights. That gives us hope for the future.

José Ignacio Salafranca Sánchez-Neyra (PPE-DE). – (ES) Madam President, the report presented to us by Mr Obiols i Germà on human rights in the world demonstrates this Parliament's total and permanent commitment to the cause of human rights in the world; as I have said on other occasions, this cause must not just apply to one region, country or continent, but must be of a global or universal nature.

The report on the state of human rights presents us with a situation, in countries such as Iran, China or Russia, in Guantánamo and in other countries, such as Cuba, where the exercise of a fundamental right was not permitted. The issue in question was not permitting the group known as the 'Damas de Blanco' (Ladies in White) to come to accept the Sakharov Prize, to enter and to leave their own country; similar abuses occur in other countries, as is the case in Nicaragua and Venezuela, which will be the subject of a separate resolution, to be voted on tomorrow. This situation shows us how far we are from achieving respect for human rights in all the regions of the world, despite our efforts.

Madam President, I would like to refer to the amendment tabled by some of my fellow Members asking this Parliament to condemn the head of an institution which, with all the errors that may have been committed in over two millennia and for which apologies have been made on many occasions, has been distinguished by a truly determined defence of human dignity. The fact that the Pope, as the spiritual leader of hundreds of millions of people, and as the head of a sovereign state, cannot give his opinion on a sensitive current issue, honestly, without being condemned, seems to me, to be frank, an act of intolerance. Madam President, I believe that the amendment is grotesque.

I have worked with the authors of this amendment on other occasions, but I believe that, at the present time, in tabling this amendment they are confusing adjectives and nouns, what is accessory with what is fundamental. I believe that the fundamental thing is to have respect for the opinions of others, even if they are not the same as ours, without condemning anyone, and, Madam President, that also means not confusing the shadows cast by a picture with the picture itself.

Maria Eleni Koppa (PSE). - (EL) Madam President, the debate in the European Parliament on human rights in the world is one of the high points in the political process. However, the Union can exert its influence, as regards the defence of human rights in the world, only if it sets an example in this sector from within.

The inclusion of the human rights clause in all negotiations is a major victory, but the results must be evaluated at regular intervals so that policies and initiatives can be adjusted.

In a general context, the abolition of the death penalty and of torture is still our basic priority and the Union must step up its activities in these sectors. Finally, we must not forget that 2008 ended with the tragic events in Gaza, where human rights were blatantly infringed and experimental and banned weapons were used by the Israeli forces.

As the European Parliament, we have an obligation to call for full light to be shed on this issue, to closely monitor research and to push for responsibility to be apportioned for any infringements of international humanitarian law. The international community should not demonstrate the slightest tolerance of war crimes, wherever and by whomever they are committed. Finally, I should like to thank our rapporteur for his excellent work.

Milan Horáček (Verts/ALE). - (DE) Madam President, ladies and gentlemen, I, too, should like to congratulate the rapporteur, Mr Obiols i Germà, on his very good report.

Things look very bad for respect for human rights in many countries worldwide. This is also of relevance for Europe – when we think of Belarus for instance. The European Union must therefore redouble its efforts by implementing its human rights policy in all areas and by setting clear standards. It is our understanding that human rights are indivisible. This can be taken into consideration for example during the negotiations for a new agreement with Russia through a binding human rights clause, which will influence all areas of the negotiations.

I should also like to suggest once again that the Subcommittee on Human Rights be made a standing committee.

Tunne Kelam (PPE-DE). - Madam President, the human rights situation in the world looks grim, and several large countries – important partners of the EU – are being mentioned. Therefore, it is important that Parliament's resolution insists on greater attention being paid to human rights, especially political rights, in the negotiation and implementation of bilateral trade agreements, even when concluded with important trade partners.

So the question is: what can we do in practical terms to improve the situation? Maybe we should start with attempts to 'de-Schröderise' Europe. However, democratic countries cannot avoid their part in responsibility for this grim situation in large parts of the world.

Let us take Russia. On the EU-Russia human rights consultations, Parliament's conclusion is devastating. The EU has not succeeded in bringing about any change of policy in Russia, particularly as regards the independence of the judiciary, treatment of human rights defenders and political prisoners. The Khodorkovsky case is just symbolic. One month of his second trial has shown the scope of change that has happened in the last six years. The judiciary in criminal cases has been totally subordinated to state power.

Finally, I would like to stress Parliament's message to the Council to respond in a substantive manner, especially to Parliament's urgency resolutions. The European Parliament embodies, in the best possible way, the democratic conscience of our planet. It reacts rapidly and resolutely to the human tragedies all around the world. However, to have a real impact on the human rights situation, we expect the Council's rapid and positive reaction. It is often also the problem of values versus economic interest.

Georg Jarzembowski (PPE-DE). - (DE) Madam President, the Group of the European People's Party (Christian Democrats) and European Democrats calls on the Government and the Communist Party of China to conduct the upcoming human rights dialogue in a constructive manner. This would significantly ease relations between the EU and China. We have a genuine interest in improving bilateral relations. However, this dialogue must be conducted honestly. We will therefore have to uphold our legitimate demands on China. In our view, the civil rights campaigner, Hu Jia, must be released immediately. Talks with the Dalai Lama, the religious leader of the Tibetans, must be resumed. The Chinese region of Tibet must be opened up to journalists and UN human rights experts.

In my opinion, the People's Republic of China demonstrated in the run-up to the Olympic Games that it could, for example, grant more press freedom while preserving the stability of the country. Now, it should have the courage to initiate reforms relating to reeducation camps, the rights of defendants, the death penalty, religious freedom and freedom of assembly. It should genuinely tackle these human rights and hold talks with us.

Robert Evans (PSE). - Madam President, my congratulations to the rapporteur and to other colleagues. But this report has to be more than just words in a document. It has to be a report for action. Paragraph 1 says: 'Considers that the EU needs to move towards a coherent and consistent policy of upholding and promoting human rights around the world' and to do so 'more effectively'. I want to address my remarks to the situation in Sri Lanka, and several points in this report are applicable there.

Paragraph 63 refers to the recruitment of child soldiers, which I, and I am sure other colleagues, deplore. I think it is paragraph 48 that refers to the death penalty. Since the beginning of the year, some 5 000 civilians have been killed by attacks by the Sri Lankan Government on their own territory: tantamount, I would suggest, to the death penalty and the death of innocent citizens. The Sri Lankan Government and their military stand accused of a string of human rights abuses of their own people, from bombing of hospitals, the use of illegal weapons to denying humanitarian and medical...

(The President cut off the speaker.)

Andrzej Wielowieyski (ALDE). - (FR) Madam President, I well understand the motives of my colleagues from the Group of the Alliance of Liberals and Democrats for Europe for tabling Amendment 2 on the fight against AIDS, and I would stress that, in general, I share these motives.

However, I oppose this amendment. The Catholic Church is independent of the Member States and has the right to fight against AIDS in its own way, even if we believe that this could be done better.

In essence, it is not fair and not reasonable to launch a fierce attack on the Pope just before the European elections. Doing so could cause deeper divisions in our societies and lead many people to call into question the value of their participation.

Harsh condemnation by Parliament of the spiritual leader of millions and millions of believers would be a serious mistake.

Árpád Duka-Zólyomi (PPE-DE). - (SK) As someone who is very familiar with the Cuban situation I would like to point out some facts relating to Cuba. I consider it essential to keep Articles 84 and 96 in the report. In Article 84 the European Parliament again confirmed its position in relation to the Cuban holders of the Sakharov Prize, Oswaldo Paya Sardinias and the Women in White group. Article 96 welcomes the start of dialogue on human rights with Latin American countries, requesting the release of political prisoners and the observance of human rights.

I would also like to point out that the table of the report includes only two cases of human rights' violations in Cuba, whereas dozens more could be added. For example, 49-year old Librado Linares Garcia, 'Black Spring' victim and husband of one of the Women in White, is suffering from multiple diseases in prison, including an eye infection which has caused the gradual loss of sight in one eye and is now in the second eye as well. This man has been given no health care in prison.

Marios Matsakis (ALDE). - Madam President, to be critical of others in a credible way, one has first to be critical of oneself. In this respect, as we condemn human rights violations around the world, we must always bear in the mind the human rights violations that take place within the EU.

Let me remind you of two examples. Firstly, Turkey, a candidate Member State, for the last 35 years has kept the northern part of Cyprus under military occupation, having violently expelled around 200 000 people from their homes. In Turkish-Army-occupied Cypriot territory, more than 500 Christian churches and monasteries have been subjected to destruction and hundreds of Christian cemeteries have been desecrated. Today 1 600 EU citizens are still missing since the 1974 Turkish invasion of Cyprus.

Secondly, Britain. A Member State keeps under the sovereignty of its crown two colonies in Cyprus: the areas of Akrotiri and Dhekelia. Thousands of civilians – EU citizens – living in these areas are subjected to...

(The President cut off the speaker.)

Sophia in 't Veld (ALDE). - Madam President, I am a bit surprised at the qualifications of my amendment as 'grotesque' and 'unacceptable'. I think nobody is above criticism – not even the Pope – and in this House we have always strongly criticised the US gag rule under the Bush Administration, which does not go as far as the Pope's statements. The Pope should know that he is a very important, influential religious leader and that his words carry weight and may directly and indirectly lead to thousands, even millions, of AIDS deaths. I think it is only right that this House should criticise it.

Secondly, the EU has always been a driving force for human rights but we are losing credibility. Over the last eight years we have lost our moral authority because of our support for the way in which the US has fought terrorism. I think it is high time that the EU follows the example of the Obama Administration and comes clear on our role in the fight against terrorism.

Jan Kohout, President-in-Office of the Council. – Madam President, before I start my concluding remarks I would like to inform the honourable Members of the outcome of the discussion in the Czech Senate on the Lisbon Treaty.

I am glad to announce to you that the majority of the Senators voted in favour of the Lisbon Treaty.

(Applause)

Thank you very much. This is a small moment of joy in our Presidency.

Continuing with the subject, let me once again thank the rapporteur for his work and for the difficult exercise carried out in drafting his report. He identified several priorities, on which I would like to spend a few moments in my remarks.

On the death penalty, it is clear that we must make abolition the achievement of our generation.

On women's rights, I see this issue as being of particular relevance, especially in the light of the growing involvement of the EU in ESDP operations and missions in areas where women remain under threat and victims of the worst human rights violation. I am thinking in particular of the DRC and Afghanistan, where we have EU missions and where we definitely need to do all we can do to improve the situation.

One of the key challenges we face internally is the greater mainstreaming of human rights across the ESDP and CFSP, which was also mentioned during the debate. The Presidencies, together with the Personal Representative for Human Rights of the Secretary-General's High Representative, have continued to mainstream human rights into relevant geographical and thematic working parties and into political dialogue.

The Presidency continues the efforts of previous presidencies to promote the mainstreaming of human rights into the activities of the Special Representative, as well as into ESDP operations. In this context, Mr Solana's personal representative, Mrs Kionka, organised a workshop with EU special representatives and high

representatives on focal points intended to provide a toolbox to help them in their daily work of promoting human rights.

Last but not least we have identified the fight for universal human rights as one of the main challenges we face in international fora.

I believe we have to double our efforts in reaching out to governments. We must support emerging civil society organisations and human rights defenders who, internally, are the best advocates of the protection of human rights. Democracies owe a lot to the emerging movements of citizens who, like Charter 77 in its time in my country, can be instrumental in bringing about change.

Jacques Barrot, *Vice-President of the Commission*. – (FR) I should first like to welcome this good news, after these setbacks, as it opens the way to this Treaty of Lisbon which we so want and which includes – and I am not forgetting it in this debate – the Charter on Fundamental Rights.

I am also extremely grateful that the European Parliament has, in some way, become a sounding board for all the legitimate demands that fall under the defence of human rights. I must say that we are proud in Europe to have a Parliament as sensitive as yours to all the problems in the world which involve human rights, the rights of the child and the rights of women subject to violence and acts of discrimination.

You mentioned all these ongoing tasks following on from the excellent report by your rapporteur, Mr Obiols i Germà, whom I wish to thank once more. I wish to say how much we want this cooperation with the European Parliament to continue, and Mrs Ferrero-Waldner would perhaps have expressed better than I the extent to which this European Union external policy should be inspired by a number of values, these values that the European Parliament has just recalled in the various speeches.

You will allow me in turn to speak of my absolute hostility to the death penalty and also to torture. On this point, I would like all the same to stress that the European Union is pleased today to see the United States, with President Obama, closing the book on certain excesses that may have been committed in the fight against terrorism. This is important news and should further strengthen our determination to fight against all forms of torture in the world. This is a personal commitment that is very dear to my heart.

I also want to stress the European Union's role in the many election assistance and observation missions, which also, of course, helps to defend and promote democracy around the world. We know about the relationship between democracy and respect for human rights. This too, I believe, is to the credit of the European Union.

I could have responded to more specific questions about children. I have had the Commission adopt the review of the framework decision on the sexual exploitation of children, so that, among other things – since a speech referred to this issue – our Member States will be able to prosecute sex tourism, even if the acts were not committed in Europe. This will open the way to a highly desirable clean-up operation in this area.

I cannot provide all the answers that your excellent speeches deserve, Madam President, but I must thank the European Parliament for being so vigilant in this area, which ultimately shows the best of our European Community – our attachment to common values.

Raimon Obiols i Germà, *rapporteur*. – (ES) Madam President, I would like to make two very rapid points. The first is that, with regard to human rights, the best policy is undoubtedly one that is able to unite people; therefore, if the report contains one message more important than the rest, it is the message of unity. This means, first of all, unity between the EU Member States, since recently we have had problems in that regard that ought to be resolved as quickly as possible; secondly, it means unity between the institutions; and, thirdly, it means unity or convergence between approaches and focuses.

Between *realpolitik*, which looks the other way when there is an infringement of human rights, in sway to other interests, and half-heartedness, there is a path of political will and political intelligence which is the one we must follow.

The second point is that, naturally, if we are in favour of the effectiveness that is gained through unity, then the majority in the vote on this report, tomorrow, will be all the greater, and its future implementation will be all the more effective. On this point, I would like to say that when voting on the amendments the fundamental priority ought to be a quest for the broadest possible majority in the House; not for personal reasons, since reports are not subject to copyright, but through a desire for political effectiveness in the future.

President. – The debate is closed.

The vote will take place tomorrow.

Before coming to the next report, I would like to take advantage of the fact that I am in the chair for the last time, and that this is in fact a report that involves my own committee, and, ladies and gentlemen, I would like to take advantage of your presence to tell you how much I have enjoyed working with you over the last 10 years, and the last five years have been extraordinary.

I wish especially to thank Commissioner Barrot, who has supported us with kindness – I should say with his kindly authority – and I am also especially grateful to the chairman of our committee, Mr Deprez, and to all my colleagues.

I am not going to mention you all, but Mrs HennisPlasschaert is here, Mrs in't Weld is here, Mrs Lambert is here, and Mr Busuttil, Mr Masip Hidalgo and Mrs Dührkop Dührkop are too; I would really like to thank you all and, well, to say goodbye. Perhaps I will have the chance to see you again. It is not I who will be in the chair this time. I think I will just take responsibility for the introduction and then Mr McMillan-Scott will take over.

If you do not mind then... Thank you.

(Applause)

Written statement (Rule 142)

Kinga Gál (PPE-DE), in writing. – (HU) Mr President, ladies and gentlemen.

If we assess the situation of human rights in 2008, with particular regard to the relevant EU policy, we still have cause for concern.

On this point I would like to highlight the situation on children's rights, which is a global problem. To ensure respect for children's rights we must not only focus on specific rights violations, but also on indirect threats such as, for example, Internet crime or violence in the media.

Our human rights policy must be based on the acknowledgement that human rights violations are not something which typically happens in another external country. Unfortunately, there are numerous current incidences of this within the EU too.

I would like to refer specifically to events in Budapest on 23 October 2006 as we witnessed a mass violation of human rights when violent actions and abuses were committed by the police against innocent people attending a peaceful commemoration. Evidence of all this is also provided by an exhibition of pictures which can be currently visited here in Parliament.

We must do everything to ensure that such incidents do not happen again and we must realise that even in the European Union we must continue the struggle every day in support of respect for basic human rights and freedoms, democracy, the freedom of speech and the rule of law.

12. European Refugee Fund for the period 2008-2013 (amendment of Decision No 573/2007/EC) - Minimum standards for the reception of asylum seekers (recast) - Application for international protection lodged in one of the Member States by third-country nationals or stateless persons (recast) - Establishment of 'Eurodac' for the comparison of fingerprints (recast) - Establishment of a European Asylum Support Office (debate)

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

- the report (A6-0280/2009) by Mrs Dührkop Dührkop, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a decision of the European Parliament and of the Council amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 by removing funding for certain Community actions and altering the limit for funding such actions (COM(2009)0067 – C6-0070/2009 – 2009/0026(COD)),

- the report (A6-0285/2009) by Mr Masip Hidalgo, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a directive of the European Parliament and of the Council laying down minimum standards for the reception of asylum seekers (recast) (COM(2008)0815 – C6-0477/2008 – 2008/0244(COD)),

- the report (A6-0284/2009) by Mrs Hennis-Plasschaert, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) (COM(2008)0820 – C6-0474/2008 – 2008/0243(COD)),

- the report (A6-0283/2009) by Mr Popa, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a regulation of the European Parliament and of the Council concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EC) No [...] [establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person] (recast) (COM(2008)0825 – C6-0475/2008 – 2008/0242(COD)), and

- the report (A6-0279/2009) by Mrs Lambert, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Regulation of the European Parliament and of the Council establishing a European Asylum Support Office (COM(2009)0066 – C6-0071/2009 – 2009/0027(COD)).

Bárbara Dührkop Dührkop, *rapporteur*. – (ES) Madam President, I have the honour of starting this joint debate on five very important reports on establishing a common European policy on asylum.

Mine is limited to the amendment of the European Refugee Fund, the ERF, with a view to reallocating funds in order to create a European Asylum Support Office, which will have the institutional status of a regulatory agency. One of the agency's responsibilities will be to promote and enhance practical cooperation between Member States in order to assist with the implementation of the common European asylum system.

Since some of the tasks currently assigned and funded under the ERF will now be carried out by the Office – this applies, for instance, to the promotion of good practices, the interpretation and translation services and support for the development and application of common statistics, with the aim of transparency and sound management of resources – some of the ERF funds need to be transferred to the Office.

Current rules stipulate that 10% of the Fund's resources be allocated to these tasks. The Commission is proposing to us that this percentage be reduced to 4% and that the balance of the resources be transferred to the new Office. In this way, the Fund's financial allocation for the 2008-2013 period would be reduced from EUR 628 million to EUR 614 million. We agree with the Commission that these amounts are sufficient for the first phase of the Fund up until 2013, which is when a revision is scheduled.

The Committee on Civil Liberties, Justice and Home Affairs has seen fit to entrust to me the welcome task of arguing for the advisability of creating this Office. The proposal has been approved unanimously by the two committees concerned: the Committee on Civil Liberties and the Committee on Budgets. Although Parliament, as we know, is reluctant to see new agencies created, as a budgetary authority its principal concern is the correct, reasonable management of the resources allocated, in this case to ensure practical cooperation between the Member States on asylum.

We all know that the acceptance rates for asylum applications vary considerably among the Member States, resulting in multiple management difficulties for the host Member State. This is particularly true for states situated at the southern borders of the European Union, which regularly find themselves overwhelmed by large numbers of people suddenly arriving at their borders, in view of the fact that it is also necessary for them to identify, from among all these people, those that require protection.

Offering support in relation to resettlement and the internal, voluntary transfer of asylum seekers are the best evidence and expression of solidarity which the Member States ought to display. This is, and also should be, the main objective of creating this Office.

Madam President, that is the end of my speech on the subject we are dealing with at the moment and, like you, I would like to dedicate a few minutes, which are my last, to saying some words of farewell.

This is my last speech in this plenary session. Like you, Madam President, I would also like to thank all the Members of this House, my group colleagues, the Chairman of the Committee on Civil Liberties and my

fellow Members on the committee for the collaboration we have enjoyed over the past years. We have had debates, and we have not always been in agreement, but I believe that in the end we have always produced good work to bring to the plenary session of this Parliament.

Madam President, when I first came here 22 years ago, I arrived at the European Economic Community with its 12 Member States. I am happy that what I am leaving now is a European Union with 27 members. It has been a true privilege to be in the very engine-house of European integration. It has been a unique, magnificent experience. Madam President, I also believe that one of the greatest successes has been to achieve the 'never again' which was at the root of the creation of European unification; I think that we can congratulate ourselves on this.

As I leave, I am very happy to have had the opportunity of having this experience and I do ask for your understanding, because I am now going to absent myself from this debate. I am returning to the Basque Country, where we are experiencing some historic events: after 30 years of a Basque nationalist government, we are going to have a socialist president of the Basque Country, Patxi López, and I would like to represent my political group tomorrow when he takes office.

Thank you very much, and goodbye for the last time.

(Applause)

Antonio Masip Hidalgo, rapporteur. – (ES) Madam President, the Committee on Civil Liberties, Justice and Home Affairs has visited centres for immigrants in various parts of Europe – as have you yourself, Madam President, with particular eagerness – and has observed hugely differing conditions and intolerable situations that must be put right.

Asylum seekers, however, are not comparable to illegal immigrants. Asylum seekers are fleeing situations of persecution; they are not attracted by economic factors, but are expelled by regimes that are opposed to freedom. We Spaniards are well aware of this, since so many of us, as Republican exiles, were taken in by Mexico, France and other countries.

When the Return Directive was debated, it was made very clear that that piece of legislation would not apply to the future legislation on the reception of asylum seekers; fellow Members from the Group of the European People's Party (Christian Democrats) and European Democrats said the same thing. In my view it is vital for asylum seekers to be given information in a language that they understand. Restricting the provision of information to an asylum seeker to a language he understands or *may be presumed to understand* lowers the existing requirements and would not be acceptable, I believe, from a legal viewpoint or in terms of the interpretation of human rights. The right to be properly informed is fundamental, because it forms the basis of all other rights.

I have studied the financial cost of my proposal on material assistance. My proposal asks that assistance to asylum seekers should guarantee adequate living standards, providing them with sustenance and protecting their physical and mental health. To ask for less would be, in my view, to insult the dignity of asylum seekers.

My proposal clarifies the second ground for detention (Article 8(2)(b)), placing it within the framework of a preliminary interview in accordance with the guidelines for detention laid down by the United Nations High Commissioner for Refugees. I also propose, in Article 9(5)(1), an *ex officio* review by the judicial authorities of the detention when there is a change of circumstances or fresh information becomes available, at the request of the asylum seeker or, as I was saying earlier, in the absence of that, automatically.

Oral Amendment 2 and Compromise Amendment 5, adopted in committee, raise the issue of establishing legal assistance only in so far as necessary, and free of charge, at the request of the asylum seeker. I am asking for split voting on these two points, to go back to legal assistance which is closer to being free of charge, as I believe to be right.

Finally, if the initial proposals for social benefits to immigrants are reduced, as other groups have achieved in the voting in committee, then I think it is necessary, even though we are currently in a period of crisis, to ensure effective access to the labour market. In this way, asylum seekers will gain independence, integrate into the host society and reduce the social expenditure allocated to them. I would also like to extend my warm thanks to Mr Barrot and his Commission for all the efforts he has made throughout the course of this directive.

IN THE CHAIR: Edward McMILLAN-SCOTT*Vice-President*

Jeanine Hennis-Plasschaert, *rapporteur*. – (NL) Mr President, allow me, first of all, to make a few general remarks. I have been heavily involved in drafting European asylum and immigration policy over the past few years on behalf of my group, the Group of the Alliance of Liberals and Democrats for Europe. I am sure that virtually everyone can see the usefulness and necessity of such a policy. After all, what a Europe without internal borders is crying out for is a common approach in this field. Having said that, I would point out that the standards we have agreed on and the results we have achieved to date contrast greatly with the ambitions set out in the Tampere Programme, the Hague Programme and, most recently, the French Asylum and Immigration Pact.

The problem is that, every time the Council has to take a concrete decision, the highest common denominator suddenly seems to become the lowest one, and so the desired harmonisation effect fails to materialise. In addition, when it comes to transposition into national legislation, many Member States have failed to live up to the agreements we have struck, both in terms of timing and accuracy.

What this has led to, in practice, is enormous differences between the Member States. This is not only causing confusion, but also playing into the hands of those who are abusing the system. It seems that the Council has either completely or partially failed to grasp the fact that improving quality and ensuring greater consistency and solidarity is not only in the interests of the asylum seeker, but also in the interests of the Member States themselves.

As far as my own report is concerned, I would like to say the following: the existing Dublin Regulation is also the product of a fragile political compromise reached in the Council. As a result, we now have a text which contains too many ambiguous passages and gaps. I wholeheartedly support the Commission's aspiration to create a uniform and efficient Dublin system.

In my view, Article 31 is the most important political element in the proposed recast. As I more or less said just now, I see the lack of consistency and solidarity on the Council's part as the biggest stumbling block to achieving a common asylum and immigration policy. From that perspective alone, I can very well understand the provisions of Article 31 of the Commission's proposal.

However, the fact remains that the Dublin system was not developed as, nor is it intended to be, an instrument for burden-sharing. Another thing that is patently obvious is that the Dublin system did not emerge, in its own right, as a response to exceptional asylum pressure or to an excessive burden on certain Member States. Therefore, I fear that, despite its good intentions, the Commission proposal will fall short of generating greater consistency and solidarity amongst Member States.

May I also point out that those Member States which are now struggling with excessive burdens because of their demographic situation or, perhaps, their geographical position, are not being helped by this proposal, or are being helped only to an inadequate degree. This means that the issue of solidarity must be addressed in a broader context.

Over the last few years, it has become crystal clear that what Member States need is a carrot-and-stick approach. As far as I am concerned, this means that it is also time, high time at that, that we achieved a breakthrough, because solidarity amongst Member States will have to be enforced in one way or another.

I know that certain Member States have responded rather negatively, to put it mildly, to the proposals adopted by the Committee on Civil Liberties, Justice and Home Affairs. I am also aware that I am treading on dangerous ground here, with regard to the Commission's right of initiative. Fair is fair, however, and, to be quite frank, I am fed up with merely hearing fine words on this matter.

I am sure that the Stockholm Programme of the incoming Swedish Presidency will also most likely contain the most wonderfully phrased provisions, but, if I may say so, esteemed President-in-Office of the Council, I would advise having nothing to do with it because, in practice, the Member States will once again turn their backs on it soon enough.

Nicolae Vlad Popa, *rapporteur*. – (RO) The Community Eurodac IT system began operating in January 2003 and is designed to compare the fingerprints of asylum seekers and certain third-country nationals or stateless persons. This system ensures the correct, accurate and rapid application of the Dublin Regulation, which is

intended to create an effective, operational mechanism for determining responsibilities for asylum applications in one of the European Union Member States.

Eurodac is a computerised database containing the fingerprints of all the applicants for international protection, aged 14 years and over. The purpose of this report is to make the system run more efficiently and resolve the problems which have been detected following an assessment of its first few years of operation. We have produced a number of effective, practical solutions to the problems concerning the collection and transfer of fingerprint data by Member States.

The first stage involves collecting the fingerprints within 48 hours of submitting the application for asylum, while in the second stage, Member States send the data obtained in this way to the Eurodac central system within 24 hours. The report contains provisions allowing the 48-hour deadline to be extended in the following exceptional cases: when a quarantine period needs to be applied due to a severe contagious illness; when the prints are destroyed; as well as in cases of force majeure which are properly substantiated and proven, and for the period during which these circumstances prevail.

The report supports the idea of setting up as soon as possible a decentralised agency for managing Eurodac, VIS and SIS II to ensure that these systems operate as efficiently as possible. This management agency will draw up a common set of requirements which must be met by anyone authorised to have access to the Eurodac infrastructure and data. In addition, provisions have been introduced which are aimed at banning the provision of data input in the Eurodac system to the authorities of any unauthorised third country, especially the country of origin of the applicants for protection, in order to protect the members of the asylum seekers' families from the serious consequences to which they could be subject.

When drafting the report, we set out some regulations which will ensure that the system will operate as efficiently and effectively as possible, while also protecting personal data and fundamental human rights.

Last but not least, I would like to thank the shadow rapporteurs with whom we enjoyed excellent cooperation and our colleagues from the Committee on Civil Liberties, Justice and Home Affairs who voted for the report by a large majority. I must also thank the authors of the amendments. I would like to mention the exceptionally good cooperation with the representatives from the Council and European Commission, whom I would also like to thank.

Jean Lambert, rapporteur. – Mr President, we heard earlier from Ms Dührkop Dührkop in terms of the European Refugee Fund and the changes proposed in that in order to support the setting-up of the European Asylum Support Office, and I am the rapporteur for the regulation which deals with that particular proposal – the Asylum Support Office.

The idea is that this is an office which is there to support Member States in improving – we would say the quality (we know some Member States have a difficulty with that concept of improving the quality) of delivery of decision-making on asylum requests, but also this office aims to assist in developing consistency across Member States, as well as supporting those countries which find themselves under particular pressure at various times, either through continuing mixed flows of people coming to those countries or for other reasons.

We have heard already from some about the problems caused by the lack of consistency between Member States in their decision-making on asylum claims, and this has certainly been part of the background to the difficulties which are there with the Dublin system.

But what we want to see is this improvement, and part of what this is about is providing training. We are advocating that UNHCR guidelines should be involved in that – maybe the starting point, even if they do not lead – and that Member States should be able to draw on experience, that the office should be able to deliver joint training or, indeed, specific training to Member States as the need arises, drawing on expertise from within the Member States themselves but also from the UNHCR and, indeed, relevant NGOs.

We thought at one point we might have got a first-reading agreement on this, but time and, indeed, our desire to pull together the package of measures looking at the European common asylum system mean that we have not got that far. But we have had considerable discussions between the shadows and also with the Council on this, and this explains certain of the amendments before us at the moment, certain of which are technical in terms of bringing in things which are normally in the regulation, which were omitted in the original proposal.

For Parliament, the role of UNHCR within this Asylum Support Office is absolutely crucial. We also wish to see NGOs closely associated with the office in the consultative forum and, indeed, involved in delivering training or receiving it where they are part of the delivery of an asylum system in a Member State.

However, the role of Parliament is proving a little more difficult to find agreement on with the Council. We are looking at Parliament being involved quite closely in the appointment of the director, looking at the Fundamental Rights Agency perhaps as our model on that. The other sticking point is, as Jeanine has indicated in her introduction on the Dublin system, the question about how much we can actually look at Member States cooperating, as it were, from a starting point which makes that obligatory rather than voluntary. So those are certainly the two big issues at the moment.

We are pleased that the Council has indicated it could well accept our amendments concerning training itself and, indeed, bringing in external expertise, for example in terms of interpretation, where necessary.

So we think we are moving forward on this, but we will see – when we get, maybe, an indication from the Commission about how we are going to increase cooperation between Member States – just how far we will be able to get with this proposal.

Jacques Barrot, *Vice-President of the Commission*. – (FR) Mr President, the objective of the legislative proposals on which you have just given your verdict is the establishment of a truly common asylum system that affords greater protection, is more effective and is more united.

I heartily thank the five rapporteurs for their considerable and excellent work. This is the first time that Parliament has given its verdict, as colegislator, on asylum issues. It has to be said that a fruitful working relationship has just begun. I am pleased to see that Parliament largely supports the objectives in the Commission's proposals. This support is essential if we are to overcome certain shortcomings in the legislative instruments from the first phase. At the time, they were adopted merely after consultation of Parliament.

I would, however, like to comment on some of the proposed amendments, which are giving some cause for concern and are worthy of particular attention. I will first turn to Mr Popa. As regards Eurodac, I broadly agree with his proposals. Now let me turn to Mr Masip Hidalgo and talk about access to reception conditions. I will accept an amendment on the sensitive issue of the equivalence of the material support offered to asylum seekers and the minimum social assistance guaranteed to national citizens.

For the Commission, however, there must be a reference indicator. This indicator will not oblige the Member States to provide social assistance to asylum seekers, but it will allow the introduction of clear rules in order to maintain asylum seekers' dignity and to help us, and consequently the Commission, to monitor the application of the common standards in each Member State.

The same is true for the principle of equality with national citizens as regards access to health care for people with specific needs. Here too, I can accept the amendment, but I would also like to see a reference indicator retained, as the Commission's proposal aims to overcome the current shortcomings in relation to protecting the health of vulnerable persons. That is all for the reception conditions. I thank Mr Masip Hidalgo once again for his excellent presentation.

I turn now to the Dublin Regulation. I am also grateful to Mrs Hennis-Plasschaert for giving us a very good presentation of her report on the revision of the Dublin Regulation. I wish to stress an issue that is of major importance for me: family reunification and the problem of unaccompanied minors. The Dublin system has often been criticised for the negative impact that it may have on asylum seekers, especially in the case of families or vulnerable persons.

In its proposal, the Commission wanted to ensure that, in practice, families are not separated and that minors are not transferred, except to rejoin their families. The amendments that change this approach cannot receive our support. I wish to stress the question of solidarity, which is the subject of some of the amendments tabled in the framework of the Dublin Regulation.

I would firstly like to thank our rapporteur, Mrs Hennis-Plasschaert, and also Parliament for introducing the option of suspending the transfers of asylum seekers when a Member State encounters difficulties. However, it is difficult to go further in the framework of the Dublin Regulation, as this regulation, Mrs Hennis-Plasschaert, cannot be an instrument as such for the distribution of asylum seekers among Member States. I have indeed heard your call for solidarity, and the Commission can accept an amendment in the preamble to the regulation, in order to give a political signal along the lines of creating improved, formal solidarity mechanisms.

In fact, I am determined to propose, at a later date, concrete instruments to increase solidarity at European Union level and to relieve the pressure on the asylum systems in some Member States. We need to arrive at a fairer distribution of the beneficiaries of international protection among Member States. The Union has already allowed the European Refugee Fund to support pilot projects in this area. Moreover, once it is operational, the support office will be able to give expert support to those Member States that request it. However, you have put your finger on the problem, namely the need for more solidarity and more consistency among the various Member States.

I will turn now to the support office. Thank you, Mrs Dührkop Dührkop and Mrs Lambert, for your remarkable, quick and effective work, since the Commission only tabled its proposals on 18 February. In this case, I really need Parliament's support to implement the office quickly, and I note with satisfaction that the proposal for the amendment on the European Refugee Fund is endorsed.

Some aspects of the support office issue should be commented on. The question of solidarity is evidently at the heart of Parliament's concerns, as it is of mine. I note the draft amendment calling for the office to support the implementation of a compulsory mechanism to distribute those receiving international protection. The Commission's proposal reflects the text of the Pact on Immigration and Asylum, providing for a voluntary system.

However, as I said just now in a previous reply, whilst the Commission is working on a more coordinated mechanism, the solution will not be easy. The office, meanwhile, will support the internal redistribution mechanisms as they are defined, whatever they are like. The regulation to establish the office is not the right place to legislate on the founding principles of these mechanisms but, once more, as with the Dublin Regulation, the Commission will accept an amendment in the preamble.

The Commission, moreover, believes that the office's external mandate should not be limited to resettlement activities and regional protection programmes. Amendments restricting the support office's mandate must be avoided. There are amendments with the aim of radically changing the procedure for appointing the director of the future office. Beware! The procedure proposed by these amendments could considerably delay the director's appointment. We do indeed need this office to be established quickly and effectively. The formula the Commission is proposing is the horizontal formula currently used for 20 regulatory agencies coming under the first pillar. We would find it regrettable to depart from a harmonised formula when horizontal discussion is conducted within the interinstitutional group on agencies, in which Parliament participates.

I shall conclude. I have already taken up quite a lot of time, but the work of Parliament is such that I wish to provide a detailed response. Some have criticised the proposals on Dublin and on reception conditions for being too generous. Some say: 'Yes, but this Europe of asylum will be a beacon for unfounded asylum requests.' Others, obviously, have invoked the principle of subsidiarity. Frankly, I do not share these criticisms. Only the true harmonisation of European asylum provisions around clear standards promoting fairness and effectiveness will enable Europe to put into practice its desire to protect those who actually need such protection, while avoiding abuses encouraged by ambiguous, unevenly applied standards. Experience shows that where Member States handle asylum requests in an objective, professional way, no beacon effect has been created, far from it. I believe there is no incompatibility between fighting against the abuse of procedures and raising the standards of protection.

To conclude, I would like to thank Parliament for its involvement as colegislator in the sensitive issue of asylum. I say this very simply but genuinely, even before the Presidency: we really need the European Parliament in order to gain acceptance for this asylum policy. It is a policy in line with our European values which, sometimes, in fact, can awaken fears and criticism, even though all this forms part of the humanitarian spirit and humanitarian tradition of our continent.

This is why, Mr President, I am extremely grateful to all the Members and especially to the five rapporteurs for their excellent work.

Jan Kohout, President-in-Office of the Council. – Mr President, this new phase of our work, intended to establish a common European asylum system, will require a substantial effort on the part of both Parliament and the Council.

The Council fully endorses the need to achieve further harmonisation in the field of asylum. The European Council, when adopting the European pact on immigration and asylum, welcomed the progress made in

the area of asylum to date but, equally, recognised that important disparities remained between Member States concerning the grant of protection and the form that protection takes.

The European Council, while reiterating that the grant of protection and refugee status is the responsibility of each Member State, also indicated that the time has come to take new initiatives to complete the establishment of a common European asylum system provided for in the Hague programme, and thus to offer a higher degree of protection, as proposed by the Commission in its policy plan on asylum.

The Council therefore welcomes the four important legislative proposals which the Commission tabled between December and February 2009 for this purpose and which represent the focal point of our debate today.

These proposals deal with reception conditions for applicants for international protection, the so-called Dublin regulation, and Eurodac, which were all presented in December last year, as well as the proposal for establishing a European Asylum Support Office, presented in February this year.

These proposals have already been subject to intensive discussions within the Council bodies within the short period since they were presented. The nature of the proposals and the complexity of the issues they deal with mean that the examination is not yet complete at all levels of the Council.

I cannot, therefore, indicate a firm position on the part of the Council in relation to the amendments which Parliament is proposing in the draft reports. All I can say is that the Council will look closely at all elements of Parliament's report with a view to making progress on these important measures in the shortest possible time frame.

I would, in particular, hope that we can make early progress on two proposals whose scope is more limited. These are the proposals directed to the establishment of the European Asylum Support Office and the amendment of the Eurodac Regulation. These are also, consequently, the proposals on which discussion within the Council bodies is most advanced and on which it is already possible to say that there is a significant degree of convergence between the views of the Council and Parliament.

The establishment of the European Asylum Support Office will facilitate the exchange of information, analysis and experience among Member States and will help to further develop practical cooperation between the administrations in charge of examining asylum applications. It will also use the shared knowledge of countries of origin to help to bring national practices, procedures and, consequently, decisions into line with one another. Both the Council and Parliament favour the establishment of such an office. The Presidency believes that the proposal can, and should, be the subject of an early agreement between Parliament and the Council on a basis acceptable to both institutions. As the honourable Members know, this proposal is accompanied by a proposal for modifying the European Refugee Fund. Since its purpose is to ensure its financing of the Support Office, both instruments should be adopted at the same time.

The Council also hopes that an early agreement could be possible concerning the Eurodac Regulation, since only some technical improvements are being proposed by the Commission, and these should contribute to a better functioning of the system.

The discussions which have taken place until now in the framework of the Council concerning the other two proposals – the amendments to the Reception Conditions Directive and the so-called Dublin Regulation – indicate that the issues raised by those proposals are undoubtedly more complex and difficult.

The Commission proposals in relation to the Reception Conditions Directive, as the honourable Members know, are intended to amend the existing directive with a view to addressing the deficiencies identified by the Commission during recent years. The Commission considers that the margin of discretion left to Member States by the Directive in force is too great, and that this has undermined the objective of ensuring adequate reception conditions for asylum seekers in all Member States. That is why the Commission has proposed a number of amendments concerning such matters as access to employment by asylum applicants, enhanced material reception conditions, better addressing of the needs of vulnerable persons and recourse to detention.

The Dublin Regulation, that is, the regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application, is intended to prevent abuse of asylum procedures in the form of multiple applications submitted by the same person in several Member States. The Commission is now proposing a number of amendments aimed at increasing the efficiency of the current system and also in order to ensure better protection standards for asylum applicants. The proposal also contains a mechanism for suspending transfers in cases when a Member State is experiencing particular

pressure on its asylum system which does not allow it to offer asylum seekers adequate standards of protection and reception conditions.

The detailed examination of the Commission's proposals on reception and Dublin is ongoing in the Council. The Council has yet to define its position on a number of the issues dealt with in the two proposals, and a discussion is still ongoing on certain key issues. These include the question of access to employment and detention in the context of the Reception Conditions Directive, and how best to respond to the needs of Member States facing particular pressure in the context of the Dublin Regulation. It is already clear to the Presidency that more work will be necessary at the level of the Council in order to achieve the necessary level of agreement among Member States on these proposals, which would enable it to engage in discussions with Parliament with a view to an agreement between the two institutions. That, of course, remains our aim, and Parliament can be assured that the Council will fully take into account the views of Parliament as represented by amendments proposed in the relevant draft reports.

Both the Council and Parliament are committed to the establishment of a common European asylum system which offers a high level of protection and functions effectively. We are, therefore, faced with an important challenge in finding the right solutions which will enable us to achieve that objective. I am confident that the will is there on the part of both the Council and Parliament to make that possible and, against this background, the Council will now undertake a detailed examination of Parliament's proposals on all four of these instruments.

Simon Busuttil, *draftsman of the opinion of the Committee on Budgets*. – (MT) As my colleague Jeanine Hennis-Plasschaert rightly said, and here, I wish to congratulate her, this package is built upon the principle of solidarity. Solidarity needs to go out to those who deserve protection but also, for the first time, solidarity with those countries bearing a disproportionate burden. This solidarity is being introduced upon agreement to the Commission's proposal to suspend the Dublin Regulation in the case of countries that are carrying a disproportionate burden. This same solidarity is also inherent in the European Parliament's proposal to introduce a burden-sharing mechanism which will no longer be voluntary but legally binding across the board.

However, our efforts in favour of solidarity are being undermined by what is going on in the outside world, and people cannot understand how we go on about solidarity in here, whilst out there everyone tries to brush off their responsibilities onto others. At this very moment, while we are discussing all this within this Chamber, a serious incident is taking place between Malta and Italy, which is the third of its kind in the space of a few days.

Two boats heading towards Lampedusa, carrying 130 immigrants, are currently just off Lampedusa, however Italy is refusing to go out and rescue them. According to international law, these persons must be escorted to the nearest port, and as Vice-President Barrot said at the time of the first incident, the closest port of call in this case is that of Lampedusa. Mr President, Italy's behaviour, or rather, that of Italian Minister Maroni, is illegal in the face of international law, is overbearing with regard to Malta, and is inhumane with respect to all the immigrants involved. This kind of behaviour does not pay tribute to Italy, and this situation, Mr President, is also serious because it is sending out a dangerous message, implying that one should not rescue immigrants because if you do, the burden of keeping them will fall on your shoulders. This is an extremely dangerous message.

Therefore, I here turn to the Vice-President of the European Commission, Jacques Barrot, and ask him to intervene without delay in order to unblock this situation. I would also ask him to insist that Italy honours its international obligations, and I also ask him to make it clear to all Member States of the European Union that this is not simply an issue between Malta and Italy, but that it is everyone's responsibility and, consequently, should be borne by all of us. Mr President, if we refuse to show solidarity in practice then we will erode the trust that lies between us, and we will also eat away at the trust of all European citizens. If we truly believe in solidarity then we cannot allow national egoism to take over. Everyone has to play their part. Thank you.

Agustín Díaz de Mera García Consuegra, *on behalf of the PPE-DE Group*. – (ES) Mr President, I would like to congratulate the rapporteur, Mrs Hennis-Plasschaert, on her willingness to enter into dialogue and negotiation on this report.

I would remind you that asylum is a moral duty for the more fortunate countries. We must not forget that, despite the serious economic circumstances that we are experiencing now, solidarity is an essential element that must govern our policies on asylum and immigration; solidarity with those who, with good reason, ask

for our protection, and solidarity with those of our Community partners who, through their geographical circumstances and their size, are faced with the greatest migratory pressures.

In this sphere, the 'asylum package' is an instrument that is both necessary and crucial for the future development of immigration policies in the European Union. However, I would like to point out that measures as important as those that we are dealing with today require more time for reflection and consideration; the tight margin for manoeuvre that we have had as a result of the deadlines imposed is totally inadequate.

The proposal contains several aspects that will certainly need to be reviewed in the near future. I am referring to the situation of asylum seekers, the cases in which they may be detained, the fundamental difference between the concepts of 'custody' and 'detention', the facilities in which they may be detained, the formulation of exceptions to transferral, the existence of exceptions to the general principle establishing which country is responsible for considering the application, the specific details of who forms part of the 'nuclear family', and the assistance that ought to be given to Member States having to deal with a greater weight of applications.

Despite these questions and in view of the speed with which we have worked, we can say that, in general, a balanced report has been adopted. This is a balanced package which reflects the majority of my political group's concerns, particularly those aimed at guaranteeing the rights of people seeking international protection and those designed to support those Member States that have greater numbers of international applications.

I would like to conclude by reminding you that the right to effective legal protection is a fundamental right enshrined in European constitutions and, specifically, in Article 47 of the Charter of Fundamental Rights of the European Union. The judiciary ought therefore to be the highest guarantor of the individual rights of people seeking international protection; to achieve this, it will be necessary that applicants who might require it are provided with legal assistance.

Mr President, I will end by urging the need for the European Asylum Support Office and the aid that may be granted through the European Refugee Fund.

Roselyne Lefrançois, *on behalf of the PSE Group.* – (FR) Mr President, as shadow rapporteur on the recast of the Dublin Regulation, I wish to thank the European Commission for the quality of the text proposed to us. It does in fact bring significant improvements to the Dublin system, in particular from the viewpoint of respect for the fundamental rights of those seeking international protection.

Highlights of these advances include the strengthening of the principle of family unity; the additional attention paid to minors and the concept of the best interests of the child; the guarantee of better information and of means of appeal for those seeking international protection; the strict limitation of the use of detention; and the option of temporarily suspending transfers to Member States whose reception facilities are under particular pressure or do not provide an adequate level of protection.

When the Committee on Civil Liberties, Justice and Home Affairs voted, we succeeded in blocking the Group of the European People's Party (Christian Democrats) and European Democrats, which wanted to get rid of some of these provisions, including the one for managing the holding in detention of asylum seekers. This is in fact an essential guarantee for us, since those seeking international protection are not criminals, and there is therefore no reason to put them behind bars.

However, some of the points in the report remain problematic, not least the question of which language should be used to give information to the applicant. In our view, it must be a language that the latter will understand and not one that he or she is thought to understand. I would add that, where a person is held in detention, this is what is provided for by the European Convention on Human Rights.

We also wish to see requests from minors with no parent on Union territory examined by the Member State in which the latest request was submitted, to avoid minors being transferred from one State to another. This was provided for in the Commission's initial text, but the PPE, with the rapporteur's support, opposed this proposal.

Finally, as the Dublin Regulation is not aimed at ensuring a fair distribution of responsibilities as regards the examination of requests for international protection, it seems essential, in my view, for other instruments to be created in order to strengthen solidarity, as you said, Commissioner Barrot, with the Member States located at the Union's external borders.

Jeanine Hennis-Plasschaert, *on behalf of the ALDE Group.* – (NL) As I have already indicated in my first address to the House, there are still enormous differences between the Member States and the desired

harmonisation has, in fact, been a failure in this respect. We cannot deny that any longer. What directives provide for are a number of procedural standards, rather than for a standard procedure. Given the many differences which we are now trying to reconcile, the Group of the Alliance of Liberals and Democrats for Europe is quite clearly opting for a pragmatic approach.

As far as we are concerned, further approximation of the laws of the Member States, naturally also including guidelines for correct enforcement, is the only way forward, but, again, this needs to be coupled with the necessary reality checks and pragmatic conviction.

We consider the establishment of a European Asylum Support Office and the carrying out of the proposed recast of the Reception Conditions Directive and the EURODAC Regulation to be crucial in this context. It is a pity, therefore, and I address this little aside to the Commission, that we still have to wait for the publication of both the recast procedure and the Recognition Directive. Their publication is scheduled for 24 June. However, from the point of view of greater coherence and better law-making, it would have been more logical if these two proposals had been added to the current asylum package.

I accept that it is the Council that will have the final say on this. Allow me, however, to stress again the fact that greater coherence, better quality and greater consistency and solidarity are important for all Member States. I will not forget our visits to Europe's external borders, and in particular to the well-known hot spots, in a hurry. In this regard, the credibility of the European Union has been at stake for some time. May I therefore urge you to keep your promises!

Mario Borghezio, *on behalf of the UEN Group.* – (IT) Mr President, ladies and gentlemen, a short time ago I heard some very serious and even slanderous statements made by a Maltese fellow Member against the Italian Government and Minister Maroni in particular.

The game being played in Malta is actually not very clear, and I will explain myself straight away. I would not like to call it a dirty game simply because of the respect that should be shown to a European Union Member State, but our fellow Member should have honestly stated that Malta has always sought to maintain its excessive expanse of territorial waters, which stretch as far as the island of Lampedusa. The Italian Government has asked Malta on many occasions to reduce its huge expanse of territorial waters. Malta prefers to keep it as it is so that it can keep its request for contributions from the European Union high as well.

The truth should therefore be told in its entirety: the truth about Italy's ability and willingness to welcome, protect and safeguard the rights of migrants who take part in and are victims of this trafficking is so glaringly obvious and well documented that it is not necessary for me to uphold it.

Coming to the crux of this report, I would emphasise that it is our duty – instead of carrying on these disputes that resemble the cockfights in Manzoni's famous novel – it is the duty of our Member States not to give in to the siren calls of do-goodery, peppered perhaps with hypocrisy and very specific political and economic interests, but to force ourselves very strictly to apply the sacrosanct principle of asylum, and in so doing not to give up any ground to those who wish to use it for improper purposes that are not in accordance with the noble principles that inspire it, and to prevent its exploitation, which favours precisely those criminal organisations that organise and exploit the trade in illegal immigrants, to which we refer in the context of the current situation.

I repeat: it is our duty not to pretend, not to pick arguments that are open to exploitation but to find a common approach, going so far as to fight and adopt effective measures to ensure that the right to asylum is upheld and does not become the right of exploiters and organised crime syndicates to use noble and good laws to achieve their loathsome goal of exploiting people from developing countries.

Jean Lambert, *on behalf of the Verts/ALE Group.* – Mr President, I too am the shadow on this package and I would pick up on what Mr Díaz de Mera García Consuegra was saying about the moral duty here. Also, when we are talking about rigorous application, as mentioned by some Members, some of us are more concerned that the application of rules is actually fair and that it does not stop people in need of protection actually getting it. One of the points about this particular package is how we improve that and make sure that all Member States are operating to the same high standard.

In terms of the reception of asylum seekers recast, we very much welcome the Commission's initial proposal and want to maintain certain parts of it, not least those concerning labour market access and adequate income support, which we voted on earlier today. I greatly regret that my own country, the UK, is opting out because of those two particular proposals. That is a real shame in all senses of the word.

Access to health care is, of course, also crucially important, in terms not only of emergencies but also of ongoing health care, particularly for those who have maybe suffered torture and therefore need support for their own mental well-being.

In terms of the Dublin recast as well, we welcome the initial proposal, we support the suspension mechanism and, indeed, will vote to keep the widest possible definition of family reunion.

Giusto Catania, *on behalf of the GUE/NGL Group*. – (IT) Mr President, ladies and gentlemen, it is with a certain amount of emotion that I face making my last speech in this parliamentary term, and I would like to start by dealing with the things that have been said in this Chamber by calling on Commissioner Barrot to intervene and resolve this matter that all too often involves Member States that like to pretend that the fate of asylum seekers is someone else's responsibility.

Just a few minutes ago, we saw the buck being passed between Italy and Malta, just as a few days ago we heard about the boat *Pinar*, which was at sea too long, leading to the deaths of those who probably could still have survived. This is therefore what I believe we are talking about when we talk about asylum; we are talking about this real need, this commitment that Member States must show to reception policies.

I warmly welcome the proposals put forward by my fellow Members, by Mr Masip Hidalgo, by Mrs Hennis-Plasschaert, about the amendment to the Reception Directive and the Dublin Regulation. Both proposals are moving in the direction of improving the European Union reception system for asylum seekers.

I believe that we have a duty to stress the equivalence between European citizens and asylum seekers, because asylum is not something granted by Member States to people who are fleeing from wars, asylum is a duty of Member States and it is the right of those people to be able to stay in our countries with all the rights that European citizens enjoy. I therefore believe that this is a benchmark for the civilisation of our political initiative and our law-making capacity.

I therefore agree with the amendments to this directive and this regulation, I believe that we must guarantee the right of asylum to all those who ask for it because the future of the European Union depends on the quality of our reception. I believe that this should be a point that defines the very idea that we hold of the European Union.

Johannes Blokland, *on behalf of the IND/DEM Group*. – (NL) Mr President, tomorrow, on the last day that this composition of the House meets, we will be taking a vote on a package of proposals for improving our asylum policy. After five years of debating and visiting asylum centres, it is high time that we came up with concrete measures. If, after all of this, we are made to wait any longer for implementation, the final reaction will have come really rather too late.

Because of the events of 2005 and 2006, we have had to tackle illegal immigration, but in that process the asylum-seeker has literally fallen overboard. Although I am in favour of establishing an agency for cooperation, I do have some concerns about its form and mission. How do we get a reliable list of safe countries of origin? What sources are we going to use to produce such a list? How can we provide adequate protection for the sources of information that come from those countries which are not safe? Can such sources be publicly disclosed and how credible will such a list be to an independent judge? I should like to hear from the Council how we might avoid this problem.

Why is it that we have not delegated practical cooperation to Frontex? This agency's remit is limited and it would be very well-placed to tackle this task, if we increased its funding. That way, we would also be able to respond adequately to the actual facts on the ground, which Frontex is already facing, anyway. Based on our experience of asylum-seekers' and immigrants' illegal entry, we could then make proper arrangements for providing reception for asylum-seekers. To me, that seems a very practical solution.

Hubert Pirker (PPE-DE). – (DE) Mr President, Commissioner, of the proposals being presented to us I am happy to support the draft regulation for establishing a European Asylum Support Office, the European Refugee Fund and the Eurodac Regulation.

However, I should like to take issue with the Reception Conditions Directive and with the Dublin Regulation – and it would seem that I am the only person to do so in the discussions so far.

The Reception Conditions Directive has been created so that refugees – genuine refugees – can be given the best possible assistance in the shortest possible time. However, it appears to me that what the proposed

amendments will introduce is tantamount to an invitation to encourage immigration through asylum, or an invitation to abuse the asylum system, should you wish to interpret it that way.

Why? All asylum seekers should have fast access to the labour market. I take the view that it is a matter for the Member States to take this decision. What is being proposed is that the group of individuals allowed to file an application for asylum be extended to individuals with mental health problems – yes, I know many people with mental health problems, but not all of them have the right to asylum – or to all elderly people, for example. Indeterminate legal concepts are being used. Nor do I accept that all asylum seekers should be granted social assistance in the same way as own nationals. As this is not the case, approximately 95% are simply not granted asylum. What is being proposed with these amendments is, I believe, the wrong path to follow. I will therefore be voting against them together with the delegation of the Austrian People's Party.

The Dublin Regulation is the same in certain respects, as it promotes asylum shopping. This new clause, which is being introduced as a discretionary clause, makes it possible for an asylum seeker to seek out the country in which he submits his application and – provided it is accepted of course – to this extent, leads to asylum shopping.

I also consider it problematic to temporarily suspend transfers. I understand Malta's situation very well, but I believe that to allow support teams to provide assistance quickly is more helpful than to go down the route that is being proposed here. We must ensure that we help refugees quickly but prevent the abuse of asylum at all costs.

Claude Moraes (PSE). – Mr President, if I may, I will immediately take a different view, which is that the asylum package, and the five rapporteurs who have taken great care over it, are worthy of support across this House.

We have a shadow on the Eurodac and Lambert proposals, and I feel that we have had excellent cooperation in building a package which is both realistic and implementable, and which takes great care over transparency. For example, on the Eurodac issue – the sensitive issue of asylum-seeker fingerprinting – we have had improvements in the way fingerprint data is used, and on enhancing the role and clarifying the powers of the European Data Protection Supervisor.

We would like to see key references to more articles of the Charter of Fundamental Rights, and to human dignity and children's rights, and the good resolution of the issue of language and asylum seekers, which has already been so well raised by Antonio Masip Hidalgo and Rosalyne Lefrançois.

On the Lambert report establishing a European Asylum Support Office, we believe this is a critical step forward in making cooperation between Member States relating to the common European asylum system a reality. The Socialist Group supports this report, but we have also tabled amendments. We want to see greater transparency and accountability, as I think the rapporteur is also striving to do. We want to see the appropriate involvement of the UNHCR and NGOs, and I have added amendments which bring forward good levels of European Parliament scrutiny in the system.

I understand what the Commissioner says about the speedy resolution and building of the European Asylum Support Office, but accountability and transparency and quality of asylum information is also very important. To work well, the European Asylum Support Office must produce the most useful, transparent and objective information, regularly scrutinised. With these safeguards, we will have a strong addition to a fair and balanced common European asylum system.

Bogusław Rogalski (UEN). – (PL) Mr President, the Charter of Fundamental Rights of the European Union, the European Convention for the Protection of Human Rights and the rulings of the European Court of Human Rights contain exhaustive information on rights of asylum. This is a fundamental right when there is persecution in a person's country of origin on the grounds of race, religion, ethnic origin, political opinion or membership of a particular political group, and this is fairly common in the world today. Giving people this right should also mean guaranteeing them the right to develop their lives. That must be a fundamental condition.

In order to achieve this, we should give people who have applied for asylum access to the job market, because this is the best way to enable the asylum seeker to be selfsufficient. This also prevents social isolation and helps the asylum seeker to get to know the culture of the host country better. People who have applied for asylum should be guaranteed access to the widest range of procedural assistance, and this includes the right to highquality legal help in order to make it easier for them to understand their rights.

Adamos Adamou (GUE/NGL). - (EL) Mr President, the Eurodac system is used to collect fingerprints from asylum seekers. Although we acknowledge that an attempt is being made to improve the previous operating framework of Eurodac, we still have doubts on two major issues: firstly, respect for the fundamental rights of the people coming to Europe for a better future in that, basically, these are 'Euro police records', with which we categorically disagree. Secondly, whether the measures being adopted are in keeping with the basic principles of the Union itself, such as, for example, personal data protection, and whether the measures provided for are in keeping with the principle of proportionality. We do not agree with the fingerprinting of children of 14 years of age.

The measures being proposed and with which we disagree prevent asylum seekers from asking another Member State for a second chance if they are rejected by the first one, at a time when, as we all know, asylum procedures always include a degree of subjectivity which may turn out to the detriment of a person who has already been victimised.

Since this is my last speech to this House, I would like to thank you, all colleagues and staff for their cooperation.

Catherine Boursier (PSE). - (FR) Mr President, Mr Barrot, ladies and gentlemen, I too am pleased to be able to give my opinion on such a crucial debate as the asylum package, especially on the penultimate day of the parliamentary term.

Through our various efforts, and despite the adoption of the first phase of the European asylum system, we have become aware of the persistent differences between the various Member States when it comes to the recognition of refugee status.

We must also acknowledge, despite the significant advances made by the directive in relation to reception conditions – as mentioned in particular by my colleague Mrs Lefrançois, whose observations I fully support – we must acknowledge that the Member States still have too much room for manoeuvre on this issue. Therefore I too would insist that, in this area – above all in this area – a way must be found to apply European solidarity.

Finally, now more than ever, I wish to point out that asylum seekers and those who require international protection are vulnerable and, as such, must be given very special attention. This means, in particular, that they should not be held in detention.

The debate on the Return Directive is closed; we were all in agreement. There is no need to re-open that debate when we are discussing asylum.

Jacques Barrot, Vice-President of the Commission. - (FR) Mr President, I wish to thank all the speakers and, in particular, to thank the rapporteurs once more. I will just make one or two remarks, concerning firstly the language issue, and addressed in particular to Mrs Lefrançois. I must say that the Commission considered that the proposal that asylum seekers must be informed in a language that they are likely to understand is balanced. The aim of this measure is to enable adequate information to be given to asylum seekers whilst making it possible to combat potential cases of abuse on the part of some asylum seekers.

I should like now to thank Parliament. However, you will allow me to express my surprise at Mr Pirker's speech, in particular. Mr Pirker, I cannot allow you to distort the Commission's proposal. When I hear you say that the Dublin revision could lead to a 'shopping' forum, I cannot allow it, it is not possible and it is not true. The Commission's proposal does not change the principles on which the Dublin system is based. Asylum seekers will not be able to choose the State of asylum, although it is true that the State responsible will be determined on the basis of objective criteria, but with account taken of more humane considerations, and of family reunification in particular.

I cannot believe that, as a member of the Group of the European People's Party (Christian Democrats) and European Democrats, you are not mindful of this problem of family reunification. I cannot allow you to distort this proposal. For the Commission as well, it is a matter of establishing clear-cut guarantees in order to avoid abuse of the system. We have introduced, among other things, a mechanism to identify vulnerable persons. Obviously, the Member States must ensure the fair, balanced implementation of the principles that we have suggested.

I would also say to Mr Blokland that it is important not to confuse Frontex's missions with those of the support office. They are different missions requiring different skills if we really want asylum applications to be dealt with in Europe with the necessary rigour and humanity.

I cannot believe that the European Parliament is unable to find broad agreement on the basis of the work completed by the rapporteurs. Of course, you belong to different political families with different political and philosophical sensibilities, but let us not forget that this Europe, which has witnessed persecution and sometimes the major risks that put the lives of the persecuted in danger, is not a model in this area. This is not about idealistic preaching; it is about being faithful to our values. I insist on this. I, personally, need very broad support from the European Parliament.

Jan Kohout, *President-in-Office of the Council*. – Mr President, in my final remarks I would like to stress that the Council welcomes Parliament's wish to make early progress in these important files and its recognition of the importance for the proper functioning of the common European asylum system.

I can assure you that the Council will now carefully consider the position which Parliament has taken on the proposals in the work which is ongoing within the framework of the relevant Council bodies. The Council will in particular examine in detail Parliament's amendments with a view to establishing whether an agreement is possible on those proposals on which work is most advanced.

Let me also comment on the principle of solidarity. A few honourable Members rightly point out that some Member States, because of their geographical and demographic situation, really experience particular pressure on their asylum systems.

In that light, the European Council stressed the principle of solidarity in the European Pact on Immigration and Asylum adopted in autumn 2008. The Pact clearly calls for solidarity on a voluntary and coordinated basis towards better relocation of beneficiaries of international protection, as well as approved legislation, such as the part of the programme 'solidarity and management of migration flows', and provides for financing of such activities in which the Member States can participate, again on a voluntary basis.

It should be noted that the European Asylum Support Office can be instrumental in these intra-Community transfers by facilitating the exchange of information on such transfers. Moreover, the Office can help by coordinating the deployment of officials from other Member States to Member States under particular pressure. However, this regulation cannot serve as a legal basis creating an intra-Community transfer mechanism.

Let me say at the end of my remarks that further work is ahead of us in the area, as the Commission has already announced its intention to table further legislative proposals for the purpose of completing the common European asylum system. These proposals will concern asylum procedures and the standards for qualification and status for the qualification of applicants as refugees, as well as the establishment of resettlement schemes for people under the protection of the UNHCR. We need to make progress as quickly as possible, while ensuring that speed does not compromise quality. That is something on which I am confident we can all agree.

Antonio Masip Hidalgo, *rapporteur*. – (ES) Commissioner Barrot, you have my support; what you are asking the House for, you have from this rapporteur, at least, and you have it right from the first line of my report. I would also like to say that this afternoon, in your two speeches, you have given us a legal, moral and historical lesson.

One of the speakers referred to effective legal protection. Clearly, effective legal protection is a fundamental principle. That is why I am asking for a requirement for asylum seekers to be informed in a language that they understand, and not in any other language. If this is not done, there will be no effective legal protection, and please do not contradict this, because you would be going against the very principles of law to which you referred previously.

Nicolae Vlad Popa, *rapporteur*. – (RO) The country I come from, Romania, was governed up until 1989 by a totalitarian Communist regime, which you might even describe as criminal. This regime kept its citizens like they were in a large prison. Nevertheless, tens of thousands risked their lives by fleeing the country and requesting political asylum. I know a large number of such people and I know how important international protection is, particularly the protection provided by the institution of political asylum.

However, it is vital for us to be able to identify genuine asylum seekers, those whose application for political asylum is actually fully justified. By improving the registration system we can obviously resolve these cases much more quickly. At the same time, however, I would also like to discuss another problem which is to do with networks, more specifically, the criminal activities of the networks trafficking asylum seekers. These networks obtain huge sums of money from transporting asylum seekers to European Union Member States.

I also think that combating this criminal activity must be a priority concern for us, and a strategy must be devised to tackle it.

Jean Lambert, rapporteur. – Mr President, I welcome the general support we have heard this afternoon for the European Asylum Support Office and would very much like to thank colleagues for their cooperation and the work that we have been doing on this.

We hope that we can get this office up and running as soon as possible. Its aim, of course, is to improve confidence between Member States as the delivery of asylum systems improves on the basis of the practical cooperation between experts, the training and everything else involved. Maybe, as that confidence improves, we will see Member States less worried about the fact that they might have to cooperate in an obligatory way to fulfil obligations.

I welcome the Commissioner's clarity about the different missions of the Asylum Support Office and Frontex. They are very different things with very different purposes, although of course the cooperation and the delivery are important within them. One of the aspects that has been touched upon has been that of information about third countries – the countries of origin of those seeking international protection. Of course this is one of the things that the Asylum Support Office will be looking at: how to pull together that information from a variety of sources in a more standard format and perhaps a format where people will have greater confidence that the information is not being used politically.

I think it is something of great wonder to many of us how one country will accept people from Chechnya as refugees with quite a high acceptance rate, whereas another country close by will not accept anybody from Chechnya. Many of us find this absolutely impossible to believe when the same information is out there. So confidence in the quality of information and the way in which it can then be used by Member States is also an extremely important part of the enhanced cooperation we will be seeing. We look forward to seeing this coming into being.

Jacques Barrot, Vice-President of the Commission. – (FR) Mr President, despite being unable to give a truly satisfactory response, I would not wish to leave unanswered the issues raised by Mr Busuttil, the Italian Members who spoke – Mr Borghezio, Mr Catania – and all the others; I wish, however, to say that the problem that we face in the Mediterranean is one that cannot concern Malta and Italy alone. Europeans really must become aware of the increasingly tragic and dramatic situation that has been described here.

I personally have been to Lampedusa and Malta; I met the two ministers in Brussels when the first incident occurred. We have, thank God, been able to find a solution. I will however raise the question again with all of the interior ministers at the next JHA Council at the start of June.

We will try as far as we are able to help Malta and Italy, but it is true that Europe and all the Member States must get to grips with a situation that cannot be left to two Member States alone to deal with.

We therefore need to give thought to this matter; this has been the whole thrust of this discussion that has taken place and which has shown the need for increased solidarity among Europeans.

President. – The debate is closed.

The vote will take place on Thursday, 7 May 2009.

Written statements (Rule 142)

Marian-Jean Marinescu (PPE-DE), in writing. – (RO) Eurodac is a key tool for managing data on applicants for international protection and immigrants who have either been detained for illegally crossing the border or who stay beyond their period of legal residence in the territory of a Member State.

The reform of the Eurodac Regulation will resolve difficulties linked to the effectiveness of its legislative provisions, such as delays from some Member States in sending fingerprints to the central Eurodac system, exchanging data on recognised refugees in a particular Member State and the inaccurate designation of the authorities which have access to the Eurodac database.

I think that a more effective use of the Eurodac database will only be achieved when Eurodac uses the same technical platform as SIS II and VIS. The Biometric Matching System must be the same for SIS, VIS and Eurodac to ensure their interoperability and keep costs down.

I call on the Commission to submit the legislative proposals required to establish an agency responsible for managing these three IT systems so that these tools can be brought together at a single location, thereby ensuring, in the long term, optimum synergy between them and avoiding duplication and inconsistency.

Toomas Savi (ALDE), in writing. – Mr President, I very much welcome the idea of the establishment of the European Asylum Support Office, as the situation in third countries, especially in Africa and the Middle East, is continuously deteriorating. I object to any notions of 'Fortress Europe' that would be isolated from the problems of the Third World, many of which have directly or indirectly been caused by the former colonizers. Europe cannot turn its back on its commitments to countries that once were recklessly exploited.

The European Asylum Support Office will provide a coordinated approach to the Common European Asylum Policy. I agree with the principle of solidarity within the European Union when it comes to asylum seekers. The borders of some Member States constitute the external border of the European Union, and therefore they are constantly affected by flows of immigration.

Hopefully the European Asylum Support Office will help to ease the burden of the Member States concerned.

13. Bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations - Bilateral agreements between Member States and third countries on judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations - Development of an EU criminal justice area (debate)

President. – The next item is the joint debate on

– the report by Tadeusz Zwiefka, on behalf of the Committee on Legal Affairs, on bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations, on the proposal for a regulation of the European Parliament and of the Council establishing a procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations (COM(2008)0893 – C6-0001/2009 - 2008/0259(COD)) (A6-0270/2009)

– the report by Gérard Deprez, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on bilateral agreements between Member States and third countries on judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations, on the proposal for a Council regulation establishing a procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries concerning sectoral matters and covering jurisdiction, recognition and enforcement of judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations, and applicable law in matters relating to maintenance obligations (COM(2008)0894 – C6-0035/2009 – 2008/0266(CNS)) (A6-0265/2009), and

– the report by Maria Grazia Pagano, on behalf of Committee on Civil Liberties, Justice and Home Affairs, on development of an EU criminal justice area, with a proposal for a European Parliament recommendation to the Council on development of an EU criminal justice area (2009/2012(INI)) (A6-0262/2009).

Tadeusz Zwiefka, rapporteur. – (PL) Mr President, Commissioner, firstly I would like to extend my very warm thanks for our successful work together to the rapporteur from the Committee on Civil Liberties, Justice and Home Affairs, Mr Deprez, all the shadow rapporteurs, and the representatives of the Czech Presidency and the European Commission. In spite of our fairly distant initial negotiating positions, we have managed to reach a compromise, which, I hope, will allow us to come to an understanding with the Council at first reading.

The proposal for a regulation establishes a mechanism, on the basis of which Member States will be able to renegotiate, negotiate and conclude bilateral agreements with third countries in the area of judicial cooperation in civil and commercial matters. An analogical mechanism is foreseen in relation to bilateral agreements in the area of jurisdiction, recognition and enforcement of judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations. It is a response to the practical problem which arose in consequence of Opinion 1/03 of the European Court of Justice on the new Lugano Convention, in accordance with which the Communities are competent to conclude external agreements to the same extent

that they used the mandate to accept legal means in the area of judicial cooperation in civil cases under Article 61(c) of the EC Treaty.

The proposed instrument establishes a special procedure. For this reason, the legal frameworks of the proposed mechanism must be strictly limited both in terms of scope and time. The first condition is met by limiting the proposed regulation to bilateral agreements in the areas of jurisdiction and recognition and enforcement of judgments and decisions in civil and commercial matters. The second condition is met by the 'sunset clause', in accordance with which an agreement concluded under this procedure automatically loses force at the moment of conclusion of an agreement by the Communities with a third country.

Admittedly I do see the need to include in the legal frameworks the matter of performance of external competencies in the area which includes the specific law of contractual and non-contractual obligations, and also of matrimonial matters. However, it would seem to be necessary to make clear that the proposed mechanism will be applicable not only to sectoral agreements determined by the limited scope of this proposal, but also to other agreements such as bilateral understandings and regional agreements between a limited number of Member States and neighbouring third countries – of course only in very limited cases, concerning specific matters, and with the intention of resolving local problems.

I was sceptical as to the need to set the 'sunset clause' at 31 December 2014, if, according to the proposed regulation, the European Commission has to present a report on the application of the resolution by 1 January 2014. In addition, the process of negotiating agreements with third countries is often complicated and lengthy, and does not leave Member States much time to make use of the new procedure. Therefore the compromise proposal for the regulation to expire on 31 December 2019 allows a more complete and effective use of the procedure by Member States.

Despite the differing view of the European Commission, I am of the opinion that in its report on the application of the regulation the Commission should present the regulation in the context of other legislative instruments, such as Brussels I. The proposed mechanism, which includes a two-stage control function on the part of the Commission, will undoubtedly serve to ensure cohesion with the *acquis*. However, I have tried to achieve the greatest possible flexibility in the proposed procedure and a shortening of the times designated for the Commission to react, and also a reduction in the bureaucratic load. Democratic authorisation and the role of the European Parliament are not in any doubt, and therefore I also insist that the European Parliament and the Member States be given information at every stage, from the intention of a Member State to start negotiations with a third country through to conclusion of an agreement.

I would like to stress that the procedure for concluding bilateral agreements with third countries gives us a unique opportunity to demonstrate that the European Union is able to solve the problems of its citizens in their interest, which is particularly important in the context of the economic crisis and the growing Euroscepticism in many Member States. In conclusion, Mr President, in spite of certain differences of approach in a specifically legal sense we must show our pragmatism here, while of course respecting the *acquis communautaire*.

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

Gérard Deprez, *rapporteur*. – (FR) Mr President, Commissioner, as Mr Zwiefka just said, we are simultaneously discussing two reports which have different scopes, but which form part of the same logic and are subject to identical procedures.

The first, for which Mr Zwiefka is the *rapporteur* – and I wish to thank him for the courtesy he has shown me and for his patience when faced with some of my demands – relates to a proposal for a regulation under the codecision procedure. The second, for which I am the *rapporteur*, involves a proposal for a regulation that merely provides for consultation of the European Parliament.

In essence, Mr President – and I agree on this – the problems that we are trying to solve with these two instruments are serious and very often really tragic. Each of us has heard of or knows cases where a marriage with a person from a third country has failed and where the father or more often the mother no longer has the right to see the children, who have been taken by the spouse to his or her country of origin or elsewhere, and sometimes is unable to discover their whereabouts. The same goes for the possibility of receiving maintenance payments.

Clearly, these issues are real, serious and tragic. There is an urgent, legitimate need to attempt to find a solution to this, in particular by negotiating agreements with third countries.

What, though, is the origin of the issue that we are concerned with today? Why is it that the European institutions have to deal with this problem? The answer is simple. For all of these matters, the negotiation and conclusion of agreements with one or more third countries falls within the exclusive competence of the Community. The exclusively Community nature of these matters is explicitly confirmed by rulings from the Court of Justice and the opinions of the legal services. This means that what appeared to be very simple is, in fact, a little more complicated and more sensitive. So the question now is this: is it legally possible, given the current state of the Treaties and the case-law of the Court, to allow the Member States to exercise one of the Community's exclusive competences and, if so, under what conditions?

Personally, Mr President, I am not a great legal expert. I am not a legal expert at all, but I have not found a legal basis in the current Treaties that would explicitly authorise the Community wholly or partially to surrender its exclusive competences for the benefit of the Member States. This means that I, for my part, remain very puzzled and very doubtful as to the very principle of the mechanism that is proposed to us.

Having said that, I must admit that the opinions of our institutions' legal services have opened some doors. That is very clear. For example, Commissioner, the opinion of your institution's legal service, and I quote: 'agrees that the exercise of external Community competence by the Member States is legally possible in exceptional circumstances and under specific conditions, both in form and in substance'. The European Parliament's legal service is much less explicit, although it did offer some possibilities.

It is these very precise and restrictive legal principles that formed the basis of the amendments I tabled, and of the negotiations in which I took part, which were held in trialogue with the Council and the Commission. I am, I repeat, very aware of the tragedies suffered by some of our fellow citizens and I am determined to make great efforts to help them. That is why, in the end, I agreed to the compromise negotiated with the Council and the Commission, but I wish to make it very clear, Mr President, Commissioner, that the Community's exclusive competence must remain as such. The Member States must not, by granting countless derogations and broadening the scope, end up reclaiming what is an exclusive Community competence. That is the line that I have taken and, in the future, that is the line that I will defend.

Maria Grazia Pagano, rapporteur. – (IT) Mr President, ladies and gentlemen, I would like to begin by warmly thanking everyone, all my fellow Members and officials who have made a contribution to improving the text we will vote on tomorrow. My particular gratitude goes to Mr Demetriou, whose previous excellent recommendation provided a starting point for my report.

In my work, I was always very aware of the need to provide useful guidelines for building an authentic European space for legal cooperation and I hope, rather, I am convinced, that my work may again be useful to the forthcoming Swedish Presidency, which will be faced with the difficult task of drafting the Stockholm programme.

I started with two considerations when drawing up the text: the first was that criminal processes have numerous and important implications for fundamental freedoms, both for the victims of crime and also for suspects and defendants. The priority that this Parliament cannot fail to emphasise and the main crux of my report is therefore a focus on respect for human rights.

Much space was devoted in the recommendation precisely to the defence of fundamental rights, with particular attention given to victim protection, prison conditions, prisoners' rights and procedural guarantees, including the right to be told one's rights and to the assistance of an officially appointed lawyer, the right to evidence, the right to be informed of the nature of and the reasons for the charges and to gain access to the relevant documents in an understandable language, the right, then, to an interpreter.

The second consideration on which I based my report is that, as may be seen from the report on the implementation of the Hague Programme for 2007, the level of implementation with regard to legal cooperation in the criminal field was somewhat low, even though satisfactory developments were registered in other sectors, such as civil co-operation, border management, immigration and asylum policies.

It is therefore clear that something more must be done. The principle of mutual recognition, the cornerstone of mutual cooperation, is very far from being satisfactorily recognised. We need to get to the root of the problem, identifying the causes of this disappointingly low increase so that we can prepare the most effective solutions.

I believe that the main causes lie in the lack of reciprocal awareness and trust between States, and in the report I therefore lay emphasis on training, assessment, information sharing and good practice.

When it comes to training, we must certainly not overlook the considerable steps forward, made in particular due to the training contribution offered by the European Judicial Training Network. In my opinion, we nevertheless need to go beyond the current training model based mainly on national postgraduate schools in order to build a stronger common judicial culture, which is still lacking. For this reason, I highlighted the need to move towards a well-organised European training institute for judges and lawyers, with adequate resources, yet referred to the need to avoid pointless duplication between existing facilities and highlighted the important role of national schools.

Secondly: we need a more effective all-round assessment mechanism of justice, of judicial authorities and of the implementation of European Union directives. The report therefore proposes setting up a group of experts to permanently monitor the application of Community law and the quality and effectiveness of justice, on the model of the Schengen mutual evaluation system. Its purpose is also to identify any weaknesses in the system and legislative shortcomings in the matter of criminal judicial cooperation in order to provide the European legislator with all the information resources required for a proper political and regulatory assessment.

Lastly, the use of new technologies, which are very important for data collection, reinforces existing database systems and the circulation of information. I hope that tomorrow's vote will be a repeat of the excellent result achieved in the Committee on Civil Liberties, Justice and Home Affairs.

Jacques Barrot, Vice-President of the Commission. – (FR) Mr President, I wish, of course, to thank the three rapporteurs, and I will first of all turn to Mr Zwiefka and Mr Deprez. Obviously the Commission is glad that compromises have been reached. That said, it is correct that there have been intense negotiations since February and that we have thus reached an agreement at first reading on the two proposals presented by the Commission at the end of 2008.

This is a very sensitive area for all the institutions involved – Commission, Council, European Parliament – as Mr Deprez has highlighted so well. I thank all of the parties for having arrived at a text that seems to us to respect the Commission's institutional prerogatives and, at the same time, seems to be a response to the legitimate expectations of the Member States and of Parliament.

I would, however, point out that this is an exceptional procedure, limited in scope and in time, and that the Community's exclusive competence in the matters involved must, in any case, continue to be respected. I am very firm on this and I agree with what Mr Deprez said, when he pointed out that the Member States must not take advantage in this way of the situation to reclaim certain competences and to encourage the Commission to somehow abandon the idea of making proposals.

I believe that we are in full agreement on this matter. That said, it is also the case that this flexibility will allow the Member States to enjoy, where the Community does not exercise its competence, an institutional framework to help citizens gain access to justice in third countries, especially in the area of family rights. It is true, too – Mr Zwiefka and Mr Deprez alluded to this – that we must think about the rules relating to divorce, the custody of children, access rights and maintenance obligations, and about the painful situations that can arise for want of legislation that is universally applicable to these areas, at international level.

The proposal on the law applicable to contractual and non-contractual obligations could also have a positive effect on the resolution of very concrete, very specific problems, such as those related, for example, to road and river traffic, or the management of airports located at the borders of several States, such as the Basel-Mulhouse-Freiburg airport. That being said, this is another application of this institutional framework which must, once more, remain the exception.

I would like in any case to thank the rapporteurs from the Committee on Legal Affairs and the Committee on Civil Liberties, Justice and Home Affairs for the work they have achieved, and I also thank them for their understanding, which has allowed this agreement to be reached before the end of this Parliament's term of office.

I will now mention the report by Mrs Pagano, with whose approach and content I am in agreement. I welcome Parliament's growing involvement in the area of criminal justice, not merely as regards legislative action, but also as regards the design of the future of the European area of criminal justice.

Thank you, Mrs Pagano, for having given your support to the work we are doing at present, since we are preparing the Stockholm Programme and we will be publishing a communication containing recommendations for the period 2010 to 2014. I am delighted that your report fully supports the principle of mutual recognition. It is thanks to the principle of mutual recognition that the Union has achieved major successes, including the European arrest warrant, and all this is a blueprint for a true area of criminal justice.

The report also deals with the issues faced in implementing the principle of mutual recognition, and it is true that the transposition and the full and consistent application of the many existing instruments that are based on the principle of mutual recognition must be monitored. It is also true, though, that there can be no mutual recognition unless the mutual trust between Member States' legal authorities increases. That really is the main ingredient of mutual recognition. I am therefore grateful to the European Parliament for advocating the creation of a truly common judicial culture, as you have just said, Mrs Pagano.

You have rightly insisted on the development of training for the legal professions, of training in the European mechanisms, of relationships with the Court of Justice, of the use of instruments of mutual recognition, of legal cooperation and of comparative law. On this point, I fully agree with your report, as I believe that, in the Stockholm Programme, the training of judges and the exchange of judges among Member States will be the key to the future of this European area of law that we so want.

Obviously, the Justice Forum, which is a meeting place for the various networks of legal professionals, will also be used to play an essential role in raising practitioners' awareness of the European dimension of their activities and, with the Union's help, these practitioners will have to cooperate to ensure a true exchange of best practice.

The Commission also agrees with the report's proposal – really, thank you – for an assessment mechanism which will not be restricted merely to the transposition of the Union's instruments, but which will also cover more generally the state of justice in the Member States.

It will assess its effectiveness, its speed, and respect for guarantees of defence. On this issue, work has already begun with the idea, put forward by the justice minister of the Netherlands, of creating an assessment mechanism to measure how the judiciary is operating, in terms of respect for the principles of the rule of law, using, of course, the existing apparatus and bringing added value in terms of political monitoring. These assessments will allow recommendations to be made.

In addition, the Commission is in favour of increased European Parliament involvement in its assessment mechanisms. Mr Deprez, this would be an opportunity to include Parliament in the work of the expert groups that we will be putting in place this year and in coming years.

Next, you mentioned the transposition of the new Eurojust decision. Here too we agree with the approach suggested in the report, on the usefulness of an implementation plan and of meetings of experts with the Member States. It is thanks to these things that we will be able to implement the new Eurojust decision quickly.

Finally the report insists on the judicious use of new technologies. The European *e*-justice strategy was launched to exploit the potential of information and communication technologies in the field of justice.

There you have it, I can only thank the European Parliament for its work and for the deliberations it has shared with us in this area. I am also convinced that, together, we will succeed in building this criminal justice area, this area of law which should characterise a community of citizens which quite rightly have the right to enjoy quality justice, in whichever Member State they find themselves.

Jan Kohout, President-in-Office of the Council. – Mr President, I welcome this opportunity to speak on these three important legislative proposals, and am grateful to the rapporteurs for the extensive work which has gone into their reports. I would like first to comment on the first two proposals, and then to turn to the third proposal on the issue of the further development of criminal justice within the EU.

The objective of the two proposals covered by the reports from Mr Zwiefka and Mr Deprez is to establish a procedure which will allow the Member States to negotiate and conclude agreements with third countries on aspects of judicial cooperation in civil matters falling within the exclusive competence of the Community.

The first proposal, subject to the codecision procedure, covers applicable law in contractual and non-contractual obligations. The second, subject to the consultation procedure, covers certain matters in the area of family law.

I would like to underline that the procedure put in place by the two future regulations is devised in such a way as to ensure the integrity of Community law. Before authorising the negotiation of an agreement, the Commission will check that the envisaged agreement does not render Community law ineffective or undermine the proper functioning of the system established by its rules. The Commission will also check that the envisaged agreement does not undermine external relations policy as decided by the Community.

It could in fact be argued that, by making it possible for Member States to negotiate and conclude agreements with third countries that are compatible with Community law, the range of operation of Community law is extended to countries outside the European Union.

The procedure established by the two proposals will apply primarily to the negotiation and conclusion of bilateral agreements between a Member State and third countries. It will in certain cases, however, also apply to the negotiation and conclusion of regional agreements between more than one Member State and/or more than one third country. As far as regional agreements are concerned, the procedure established by the proposal in the area of the family law will apply to the amendment or renegotiation of two already-existing conventions between the Nordic States. In the proposal in the area of applicable law, only a few regional arrangements will in fact fall within its scope. These could cover, for example, the operation of an airport situated in a border area, waterways common to two or more countries, or cross-border bridges and tunnels.

The procedure established in the two proposals is based on a high degree of trust and cooperation between the Member States and the Commission. A mechanism is provided to deal with those situations where the Commission, on the basis of its assessment, reaches the conclusion that the negotiation or conclusion of an agreement should not be authorised. In such situations, the Member State concerned and the Commission will enter into discussions with the aim of finding a solution together.

The Presidency, on behalf of the Council, hopes and expects that it will be possible to reach a first reading agreement on the proposal in the area of applicable law. Constructive negotiations have taken place between the European Parliament, the Commission and the Council, during which the three institutions have together managed to solve a number of difficult issues.

As the proposal in the area of applicable law is largely identical to the proposal in the area of family law, it goes without saying that the amendments made to the first proposal have been taken over in the second proposal, even though that proposal is not subject to the codecision procedure. It is, in the interest of good law-making, highly desirable to maintain parallelism between the two texts.

I would like to conclude with a few comments on Parliament's recommendation on the development of EU criminal justice, which is the subject of the report by Ms Pagano.

The Council very much agrees on the importance of mutual recognition as a cornerstone of judicial cooperation within the EU. We consider that it should both be broadened – by adopting other legal instruments in the future – and deepened, through a more effective implementation of the mutual recognition instruments adopted so far.

In this context, the Council would like to draw Parliament's attention to the fact that it is in the process of finalising the fourth round of mutual evaluations on the practical implementation of the European arrest warrant and the surrender procedures between the Member States.

Within the context of this series of mutual evaluations, experts have also been studying the issues related to interaction between, on the one hand, the European arrest warrant, and, more generally, the principle of mutual recognition, and, on the other hand, the proportionality principle. However, the proportionality principle also has to be balanced with another principle, which is equally dear to Parliament – namely that of subsidiarity. The reality is that judicial authorities in various Member States have differing views on what constitutes a serious offence.

The Council looks forward to further work with Parliament and the Commission on the establishment of a system of horizontal and continuous evaluation and implementation of EU policies and legal instruments.

On the issue of judicial training, the Council shares Parliament's opinion that there is a need to foster a genuine EU judicial culture by, *inter alia*, promoting direct exchanges between judges, prosecutors and members of the judicial staff of different Member States, and to actively develop the European Judicial Training Network.

The Council also shares Parliament's view on the need for a swift and effective implementation of the new Eurojust and Europol decisions.

By way of conclusion, I would like to thank Parliament for the extensive and detailed work which has gone into the three reports before us this afternoon.

Gérard Deprez, *Chairman of the Committee on Civil Liberties, Justice and Home Affairs*. – (FR) Mr President, it is certainly not on behalf of the Committee on Civil Liberties, Justice and Home Affairs, but more so on behalf of my group that I would like to take advantage of this brief moment to express my extraordinarily positive reaction to Mrs Pagano's report. Congratulations on your report, Mrs Pagano. I believe that, in writing this report, you have drawn up an extraordinarily detailed list of items that should figure prominently, Commissioner, in the Stockholm Programme, which I know the Commission is actively preparing.

Allow me, beyond what has already been said about the importance of assessing the training of judges, to highlight two issues that are fundamental to the question of mutual trust and which are at the root of what in future could become mutual recognition. Firstly, the independence of the judiciary. At present, a number of the EU Member States do not have a judiciary that is independent of the political power or other powers. This is a scandal, and this scandal must stop.

Secondly, procedural guarantees. As long as we cannot be sure that, in some countries, people who are suspected or accused of having committed certain types of offences enjoy procedural guarantees similar to those that exist in other countries, it will be difficult to gain broad acceptance for the principle of mutual recognition. This is a fundamental issue that I wished to introduce into this debate. Congratulations, Mrs Pagano.

Csaba Sógor, *on behalf of the PPE-DE Group*. – (HU) The national boundaries drawn after the Second World War divided communities and families. I would like to tell you about an example of this close to us here in Europe. Szelmenc was at one time part of Hungary. However, one part of it, Nagyszelmenc, is currently located on the territory of a European Union Member State, Slovakia, while the other part, Kisszelmenc, is in Ukraine.

Before 23 December 2005 there was not even a border crossing between the two villages. For 60 years parents, children and relatives lived completely separated from each other so that they could not meet for decades. The EU gave them the eagerly awaited opportunity to end this situation by opening a border crossing. The example just mentioned is only one of many hundreds or thousands, providing at the same time a powerful argument as to why we are discussing this report now.

The draft regulation provides a procedure on the jurisdiction to be applied between Member States and third countries in relation to matrimonial matters, parental responsibility and maintenance obligations. The regulation will not supersede Community laws, but is only to be applied when the relevant Member State demonstrates that there is a specific interest based on economic, geographical, cultural or historical relations, especially between the Member State and the third country in question, in signing a bilateral sectoral agreement with the third country. At the same time, the Commission states that the proposed agreement only has a limited influence on the uniform and consistent application of existing Community regulations and on the operation of the system implemented on the basis of the regulations mentioned.

I would like to thank the rapporteur, Mr Deprez, for taking on this important subject influencing the lives of citizens living both inside and outside the EU, especially because this document achieves a balance between the legal jurisdiction of Community institutions and that of national states.

Manuel Medina Ortega, *on behalf of the PSE Group*. – (ES) Mr President, I believe that the proposals for regulations that have been submitted to us by the Commission are important and necessary and, on the other hand, it was also important and necessary for us in the European Parliament to insist on the principle that has been insisted upon by the two rapporteurs, Mr Zwiefka and Mr Deprez, which is the principle of Community competence.

This is an issue of Community competence on which, for practical reasons, it is advisable to maintain certain responsibilities to be exercised by the Member States, but, as Mr Barrot said, these should be restricted in terms of scope and also time. There is no option to decline to exercise Community competence, and neither the Council, the Commission nor Parliament has the power to waive these Community competences.

Having established this – this is an exceptional procedure – I believe that the amendments that we have debated and tabled, and which I believe will be adopted by Parliament tomorrow, will make it possible to

adopt this package of measures at first reading. I also hope, however, that on the part of the Commission, in the next stage and going forward, we can progress with the development of a real European system of private law. This is becoming increasingly necessary, as pointed out, for example, by Mr Sógor in the previous speech. We are talking about problems that affect people most directly and, to the extent that we are able to resolve their problems, people will realise that the European Union has a function.

Finally, Mr President, I would like to congratulate my fellow Members, Mr Deprez and Mr Zwiefka, and to thank the Commission and the Council for their willingness to work together with us on this issue.

Sarah Ludford, *on behalf of the ALDE Group*. – Mr President, I would like to thank Mrs Pagano for her excellent report and her cooperation in drafting compromise amendments which took in, for instance, some of my suggestions.

I think the European Parliament is putting down a firm marker regarding its ambitions for a European criminal justice area in the future, with the twin ambition of bringing criminals to justice and upholding the rights of defendants and victims. The report rightly highlights key issues like the need for monitoring implementation of legislation; boosting the training of judges, prosecutors and defence lawyers; and new legislation ensuring procedural safeguards, as Gérard Deprez has emphasised.

The European arrest warrant is an effective instrument for bringing criminals to justice, and I strongly regret that the British Conservatives opposed it. However, we must ensure – and governments must ensure – that European arrest warrants are not misused for trivial issues, like pursuing people who stole a pig or did not pay a hotel bill. Nor must it be abused for fishing expeditions for questioning, rather than the proper focus on return for charge and prosecution.

The European arrest warrant – as others have said – and the whole of criminal justice is based on mutual trust. So the Member States must show they deserve that trust by having high-quality legal systems and respecting, for instance, the European Convention on Human Rights and Strasbourg court judgements. We cannot have people returned, via European arrest warrants, to an EU country who are then sent back to a third country for torture. If defiance of Strasbourg happens, then the fundamental rights safeguards in the European arrest warrant must be invoked. I think EU governments have ducked the challenge of tackling substantive disparities in legal systems and the patchy respect for fair trial and human rights.

We must also try and ensure that the quality of criminal justice legislation is better in the future. Hopefully, after Lisbon – I am delighted the Czech Senate has ratified the Lisbon Treaty – we will have fewer press launches of Member State proposals which go nowhere and then, even if they are approved, are never properly implemented. EU-wide justice and high legal standards are crucial for our citizens when they travel, work and set up businesses in other countries and when people have to try and explain themselves in a foreign language. It is high time that we made sure that anyone caught up in the criminal justice system of another Member State was made aware of their rights and obtained proper legal assistance, interpretation and translation.

Finally, I am very disappointed that the UK Government was one of those that blocked a procedural rights measure. I hope they are going to change their minds in the future.

Luca Romagnoli (NI). – (IT) Mr President, ladies and gentlemen, I am partly in agreement with the three reports we are discussing.

Mr Zwiefka's report is easier to swallow because it makes the procedure for negotiating and concluding bilateral agreements on sectoral aspects between Member States and non-EU countries homogeneous and, all things considered, more transparent.

As for Mr Deprez's report, I essentially agree with the second half, when it refers to the necessary consistency required of the Commission if we intend to develop a Community policy concerning external relations in the judicial co-operation sector. However, when it comes the possibility of the Member States concluding the agreements themselves, as a nationalist I am of course pleased with this and hope that it is not a process that is necessarily limited in scope and time.

Lastly, I must honestly say that I have some doubts about Mrs Pagano's European Parliament recommendation. I am grateful to her for having pointed out and supported the use of *e*-justice, all the more so because I was responsible for drawing up the report, and I still owe a debt of gratitude to those who co-operated to ensure its success. However, my awareness of subjects concerning the fundamental freedoms of victims, and also of suspects and defendants, as well as the need to implement the judicial training of judges and operators,

lead me to remark that we still have a long way to go in this area – at least we certainly do in Italy. Furthermore, when it comes to the European arrest warrant, frankly my doubts turn into outright opposition. I nevertheless thank the rapporteurs for having worked on these subjects with skill and precision.

Panayiotis Demetriou (PPE-DE). - (EL) Mr President, I too should like to take my turn in congratulating the three rapporteurs, Mr Zwiefka, Mr Deprez and Mrs Pagano. I should like in particular to congratulate Mrs Pagano on her report as shadow rapporteur and to thank her for her kind words and, at the same time, to thank her for working in close cooperation with me on the report. I should also like to express my satisfaction at the fact that, according to the Commissioner, the Commission accepts almost all the points included in this report. As such, I fully endorse Mrs Pagano's report and, of course, everything she said in the House today.

Commissioner, 10 years have passed since the European Council announced at Tampere that it had adopted the strategic objective of creating an area of freedom, justice and security in the European Union, 10 years since the announcement that the cornerstone of judicial cooperation is mutual recognition of and trust in decisions by supreme courts. I must say that little has been done in this direction.

Thus, whereas in the case of civil law, several issues have been promoted, in the case of criminal law, things have remained almost at a standstill. We hope that, with the adoption of the Treaty of Lisbon, there will be greater progress in this direction.

Commissioner, even this proposal on minimum procedural safeguards has not been pushed forward and our request – and these words are also directed at the Council – is that you push it forward. I shall close by saying that there are, of course, differences between judicial systems, but there is also room for convergence. That is why the recommendation on the creation of a committee of wise persons to study all the differences and similarities in the law needs to be implemented, so that we have specific expert recommendations on the convergence of our laws and mutual trust in judicial systems.

Lidia Joanna Geringer de Oedenberg (PSE). - (PL) Mr President, in the field of civil justice, apart from the *acquis communautaire*, there are a number of bilateral agreements which were concluded by Member States with third countries. Pursuant to Article 307 of the EC Treaty, Member States need to eliminate all provisions which may be present in agreements of this kind and which are incompatible with the *acquis*.

In its Opinion 1/03 of February 2006, the Court of Justice held that the Community has acquired exclusive competence to conclude international agreements with third countries on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. The question then arises as to whether all existing or proposed bilateral agreements with these countries and on these matters should be replaced by Community agreements. Or should Member States remain authorised to conclude these agreements where there is no Community interest involved?

This procedure, which is an exception to the rule, must, however, be subject to very specifically stated conditions relating to the scope of the mechanism and the time when it is in force. It is, therefore, important that the Commission establish a strategy and set priorities, bearing in mind the development of Community policy concerning external relations in the area of judicial cooperation on civil and commercial matters.

Jacques Barrot, Vice-President of the Commission. - (FR) Mr President, I will be brief because I can only express the satisfaction I feel about the way in which Parliament has helped to shed light on this area of law, justice, security and freedom that we wish to build in the Union; I welcome all that has been said, especially on the principle of mutual recognition, which itself brings us back to mutual trust between judges.

It is true, as has been explained very well, that there is scope for convergence of the judicial systems, which, in particular, should be formalised through minimum procedures in the case of criminal proceedings. I really believe that all this is paving the way for a good Stockholm Programme, and I would like to thank Parliament for that.

As for the rest, I can confirm that it will indeed be possible to find an institutional framework for bilateral agreements, but that the Community and the Commission must have exclusive competence. That is what I am able to say. I do not wish to prolong the debate. There are still many things to be said.

Above all I am grateful to Parliament, and I must say – as I will not get to speak again – that I will have been greatly enriched by my experience as commissioner, insofar as I really feel that a good alliance between the Commission and the European Parliament can often – I apologise to the Presidency for pointing this out, but it is the truth – highlight and promote the general European interest.

However, I am of course grateful to the Presidency for having given its support. There must be synergy between the three institutions; however, my thanks go to the European Parliament which, again this evening, has just given us a very good report. Thank you, Mrs Pagano.

Jan Kohout, *President-in-Office of the Council*. – Mr President, this debate has been extremely interesting, and it seems that we are very close to reaching a first-reading agreement on the proposal in the area of applicable law. May I say there is not just agreement, but a fair and well-balanced agreement. This is, I think, an excellent illustration of the good cooperation between Parliament, the Commission and the Council.

I am convinced that Member States will make good use of the procedure established by both the future regulations, and it will allow them to provide an adequate legal framework for their relations with certain third countries with which they have specific ties.

As I stressed earlier, the first-reading agreement on the proposal in the area of applicable law has an impact on the other proposal in the area of family law, given that the two texts are largely identical. Through the first-reading agreement we have, therefore, also paved the way for an early adoption of the other proposal. This is indeed a desirable development.

A great many Member States have a huge interest in being able to conclude agreements with third countries on family law matters, such as custody of children, access rights and maintenance obligations due to, for instance, specific historical or social ties with those countries.

Finally, on behalf of the Council, I would like to thank Parliament for its inspiring recommendations on the development of EU criminal justice, which are the subject of the report by Mrs Maria Grazia Pagano. I would like to thank Parliament for this fruitful debate and for the excellent outcome.

Tadeusz Zwiefka, *rapporteur*. – (PL) Mr President, when we began this work we were aware that we were walking on thin ice. On the one hand there was the exceptional nature and unusual importance of the legal instruments upon which we were working. On the other hand there was an awareness of the passing of time and the unavoidable approach of the end of this term of the European Parliament, and thirdly and finally there was an expectation, both from the Member States and from the citizens of the European Union, that at least at some precisely specified time there would be help available for them to resolve matters which are for them so very difficult and at the same time so important.

It was only thanks to our will to achieve a good result, while of course retaining full respect for Community law, and our will to develop an instrument which will fit into the legal system of the EU, and thanks to our desire to work well together, that we could reach the stage at which we are closing the debate today, which will probably lead to our achieving success at first reading.

Therefore I would like once again to express my sincere thanks to Mr Deprez for his strenuous efforts at stopping us from crossing certain barriers. I would also like to express my sincere thanks to Mr Kohout for the unusually dynamic work of the representatives of the Czech Presidency, and to Commissioner Barrot for the truly perfect cooperation of the representatives of the Commission. I would also like to thank my fellow Members, who have spoken here today and who throughout the period of our work contributed to its final success, and also our coworkers, especially all the staff of the Committee on Legal Affairs, who put a truly huge amount of heart and hard work into the final success.

Gérard Deprez, *rapporteur*. – (FR) Mr President, I will not need two minutes. I believe – in response to what I took to be a call from the Council and a wish of Mr Zwiefka – that, as we have worked well together, so far as it depends on me, we will have an agreement at first reading tomorrow. Therefore in the voting instructions that I shall give to my political friends, I will advise them to vote for the text of the agreement that we have negotiated with the Council and the Commission, irrespective, I might add, of my personal feelings and of the improvements that I would have liked to have made to this text.

That said, Mr President, since I have a bit of time left, I would like to use it not to speak any longer about our reports, but to tell the minister how happy I am that, today, the Czech Senate has given its agreement to the Treaty of Lisbon. I think that, beyond the work that we have done, that is the good news, the main piece of good news, of the day.

(Applause)

I thank all those who have laboured on this, because we all know that the circumstances have not been easy. There were strong opposing winds in your country. The latest political events did not necessarily make things

easier, and I would therefore like you to pass on our gratitude, both to the authorities and to the people of your country. Today you have served the European cause well!

Maria Grazia Pagano, rapporteur. – (IT) Mr President, ladies and gentlemen, I wish to thank the Council for supporting the principles and, above all, if he will allow me, Commissioner Barrot, with whom I have had very profitable exchanges that have been extremely useful in the work that we have subsequently brought to the Chamber. I would also like warmly to thank those Members who worked on this report, giving me ideas and, of course, bringing all their experience to bear, first and foremost Mr Demetriou, Mrs Ludford and the excellent Mr Deprez.

I wanted to say that Mr Demetriou, Mrs Ludford and Mr Deprez hit the nail on the head; they identified the challenge faced by the European Union, because achieving a collective European judicial culture – which of course means seriously combating the factors mentioned by Mr Deprez – establishing the independence of the judiciary, providing guarantees and ironing out the disparities between the various judicial systems are the challenges that await us. I nevertheless believe that the work we have done allows us to be optimistic.

I would like to say to Mr Romagnoli – I say this from my own point of view, which ought to be his too – that, essentially, because of the way in which the situation is viewed, there definitely is pessimism in Italy, but we must be willing to be optimistic, and the work that you too, Mr Romagnoli, have done and the contribution that you have made to the report means that, together, we can build the European Union, and the European Union is a reality for we Italians as well.

President. – The debate is closed.

The vote will take place tomorrow, Thursday, at 12 noon.

(The sitting was suspended for a few moments)

IN THE CHAIR: MR DOS SANTOS

Vice-President

14. Question Time (Council)

President. – The next item is Question Time (B6-0231/2009).

The following questions have been submitted to the Council.

Mr Kohout is here representing the Council. I should like to take this opportunity to welcome the decision made today by the Czech Senate, which gives us high hopes of the future ratification of the Treaty of Lisbon.

President. – Question No 1 by **Manuel Medina Ortega** (H-0205/09)

Subject: Protection of European creative works

Given that European creative works are being undermined by the growing plethora of pirated copies, what measures does the Council propose in order to afford real protection?

Jan Kohout, President-in-Office of the Council. – Mr President, thank you for your kind words addressed to the Czech Republic and to the Senate. We are also very pleased that the green light for the Lisbon Treaty is now much stronger than it was a few hours before.

In response to the first question, I would like to say that the Council shares the concerns expressed by the honourable Member relating to the need to comprehensively address the problem of piracy of protected works. This issue has been identified as a policy priority by both the European Parliament and the Council in the context of the overall effort to protect and foster innovation of European creators and consequently the competitiveness of the European economy.

The European Parliament and the Council have adopted Directive 2004/48/EC, which puts in place a Community framework for the enforcement of intellectual property rights and are currently working on a proposal for a directive on criminal measures, aimed at ensuring enforcement of such rights.

The legislative framework already in force provides for a solid base for the Member States to pursue effective protection of intellectual property rights, including by fighting piracy. Moreover, the European Community

and the Member States are participating in ongoing negotiations, such as the draft anti-counterfeiting trade agreement, in order to render the protection of intellectual property rights more effective at international level.

On 25 September 2008, the Council adopted a resolution setting down concrete actions to be taken by the Member States and the Commission in the context of a comprehensive European anti-counterfeiting and anti-piracy plan. Moreover, the Council adopted in November 2008 a set of conclusions in response to the Commission communication of January 2008 on creative content online in the single market, highlighting, amongst other things, the need to promote and facilitate legitimate online offers of copyright-protected material as an important means of effectively fighting piracy.

In the customs field, the Council has adopted Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights. This regulation sets out the conditions under which the customs authorities may intervene in cases where goods are suspected of infringing intellectual property rights and the steps to be taken by the authorities when goods are found to be illegal.

In particular, the Community has concluded a series of customs cooperation agreements, like the agreement recently concluded with China, in order to improve and facilitate cooperation with the customs authorities of third countries, *inter alia* for the fight against counterfeited and pirated goods. These agreements are practical means and methods of cooperation between the European Community and the customs authorities of partner countries. These agreements are constantly implemented and updated in the framework of the Joint Customs Cooperation Committees established under these agreements.

At multilateral level, the Council actively contributes to the work undertaken under the auspices of the World Customs Organisation.

Lastly, on 16 March 2009, the Council adopted a resolution on the EU customs action plan to combat intellectual property rights infringements for the years 2009-2012, following on from the abovementioned Council resolution of 25 September 2008.

The Council remains open to examining any future initiatives that would aim at reinforcing the fight against counterfeiting and piracy so as to provide more comprehensive protection to right holders. The Council appreciates all similar efforts by the European Parliament to the same end.

Manuel Medina Ortega (PSE). – (ES) Thank you very much for your answer, Mr President. I believe that, in fact, the Council does understand what the problem is, but I would like to insist on this point and to ask you, President-in-Office of the Council, if the Council is aware that at the moment European cultural production is below minimum levels.

European Union law on the protection of creative works is that of an underdeveloped country and, as a result, our cultural production is falling to the levels seen in underdeveloped countries. This is especially apparent in the audiovisual sector, where at the moment the majority of production is taking place outside Europe, mainly in the United States, because that country protects creative works. If Europe does not protect creative works, we will not have them. Is the Council aware of the responsibility that it bears at this time?

Paul Rübig (PPE-DE). – (DE) My question concerns the following: Mrs Trautmann was outvoted today here in Parliament with her compromise amendment on the telecommunications package. This means, therefore, that she has put President Sarkozy in a good position with his 'three strikes – out' solution. How does the Czech Presidency assess today's vote in Parliament with regard to the European creative artists who want to protect their rights on the Internet?

Jan Kohout, President-in-Office of the Council. – (CS) Mr President, I would just like to assure the honourable Member that the Council is well aware that this is a significant activity and a real threat to the cultural wealth of Europeans and the European Union. I think it is evident from the list of measures that the Council has undertaken in previous months and previous years that these issues have been and continue to be a priority, even within the framework of the comprehensive European plan which has set specific action goals, such as the establishment of the European Counterfeiting and Piracy Observatory. I believe it should be stated in this context that the Council realises its responsibility, is aware of the serious nature of the problem at hand, and is resolved to take specific action in this matter. As for the telecommunications package, both the previous presidency and our presidency have invested much energy in this matter. We are disappointed that the complete compromise, including this anti-piracy provision, has not been approved. I would like to voice

the hope that the agreed telecommunications package will eventually be passed, following further procedures. Nevertheless, I am disappointed that, for the reasons mentioned by the honourable Member, the package has not been passed today.

President. – Question No 2 by **Gay Mitchell** (H-0207/09)

Subject: Climate change

Given the well-known sceptical opinion of the Czech President Václav Klaus on climate change, how is the Council ensuring that the views of the vast majority of EU Member States and citizens endorsing the scientific veracity of man-made climate change are being respected, specifically in relation to preparations for the Copenhagen Climate Summit and the forthcoming Swedish Presidency?

Jan Kohout, *President-in-Office of the Council.* – Last March the Council and the spring European Council further refined a new position for the international climate change negotiations, in particular in view of the Copenhagen Conference.

At this meeting of 19-20 March 2009, the Council stressed its conviction that the economic crisis and the policy measures in response to it provide an opportunity to achieve the necessary economic reforms and at the same time speed up reforms towards a safe and sustainable low-carbon resource-efficient economy.

The Presidency conclusions of the European Council of March this year stated that the European Union remained committed to playing a leading role and bringing about the global and comprehensive climate agreement in Copenhagen in December this year, designed to limit global warming to below 2° Celsius.

To this end the European Council recalled the EU's commitment to a 30% emission reduction as its contribution to such an agreement, provided that other developed countries commit themselves to comparable emission reductions and that advanced developing countries contribute adequately according to their responsibilities and respective capabilities. The European Council will further discuss these issues at its June meeting.

Avril Doyle (PPE-DE), *deputising for the author.* – I would like to thank the Czech Presidency for the chairing of the committee and their views on this.

As I asked one of your colleagues before, could I have assurances now, as we approach the critical meeting that will be the UNFCCC COP-15 in Copenhagen this December, that we will have the enthusiastic support of the Czech Government for an adequate and fully equitable global agreement to reduce carbon emissions worldwide?

You started your Presidency with the reputation of being climate-sceptics. Can you confirm now that you are converts and that you fully agree with the legislative climate and energy package that was passed overwhelmingly last December by this Parliament?

Jan Kohout, *President-in-Office of the Council.* – (CS) Mr President, in response to the question I would like to say firstly that we – in the sense of the Czech Government and the Czech Republic – have never been sceptical about climate change. I do not think that what I said in my speech about certain conclusions being adopted by the March European Council, about certain measures being adopted by previous European Councils attended by the Czech Government and about the government agreeing with those conclusions, can indicate in any way that either the outgoing government or the new government which comes into office on Friday have changed their opinions on this matter in any way. In this sense we can say that we will follow the course submitted or outlined by previous Councils, and our ambition is for the EU to do its utmost at the upcoming June EU summit to move forward, despite all the associated problems and difficulties, on the preparation of the mandate of the European Council and the negotiating framework for Copenhagen. I sensed in the question an allusion to the Czech President but I can tell you categorically and honestly that two days ago a summit with Japan was held in Prague, chaired on behalf of the EU by President Klaus and if you spotted anything out of line there with the unified EU view on the climate, kindly let me know, although I know that but nothing of that kind took place. Seen in this light, I view these concerns as understandable, but not entirely justified in principle, and I hope I have managed to dispel them.

President. – Question No 3 by **Avril Doyle** (H-0210/09)

Subject: Lisbon Treaty and the Czech Presidency

Could the Council please comment on a possible timetable for ratification by the Czech Republic of the Lisbon Treaty?

Jan Kohout, *President-in-Office of the Council.* – (CS) Mr President, in your introduction to my speech today you made an announcement in which you congratulated the Czech Republic over the fact that its Senate today approved the Lisbon Treaty with a clear majority of votes. I believe that – at this moment – this is the best reply to the question in hand.

Avril Doyle (PPE-DE). – Thank you to the Czech Minister and congratulations through him to the leader and all the members of the Czech Senate. Now both the upper and lower houses have voted to approve the ratification.

You may look at me as an Irish Member of this House and say: is this the pot calling the kettle black? We have a job yet to do in Ireland. The Poles and the Germans also have a bit of tidying up to do.

But can I ask you to indicate when and if your President Klaus is likely to accept the wishes of the upper and lower Houses and approve – or sign off, if you like – the full ratification of the Treaty? Again, thank you. I am delighted with today's result in your Senate.

Paul Rübig (PPE-DE). – (DE) Mr President, I congratulate the Czech Presidency on the decision in the Senate. Nonetheless, I have to say that we in Europe are naturally dissatisfied with many areas of the interplay between the institutions of the European Union and that is why we have negotiated this reform treaty over the last eight months. Would it perhaps be possible for a debate to be conducted in the Czech Republic regarding what in fact they find troubling about this treaty and what alternatives President Klaus could offer the people of Europe to quell the current dissatisfaction, to which he indeed vociferously refers, and what solutions he would envision? At present, all that is known is that he wants to prevent the reform but is putting forward no positive proposals.

Bernd Posselt (PPE-DE). – (DE) Mr President, with President Klaus having damaged the national renown of his country out of sheer egocentricity I too would like to congratulate the Czech Presidency and say that it was a first-class presidency. I am happy that it has ended with the ratification of the treaty as far as parliamentary procedure is concerned.

Jan Kohout, *President-in-Office of the Council.* – (CS) Mr President, I would like to thank you for your words of appreciation, and your congratulations on the approval of the Lisbon Treaty by our Senate. President Klaus has his own views and we in the Czech Republic respect his opinions, which are part of the democratic spectrum of opinion. As for the debate on the Lisbon Treaty, it proved to be very intense, and that is why the Senate has not approved the Lisbon Treaty until now, following long discussions on the subject. The large majority of votes – 54 senators out of the 80 present – cast in favour of the treaty included senators from the Civil Democratic Party (ODS) (the party President Klaus once founded), which shows that there is 'Eurorealism' in the Czech Republic, that there is a very strong feeling of co-responsibility for Europe and for the EU, as well as a will to continue the process of European integration and to take an active part in it. As regards the constitutional arrangement for approval by both chambers of the Czech Parliament, it is really a precondition for ratification, which then culminates with the signature of the President. In this respect, the constitution does not set any deadlines, and I would not like to speculate at this moment about the date by which the Treaty will be signed by the President. The situation for us is now quite new, even in the Czech Republic itself. This is a great load off our minds and we are naturally overjoyed. We will of course hold further consultations and talks aimed at finalising ratification within the shortest possible period of time.

President. – Question No 4 by **Bernd Posselt** (H-0213/09)

Subject: Croatia, Macedonia and Southeast Europe

How does the Council judge the likelihood of concluding accession negotiations with Croatia and giving a deadline for negotiations with Macedonia before the end of the year and fleshing out the prospects for EU accession of southeast European states, including Kosovo, lying between Croatia and Macedonia?

Jan Kohout, *President-in-Office of the Council.* – Mr President, the negotiations with Croatia have entered an important and demanding phase. Since the start of these negotiations, 22 chapters have been opened, of

which seven have been provisionally closed. Forecasts of the conclusion of the negotiating process cannot be made. As you know, the advancement of the negotiations is mainly guided by Croatia's progress in preparing for accession in addressing opening and closing benchmarks, as well as in meeting the requirements of the negotiating framework and fulfilling Croatia's obligations under the Stabilisation and Association Agreement.

The implementation of the revised Accession Partnership is also important to prepare for further integration with the European Union. Full cooperation with the International Criminal Tribunal for the Former Yugoslavia, including access to documents, remains essential in line with the negotiating framework. In this context, it is worth recalling that the Council has repeatedly stated that, in accordance with the negotiating framework and the Accession Partnership, efforts towards good neighbourly relations must be continued – in particular work on finding solutions to bilateral issues with neighbouring countries, especially border issues.

The Presidency regrets that the border issue with Slovenia is affecting the pace of Croatia's accession negotiations and the progress on the ground does not match the former progress registered. As you know, the Presidency, together with the former and incoming Presidencies and the Commission, has made significant facilitation efforts to make progress on this issue. Furthermore, the April General Affairs and External Relations Council held a useful discussion to take stock of the situation.

Concerning the former Yugoslav Republic of Macedonia, I would like to recall the decision of the European Council of December 2005 to grant it the status of candidate country, taking into account in particular the requirements of the stabilisation and association process and criteria for membership and implementation of the priorities in the Partnership, the substantial progress made in completing the legislative framework related to the Ohrid Framework Agreement, as well as its track record in implementing the Stabilisation and Association Agreement, including its trade-related provisions since 2001.

According to the European Council of June 2008, further steps by the former Yugoslav Republic of Macedonia in its progress towards the EU will be possible, provided that the conditions set out in the December 2005 European Council conclusions, the Copenhagen political criteria and the outstanding key priorities of the Accession Partnership are fulfilled. Maintaining good neighbourly relations, including a negotiated and mutually acceptable solution on the main issue, remains essential. Holding free and fair elections is crucial. According to the preliminary assessment of the OSCE/ODIHR election observation mission, elections held on 22 March and 5 April were organised thoroughly and met most international commitments and standards.

This is an important step forward for democracy in the country. We encourage the new President and the Government in their efforts to achieve progress in their country, to the benefit of all citizens, and the Government for concentrating on the reform agenda, such as the strengthening of the rule of law, economic progress and the fight against corruption and organised crime.

Concerning other countries of the Western Balkans, very considerable progress has been made towards EU membership over recent years but this has also been uneven and huge challenges remain. The Council is willing to support efforts to meet these challenges, in particular by implementing the Stabilisation and Association Agreements and by granting considerable financial support. The Stabilisation and Association Process remains the overall framework for the European perspective of the Western Balkans. By making solid progress in economic and political reform and by fulfilling the necessary conditions and requirements, the remaining potential candidates in the Western Balkans should achieve candidate status according to their own merits, with EU membership as the ultimate goal.

In December 2008 Montenegro filed its membership application. On 23 April this year the Council asked the Commission to prepare its opinion on the application so that the Council can then take further decisions. On 28 April Albania applied for EU membership. Applications from other countries might be received at a later stage.

The Council recalls the European Union's willingness to assist the economic and political development of Kosovo through a clear European perspective, in line with the European perspective of the region. The Council welcomes the Commission's intention to present, in autumn 2009, a study examining means to further Kosovo's political and socioeconomic development. The Council is committed to strengthening people-to-people contacts, such as lifting the visa requirements when the benchmarks defined in the visa liberalisation road maps are met, as well as further promoting student and young professional exchanges.

While strengthening the ownership principle, the EU stresses the importance of regional cooperation and good neighbourly relations among the Western Balkan countries. Regional cooperation and the European

agenda are linked. The more Western Balkan countries cooperate with each other, the more they integrate within European structures. This is because regional cooperation contributes to a shared understanding in the region and to finding solutions for issues of common interest, such as in the fields of energy, transport, trade, the fight against organised crime and corruption, refugee return and border control.

Bernd Posselt (PPE-DE). - (DE) Many thanks for that very good and very exhaustive reply.

I have three very short supplementary questions:

First, do you believe it is conceivable that the Czech Presidency will open a new chapter with Croatia?

Second, will you name a date for Macedonia this year?

Third, what is the timeframe for relaxing visa restrictions?

Jan Kohout, President-in-Office of the Council. – (CS) Mr President, with respect to the first question concerning the unblocking of the negotiation process, as I previously stated in my opening speech, one of the agenda items of the last meeting of the Council for General Affairs and External Relations was devoted precisely to these issues. We firmly believe that progress in this matter will be achieved during the current presidency, as well as an agreement to facilitate the conclusion of the negotiating chapters that have been prepared for closing. It has been one of the main goals of this presidency since the outset to unblock this situation. A solution is taking shape and we hope it will be acceptable to all parties involved, making it possible to achieve progress in the negotiations.

As for the question concerning the Former Yugoslav Republic of Macedonia (FYROM), it should be noted that at this moment we do not expect a date to be fixed or other specifics to be finalised during this presidency. We do not envisage visa liberalisation in the first session of this year, but do believe that by the end of this year or early next year citizens from a number of Western Balkan countries that are close to meeting or have already met the benchmarks, could travel visa-free from some of the Western Balkans countries to the European Union. It has been emphasised here on several occasions that one of the priorities of our presidency is to bring the countries of the Western Balkans and the European Union closer together. We have been devoting considerable efforts to this end, and we want to devote equal, if not greater, efforts to this priority in the two months remaining to us.

President. – Question No 5 by **Claude Moraes** (H-0215/09)

Subject: Protecting the most vulnerable in the economic crisis

In the conclusions of its meeting on 19 and 20 March, the European Council stated that in tackling the social impact of the current economic crisis, 'particular attention should be given to the most vulnerable and to new risks of exclusion'.

In what ways is the Council focusing on protecting the most vulnerable, such as new migrants, older people, settled ethnic minorities, people with disabilities and the homeless, from being pushed to the margins of society?

Jan Kohout, President-in-Office of the Council. – As the honourable parliamentarian has said very well the joint report on social protection and social inclusion, which was submitted to the European Council meeting on 19-20 March, stresses the need for appropriate social policies, not only to mitigate the adverse social impact on the most vulnerable but also to cushion the impact of the crisis on the economy as a whole.

This implies adjusting benefits, where needed, to safeguard appropriate support for recipients. In particular comprehensive active inclusion strategies that combine and balance measures and inclusive labour market access to quality services and adequate minimum incomes need to be implemented.

A boost must be given to Member States' efforts to implement comprehensive strategies against poverty and social exclusion of children, including accessible and affordable quality childcare.

Sustained work is required to tackle homelessness as an extremely serious form of exclusion, to promote the social inclusion of migrants and to address, for example, the multiple disadvantages the Roma people are facing and their vulnerability to social exclusion.

Vigilance is also needed as new risk groups, among them young workers and labour market entrants, as well as new risks, may emerge.

As regards the specific situation of older people, ethnic minorities and persons with disabilities, the Council has already adopted legislation aiming to protect these and other vulnerable groups from discrimination. Council Directive 2000/78/EC establishes a general framework for equal treatment in employment and occupation and prohibits discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation. Council Directive 2000/43/EC implements the principle of equal treatment between persons, irrespective of racial or ethnic origin, in a wide number of areas including employment, self-employment, vocational training, social security, education and access to goods and services, including housing.

In addition, the Council is currently examining a new Commission proposal that aims to extend the protection against discrimination even further. The proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation would extend the protection against discrimination based on religion or belief, disability, age or sexual orientation to areas beyond employment. On 2 April 2009 the European Parliament voted in favour of the Commission's proposal under the consultation procedure, and discussions on the draft directive are ongoing in the Council.

Allow me also to recall that last spring the Council and Parliament successfully negotiated a first-reading agreement on the Commission's proposal to establish a European Year for Combating Poverty and Social Exclusion in 2010. At the time, few of us could have guessed the scale of the coming economic crisis. However, with the benefit of hindsight, it is clear that the Commission, Council and Parliament were absolutely right to focus on the problems of poverty and social exclusion.

Finally the Council is also examining a set of draft conclusions on equal opportunities for women and men of the age 50-plus generation, tabled by the Czech Presidency. It is expected that these conclusions will be adopted by the Council in June. This will be another opportunity for the Council to reaffirm its commitment to ensuring that our older citizens can live active lives and age with dignity.

Within the framework of the current EU Presidency, the Conference on Social Services entitled 'Social services: a tool for mobilising the workforce and strengthening social cohesion' was held in Prague in April this year. The conference stressed the importance of social services for active inclusion of people endangered by social exclusion and excluded from the labour market.

The social services sector, due to economic and demographic changes on the one hand, becomes the important field of new job opportunities, in particular for women and older workers and, on the other hand, it helps the social services users themselves to hold down their jobs.

The conference introduced basic starting points for further all-European discussions on the role of social services in society. Although the ways of providing social services, sharing competences and the conception of financial sustainability are different in EU Member States, there was a good deal of consensus among the speakers at the conference on the role and goals of social services.

In the conference conclusions, which will be further elaborated and then negotiated with the aim of adoption by the EPSCO Council in June, the role of social services as an essential instrument for social policies is stressed.

The necessity of the integrated manner in conceiving and delivering social services and taking into account individual needs of clients is underlined as well. The important role of public authorities in guaranteeing quality, access and sustainability of social services is mentioned and it is stated that investing in social services, in particular during the present financial and economic crisis, pays and can strengthen the growth potential and the cohesion of economies and societies. The importance of informal care is pointed out and so-called 'shared care', a combination of both formal and informal care, seems to be optimum and most effective.

In the conference conclusions, the importance of the promotion of a system of lifelong training and capacity-building for assuring the quality of services is mentioned. Last but not least, the protection of rights, dignity and special needs of social services users is emphasised.

Emine Bozkurt (PSE), deputising for the author. – (NL) Mr President, I would like to thank the Czech Presidency warmly for answering my question. I was pleased to hear that the issue of extending the Directive on anti-discrimination to goods and services was given a prominent place in your answers to questions on the fight against growing poverty and social exclusion amongst the most vulnerable groups. Allow me to tell you how much I appreciate this.

My question to you is, does this also mean that the text which this House approved in April enjoys the full support of the Czech Presidency, and what practical steps have you, as President-in-Office, taken in order to ensure that this directive is also adopted as soon as possible by the Member States and the Council? Many thanks.

Justas Vincas Paleckis (PSE). – (LT) I too would like to thank you for your comprehensive reply. The problem of social exclusion is very widespread and multi-faceted, because, in my opinion, now many people simply face problems of survival. Is the Council prepared to increase food aid? Food aid is also a very important matter now, as this crisis rages, and it seems to me that we should devote more attention to this.

Jan Kohout, President-in-Office of the Council. – (CS) I would like to thank you for applauding my previous reply and my efforts to give a truly exhaustive answer to the question posed. As regards the additional question, it must be said that I am not in a position to give a perfectly clear answer at this point in time. Nevertheless, it should also be noted that all of the issues relating to social exclusion, as well as those concerning the fight against poverty in this time of crisis, are quite naturally on the agenda and are being discussed intensely in the Council's working groups, including the directive that you mentioned. As for food aid, I may have misunderstood the aim of the question, but at the Council we have been discussing food aid primarily for developing countries, in other words the countries worst affected by the economic and financial crisis, as well as by the previous food crisis. As far as the situation in the European Union is concerned, no such topic is being discussed. Nevertheless, we are aware of the responsibility of the European Union regarding the least successful or those who need far more assistance in the current situation, and this subject will also figure on the agenda of a meeting of the ministers for development co-operation.

President. – Question No 6 by **Marie Panayotopoulos-Cassiotou** (H-0217/09)

Subject: European Employment Pact

How does the Council view the proposal to adopt a European Employment Pact which could be an important tool in preserving social cohesion and promoting the growth and economic recovery of the EU which is suffering from the effects of the global crisis?

Jan Kohout, President-in-Office of the Council. – The Council has not received any proposal from the Commission for a European employment tax. Therefore the Council is not in a position to answer the specific points raised by the honourable Member on this issue. However, the Council shares the concerns expressed by the honourable Member in her question and considers that it is important to preserve social cohesion and to promote the growth and economic recovery of the European Union, which is suffering from the effects of the global crisis.

In this framework, the Presidency would like to recall that Member States remain, in the first instance, responsible for designing and implementing the employment policies. Nevertheless, the Council pays special attention to these employment policies, especially now that Europe is facing a financial economic crisis and adopts new early employment guidelines in accordance with the Treaty.

In this sense, the Presidency would like to recall that in December last year the European Council decided an overall European economic recovery plan to address, *inter alia*, employment issues resulting from the financial crisis. The plan consists of immediate budgetary measures amounting to EUR 200 billion comprising, on the one hand, Community measures amounting to EUR 30 billion and, on the other hand, national measures that would amount to EUR 170 billion.

The European Council also supported the idea of rapid action by the European Social Fund in support of employment, especially for the benefit of the most vulnerable groups in the population, such as supporting flexicurity policies and policies easing job transition periods, and giving Member States the opportunity, where necessary, for reprogramming European Social Fund expenditures in order to strengthen their employment strategies.

It is also to be recalled that, in addition to the European Social Fund, the European Globalisation Adjustment Fund also provides Community assistance to complement national actions, including actions at regional and local levels. This fund, created by the Council in 2007, addresses specific European-scale crises caused by globalisation and provides one-off, time-limited individual support geared directly to redundant workers.

A revision of the European Globalisation Adjustment Fund is under way and the European Council of March 2009 called for a swift agreement to be reached. The Council welcomes the agreement for a first-reading adoption of this revision and goes by today's vote in plenary.

The European Council of March also agreed upon some additional measures such as the following: removing barriers while preventing the creation of new ones and achieving a fully operational internal market; further reducing administrative burdens; improving framework conditions for industry in order to maintain a strong industrial base and for businesses with a special focus on SMEs and innovation; encouraging partnership between business, research, education and training; and stepping up and improving the quality of investment in research, knowledge, and education.

Finally the Presidency would like to recall that the initiative of the current Presidency, an Employment Summit, will be organised on 7 May in Prague. Yesterday the Czech Deputy Prime Minister for European Affairs, Mr Vondra, had the opportunity to speak at this plenary on this issue on behalf of the Presidency.

Marie Panayotopoulos-Cassiotou (PPE-DE). - (EL) Mr President, I thank the President-in-Office of the Council for his reply. My question was on exactly the same wavelength. Should all the means programmed from time to time – especially as a result of the crisis – not be coordinated under one umbrella, what I call an ‘agreement on employment’, so that they bear fruit for the European citizens, who hear about millions of euros – you mentioned the sum of 200 billion – but do not see this money being translated into effective action which will give them a way out of unemployment and poverty?

Jan Kohout, President-in-Office of the Council. – (CS) Mr President, I must say I am wholly sympathetic to what has been said here, and I am convinced that the forthcoming summit, the ‘employment summit’ in Prague, will be another occasion for creating and putting forward initiatives which the June European Council will be able to return to and which will be focused precisely on the topics we have been discussing here, in other words issues relating to the impact of the economic crisis on employment.

President. – Question No 7 by **Justas Vincas Paleckis** (H-0219/09)

Subject: Health care abroad

The new patient mobility directive (COM(2008)0414), scheduled to be debated by Parliament in April, will lay down common provisions on the reimbursement of health care received abroad. Members of the European Parliament are seeking to ensure that patients from EU countries have every opportunity to receive treatment abroad (such as through the reimbursement in advance of expensive health-care services so that they are not only available to the wealthy), while the Council is proposing that such rights be limited and that the Member States themselves decide what health care received by their citizens abroad would qualify for reimbursement.

In the Council’s view, how can these opposing positions of Parliament and the Council be reconciled? What possible compromise proposals does the Council envisage?

Jan Kohout, President-in-Office of the Council. – Mr President, the Presidency, building on the work carried out by the French Presidency, is pursuing actively discussions on the proposal for a directive of the European Parliament and of the Council on the application of patients’ rights in cross-border health care.

The Presidency’s objective is to find solutions that will strike the right balance between the rights of the patients in cross-border health care and the responsibilities of the Member States for the organisation and delivery of health services and medical care.

As the Presidency stated during the plenary debate of 23 April 2009, patients travelling to other Member States should receive full information and high-quality health care. But it is also important to make sure that the directive fulfils the principles of clarity, legal certainty and subsidiarity. Discussions are still ongoing in the Council, so it is impossible to predict whether a political agreement can be reached under the current Czech Presidency. However, the current discussions in the Council suggest that a system of prior authorisation is likely to be limited to specific types of health care. It will be an option for Member States, which they may or may not use. This possibility was recognised by the European Court of Justice under certain conditions.

The Council is also considering accompanying any system of prior authorisation with measures aimed at transparency and full information of the patients about their rights related to receiving cross-border health care.

On the other hand, the directive sets a minimum level of what the Member States have to guarantee to their patients as regards the reimbursement of the costs of cross-border health care. It is the same amount which would be incurred for the same treatment in their home Member State. Nothing prevents Member States from providing their patients who receive cross-border health care with a more advantageous form of reimbursement, even in advance. However, it depends on the Member States’ national policy.

Nevertheless, in cases where the person really needs to receive planned treatment in another Member State and there are objective medical reasons for that, there is already in existence Regulation (EC) 883/2004, under which the patient will receive health care without actually bearing costs himself.

According to the report voted in Parliament's plenary on 24 April 2009, the European Parliament has also recognised the prior authorisation system as a planning and management tool if it is transparent, predictable, non-discriminatory and subject to clear information for patients.

The Council will study all the amendments with care and will consider how to take account of them in its common position in order to reach an agreement in second reading.

Justas Vincas Paleckis (PSE). – (LT) Once again thank you for your comprehensive and, I would say, hopeful reply. It is very good that the conditions for obtaining medical assistance, both at home and abroad, are being harmonised. However, it is clearly wrong that a lot will depend on a patient's ability to pay. Those patients who are unable to make up the difference between costs at home and abroad will not be able to take advantage of this.

The Czech Republic, which took over the presidency from France, is still a young country and I would like to ask: were there differences in the way the new and old Member States assessed this problem?

Jan Kohout, President-in-Office of the Council. – (CS) Mr President, I would like to express my thanks for the additional comment by the honourable Member. We are bearing this in mind and we will take account of it. I think he has identified a major problem, but at this moment the question cannot be resolved in a clear-cut and simple manner. I view this as a problem that should be addressed by the Council in its further discussions on these issues.

President. – Questions which have not been answered for lack of time will be answered in writing (see Annex).

That concludes questions to the Council.

On behalf of Parliament, I should like to thank the Czech Presidency and the Minister for their cooperation.

(The sitting was suspended at 8 p.m. and resumed at 9 p.m.)

IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

Vice-President

15. Parliament's new role and responsibilities in implementing the Lisbon Treaty - Institutional balance of the European Union - Relations between the European Parliament and national parliaments under the Treaty of Lisbon - Financial aspects of the Lisbon Treaty - Implementation of the citizens' initiative (debate)

President. – We are going to resume the sitting with a very important subject: the joint debate on the Treaty of Lisbon, which includes the following reports:

- the report (A6-0145/2009) by Mr Leinen, on behalf of the Committee on Constitutional Affairs, on Parliament's new role and responsibilities in implementing the Treaty of Lisbon (2008/2063(INI)),
- the report (A6-0142/2009) by Mr Dehaene, on behalf of the Committee on Constitutional Affairs, on the impact of the Treaty of Lisbon on the development of the institutional balance of the European Union (2008/2073(INI)),
- the report (A6-0133/2009) by Mr Brok, on behalf of the Committee on Constitutional Affairs, on the development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon (2008/2120(INI)),
- the report (A6-0183/2009) by Mrs Guy-Quint, on behalf of the Committee on Budgets, on the financial aspects of the Treaty of Lisbon (2008/2054(INI)), and

- the report (A6-0043/2009) by Mrs Kaufmann, on behalf of the Committee on Constitutional Affairs, requesting the Commission to submit a proposal for a regulation of the European Parliament and of the Council on the implementation of the citizens' initiative (2008/2169(INI)).

As you can see, these are five extremely important reports dealing with an issue that is highly topical, and we should also bear in mind the fact that, as you know, the senate of the Czech Republic has approved the ratification of the Treaty by the majority required.

Jo Leinen, rapporteur. – (DE) Mr President, Vice-President, ladies and gentlemen, the final evening sitting of this legislative period is devoted to the debate on the Treaty of Lisbon. We know that many evening sittings have preceded this one in our effort to bring about a Reform Treaty and its ratification in 26 parliaments of the Member States.

I should like to express my congratulations and my appreciation to the Members in the Czech Senate, who today supported this Treaty with a clear majority. I would also like to thank all those who helped to remove this obstacle.

(Applause)

Yes, let us applaud the Czech Senate all the way from Strasbourg to Prague. We are very pleased with this outcome.

I am very optimistic that we will be able to complete the ratification procedure towards the end of the year. We must not count our chickens before they are hatched, but everything would seem to indicate that we will get 27 ratifications. The Committee on Constitutional Affairs was therefore right to be optimistic. The European Council, the Commission and the European Parliament must prepare for the entry into force of the Treaty. I am very happy that this House has adopted four eminently interesting and important reports – no, five reports, as Mrs Guy-Quint also presented a report on the financial aspects of the Treaty of Lisbon – as a kind of final act of this legislative period.

I see that this House never gave up on the Reform Treaty, even in difficult times. That is not true of everyone, though. I cannot understand why there was so much hesitation in this House and why so many doubts were expressed as to whether we should still be discussing Lisbon at all. This debate was even hidden in the evening sitting, when it could quite easily have taken place during the daytime. It is beneath the dignity of this House to postpone such a debate to the evening sitting. We know why it happened. They did not want this House to reaffirm its conviction in front of a large audience that we need this Treaty, that we want it and that we believe in it. There were sceptics at the very highest levels of this Parliament, which I find absolutely incomprehensible and totally unacceptable.

I took on the report on Parliament's role in implementing the Treaty of Lisbon and I can say that this Parliament will be one of the winners under the Reform Treaty. We are taking a quantum leap in democratic control, whether in terms of legislation, or budgetary control and decision-making, or the control and even the election of the executive, of the Commission, or the approval of international agreements, or new rights of initiative that we are granted, the most prominent example being the right of the European Parliament to suggest amendments to the Treaty – a privilege previously reserved to the Member States and their governments. Codecision as standard puts us on an equal footing with the Council of Ministers: agricultural policy, fisheries policy, research policy, structural regulations – much will now lie within the joint responsibility and codecision power of this House. We have new supervisory powers, new rights to information and new powers of initiative.

Vice-President, I thank you for always standing alongside us. Today has been a good day and, with the four reports, as a kind of final act, we close a period full of dedication to reforming the European Union. It is my hope that the final act will be played out with the new Parliament and that we can enter the new legislative period on new, stronger foundations.

(Applause)

Jean-Luc Dehaene, rapporteur. – (NL) Mr President, Vice-President, ladies and gentlemen, the approval of the Treaty of Lisbon by the Czech Senate is a further important step towards ratification of the Treaty. It is, therefore, a positive thing that the European Parliament is, this evening, approving a number of reports setting out Parliament's position regarding the implementation of the Treaty. After all, it is necessary for Parliament to be equally well prepared as the other institutions before entering into talks and negotiations with them on the implementation and application of the Treaty.

This is all the more important for Parliament, given that its powers will be substantially extended under this treaty. Therefore, Parliament has a strong interest in seeing that a) it is well prepared to carry out its new tasks fully – as set out in the reports by Mr Leinen and Mrs Guy-Quint, and that b) it adopts a clear position regarding its relationship with the other institutions, which is the subject of my report.

The Treaty of Lisbon strengthens and clarifies the institutional balance within the Union. The Treaty on European Union, which we hope to see adopted, marks a formal end to the pillar structure. In addition, the European Union will acquire a legal personality; Community institutions will become Union institutions and, under the Treaty, the roles and powers of each of the institutions will be clearly defined. The Treaty will also thereby put an end to the twofold position of the European Council, making it an autonomous institution of the Union.

Although it is still subject to too many exceptions, the application of the codecision procedure, which will become the ordinary legislative procedure and which will also include approval of the budget, will give Parliament a very important role. As a matter of fact, the powers of the Council and Parliament have been formulated identically in the Treaty. The Treaty thereby strengthens the Community method and transforms it into the Union method. Furthermore, that method will be extended to the former Justice and Home Affairs pillar.

In my report, I have emphasised the fact that robust coordination of legislative and budgetary work will be required if the institutions are to operate efficiently. The report calls for programming of the legislative work, including the multi-annual perspective of the budget. The role of the General Affairs Council within the Council of Ministers will be very important, in that it needs to become the Presidency of the Council's instrument for dialogue with Parliament. The Commission's role as initiative-taker is also clearly upheld; unfortunately, the plan is to reduce the number of commissioners, so as to arrive at a smaller college. This will require the Commission to strengthen its internal organisation all the more, if it is to function as a college.

One important new feature is that the twin role of the new High Representative and Vice-President of the Commission will be crucial when it comes to foreign affairs, external affairs and security. In my report, I have stressed that it would be very much in his or her interest to work closely with the Commission, so that all of the Union's foreign policy resources can be mobilised.

I would like to conclude by saying that we will have a very difficult period of transition following the elections, as well as a difficult transition from the Treaty of Nice, which must be applied first, to the Treaty of Lisbon, which will hopefully be approved by the end of the year. I call on Parliament and the Council to once again consider together how we might organise this period and I fail to understand why this has not been more the case already. Otherwise, we risk ending up in a situation after the elections where we do not know what exactly should be happening. Since no one would be served by such a situation, let us agree clearly on that.

Elmar Brok, rapporteur. – (DE) Mr President, Vice-President, representatives of the Czech Presidency, ladies and gentlemen, as the previous speakers have said, this is a great moment, not because our reports are being discussed, but because today it has been established that the parliaments of 26 countries have ratified the Treaty of Lisbon, and that a referendum, which has been promised, still has to be carried out in just one country.

That the parliaments of 26 countries have ratified the Treaty of Lisbon shows that it is a parliamentary treaty. A great deal of progress has been made over the course of the unification of the European Union, but there has never been a treaty like the Treaty of Lisbon, in which the parliaments – both the European Parliament and the national parliaments – have been strengthened, democracy has been strengthened, a citizens' initiative has been introduced and the principle of subsidiarity has been politically and legally strengthened through the strengthening of national parliaments.

It is therefore astonishing that those who set themselves up as founders of democracy oppose this treaty. They oppose the Treaty of Lisbon because they do not wish to accord the process of European unification any democratic legitimacy. European unification is abhorrent to them and they are afraid that this Europe could gain popularity through greater democracy and transparency and also enhanced decision-making abilities to face the challenges of the future. That is why they tell the lies that they tell.

May I also say at this point that I would like to thank the Czech Presidency and, in particular, Prime Minister Topolánek, who, in a situation that was personally difficult for him and for which he was not responsible, on the last day of his term of office fought to get a sufficient majority in the Czech Senate.

And it was no meagre majority; it was 54:20. That is a gigantic lead for those who said yes to the Treaty of Lisbon. I hope that, after all 26 elected assemblies have made their decision, administrative people do not hold up the democratic process by withholding their signature. I believe that they will keep the promises they have given and that this Treaty will be signed.

We are seeing in the discussions in this election campaign that the financial crisis has shown that each country that acts alone in this global order is lost. That is why it is extraordinarily important that this is recognised in Ireland and that – if I am to believe the opinion polls – the people of Ireland rethink their position so that the interests of Ireland can be defended. I am sure that, through the social clause, through the commitment to a social market economy and not to predatory capitalism, in other words through commitment in the social sense, this is also a Treaty for ordinary citizens. In this way, we can defend our interests in this world together.

In order to really exercise control over an administrative bureaucracy, national governments, the Commission or the Council apparatus here in Brussels and in Strasbourg, we must establish close cooperation between the European Parliament and national parliaments.

There are many common tasks in foreign and security policy, in legal and home affairs policy, in the control of Europol. There are many opportunities open to national parliaments through their right of veto. With the orange and yellow cards and the right of action they have possibilities in the field of subsidiarity control and, as Members of the Council, they can exercise more control over their own governments. In this way, they are doubly legitimised democratically. That is why the European Parliament and the national parliaments are not opponents in this process but allies, desirous of exercising joint democratic control over Europe, of taking it forward, and of not allowing it to degenerate into a Europe controlled by apparatchiks. The Treaty of Lisbon is therefore right and proper, and national parliaments and the European Parliament will not shirk this responsibility.

Catherine Guy-Quint, *rapporteur*. – (FR) Mr President, Commissioner, ladies and gentlemen, it is a great pleasure for me this evening to present the report on the financial aspects of the Treaty of Lisbon, which has been ready for some time now in the Committee on Budgets. This will be the last budgetary report of this parliamentary term and my last parliamentary report.

Above all, I am very pleased to see that Parliament has had the courage to present our reports in the 'Lisbon' package to honour the promise made to the citizens to inform them of the consequences of this treaty. A betterinformed citizen is a citizen who votes in full knowledge of the facts. Speaking about the Treaty of Lisbon in this House is not a denial of democracy, rather the contrary. Its implementation will have major consequences for the budgetary powers of the institutions and financial implications.

The reform is in fact important for Parliament. Apart from the introduction of multiannual financial frameworks, it should be remembered that the budgetary procedure has remained practically unchanged since 1975. It was therefore essential for the Committee on Budgets to analyse these modifications and verify that they were the conditions needed for our institution to maintain, even strengthen, its role as a budgetary authority. That is the whole thrust of this report: simplification and clarification of the budgetary challenges of the Treaty.

My main desire was to defend the prerogatives of the parliamentary institution. Future Members must not be dispossessed of their powers in future budgetary procedures and future negotiations on the multiannual financial framework.

These substantial modifications are of three types. First of all, modifications to the primary legislation. The new budgetary procedure includes real advances and new challenges for Parliament with, firstly, the removal of the distinction between compulsory expenditure and non-compulsory expenditure. Next, the single reading for the budgetary procedure with the introduction of a revert mechanism in the event that the Council rejects the common position, the introduction of a conciliation committee responsible for preparing the common position and a tight timetable for the conciliation committee. In addition, changes are made to the new multiannual financial framework that strengthen Parliament's role. This framework is becoming restrictive. To be adopted, it requires unanimity in the Council and the consent of the European Parliament. I would add that its adoption is the result of an entirely new and special procedure.

With regard to the new financial perspectives, we want them to have a five-year lifespan to coincide with Parliament's and the European Commission's terms of office. The commissioners will thus be more accountable for the budgetary choices that they make. Codecision is extended to the adoption of the Financial Regulation

and to its methods of application. Unfortunately, however, the decision on own resources remains with the Council. Parliament is merely consulted, except on the methods of application.

Budgetary discipline, therefore, returns in part to Parliament, which can reject the multiannual financial framework. This is real progress. The challenge for the future Parliament is to know what will be negotiated under the new Financial Regulation procedure, the responsibility for which Parliament shares, and what will fall under the legislation for the new regulation on the Interinstitutional Agreement, which Parliament will have the right merely to reject or accept.

Finally, the Union's new responsibilities will create new funding requirements. First of all there will be the External Relations package with, in particular, the creation of the European External Action Service and the High Representative Vice-President of the Commission, and, then, the new policies: energy, space and tourism, research, civil defence, administrative cooperation, and sport.

Ladies and gentlemen, as you will have understood, the changes implied by the Treaty of Lisbon are important.

Sylvia-Yvonne Kaufmann, rapporteur. – (DE) Mr President, ladies and gentlemen, this is my last speech in the plenary sitting of the European Parliament and, as rapporteur of the European Citizens' Initiative, I am pleased to have been given the floor. I hope that tomorrow, during the last sitting of this legislative period, Parliament will send a political signal, that it will set a course towards bringing Europe closer to its citizens, and that it will move ahead with a project that has been close to my heart for many years.

Let me start by making a number of observations. I realise with regret that neither my Group nor my Party – and here I am choosing my words carefully – was able to support the Citizens' Initiative. While, on the one hand, no opportunity is missed to complain about the democratic deficit in the EU, on the other, there is a general refusal to take the serious steps to make the European project more democratic. This is behaviour that is neither credible nor forward-looking. It blocks the progress in Europe that the citizens have insisted on for such a long time and I cannot and will not accept it.

Before the end of my mandate I would like to thank all my fellow Members of the Group of the European People's Party (Christian Democrats) and European Democrats, the Group of the Alliance of Liberals and Democrats for Europe and the Group of the Greens/European Free Alliance who have supported me with my report. I would like to thank Jo Leinen, the Chairman of the Committee on Constitutional Affairs, and, in particular, all the coordinators and shadow rapporteurs of these four Groups. I thank you that we worked together so well across party and country boundaries and that we were able to advance the European integration project together.

Vice-President, the provision contained in the Treaty of Lisbon concerning the Citizens' Initiative is without doubt a milestone in the European integration process. The truth is that, in the European Union, it is not states we want to unite, but people. This matter will be addressed in a totally new way if, as laid down for the first time in Article 11(4) of the Treaty on European Union (EU Treaty, new version n.v.), citizens are directly involved in the European legislative process. One million citizens will then have the right to ask the Commission to present a specific draft regulation or directive, which the Council has had since 1957 and the European Parliament since 1993.

In my report, Parliament presented key points and guidelines for a future regulation on conditions and procedures for a European Citizens' Initiative. Vice-President, in the event of the Treaty of Lisbon coming into force, I expect the Commission not only to present a proposal as quickly as possible but also to follow the guidelines of my report if at all possible. In particular, the Commission should endorse the view of Parliament, which reflects the view of a significant number of Member States within the meaning of Article 11(4) of the EU Treaty (n.v.). In my report, the number 7 is proposed. It is essential that not just any arbitrary figure is established, as it must, first, be able to justify the associated restriction of the right of EU citizens to equal participation in a Citizens' Initiative, whatever their nationality, and, second, it must be oriented towards the relevant objective. This means that the establishment of a minimum number of Member States must ensure that the starting point in the European legislative process is not an issue that reflects the specific interests of a single Member State, but rather one that is consistent with the European general interest.

In addition, I ask that particular attention is paid to the structure of the procedure, especially the question of the admissibility of a Citizens' Initiative. The criteria of friendliness towards citizens and legal security must be given top priority. If EU citizens codetermine the European legislative process and wish to introduce a Citizens' Initiative, fairness essentially requires that the competent EU bodies state as soon as possible and in a binding manner whether the planned initiative fulfils the legal requirements of the Treaty. It is absolutely

vital that this takes place before the statements of support are collected, as the Member States that provide the necessary resources need legal security.

Finally, I should like to remind the House that the provisions of the Citizens' Initiative did not fall from the sky. They were already in the Constitutional Treaty, as they had been developed in the Constitutional Convention, at the signing of which some Members were present, in close cooperation with NGOs. Their inclusion in the Convention's draft Constitution was neither a sure-fire thing nor the result of chance. They represent the results of intensive consultations between the members of the Convention and NGOs committed to democratic policy. We now know that this idea has been on ice for six years. It is high time that it is brought to life after such a long time. The time has come for direct democracy in a united Europe.

(Applause)

Margot Wallström, Vice-President of the Commission. – Mr President, first of all, allow me to say a special 'thank you' to all the rapporteurs. I admire very much your commitment and, could I say, perseverance. Maybe it is because I recognise what my husband would call stubbornness in your insisting on these issues being dealt with in this Parliament that I also feel very much at ease and have established excellent cooperation with all of you.

A special thanks to those of you who will leave. You have not only been very good collaborators and partners in all of this but also good friends and good sports. Thank you very much. I think, Mrs Kaufmann, that you can be proud of helping to establish what I call establishing and charging the power lines between citizens and the European institutions – new power lines, drawing them up and charging them. I think that is quite something.

I am, of course, delighted to be able to take part in this debate tonight on the day when the Czech Republic has completed its parliamentary ratification of the Treaty of Lisbon. Today's vote brings to 26 the number of Member States whose parliaments have backed the Treaty. This debate, I think, offers a good opportunity to remind European citizens of the role of the Treaty of Lisbon in delivering a more democratic and coherent European Union.

At a time of economic crisis it is more important than ever to have a Europe that works well, that has the right systems to ensure democracy. The Treaty would give to the EU's democratic institutions, most obviously this Parliament, the powers they need. It would help the EU to act with greater unity and coherence on the world stage. It would allow Europe to deliver more effectively on the key challenges we face today in areas like climate change and energy security.

The reports we are discussing tonight will also help to ensure that, with the Treaty in place, its implementation will be swifter and smoother.

Good cooperation between the institutions will be critical in securing the maximum benefits from the Treaty, and the Commission is committed to working in partnership with Parliament and the other institutions to make this happen.

The Irish referendum was a sharp reminder of the need to anchor the case for Europe within the national debate. The substantive concerns underlying the vote deserve to be taken seriously – and that was exactly what happened at the European Council last December. The legal guarantees and the decision on the size of the Commission show the respect given by Europe's political leadership to the result in Ireland and the will to understand the reasons why they voted 'no' and respond to those concerns. But it also showed that they remained convinced that this Treaty is right for Europe.

That is also why, since the vote, eight more Member States have concluded their parliamentary proceedings, with eight more 'yeses'.

Parliament's reports add up to a comprehensive analysis of key aspects of the Treaty. The underlying approach is to be ambitious for what the Treaty can achieve for the EU – an approach fully shared by the Commission.

The reports are particularly valuable in deepening our thinking on how the Treaty should work in practice. In their different ways, the five reports all show a strong, self-confident Parliament looking for ways to maximise the potential of the Treaty for improving the effectiveness, efficiency and accountability of EU action, to the benefit of voters and citizens.

Mr Dehaene's report sets out a lot of important detail, and the Commission very widely shares the interpretations it makes of the Treaty. The great strength of the report lies in the clarity with which it shows

that implementing the Treaty is not reinforcing one institution at the expense of another – the European Union can only deliver what citizens expect if all Institutions are strong and cooperate effectively.

The report pays particular attention to the issue of transition, and there would have been many advantages in having the Treaty in force before this year of institutional transition. Unfortunately, that has not been possible. So a pragmatic and flexible approach is needed, finding a sensible way forward which will take into account the need to avoid any institutional vacuum this year; the importance of ensuring that the next Commission will enjoy the full authority of a democratic mandate; and the need to respect the role of the Parliament. The Dehaene report sets out a model which will help us all to find the way forward.

Mr Dehaene's report calls for political and gender balance to be taken into consideration, together with geographical and demographic balance, in the appointment of EU top posts. In today's Europe, where more than 50% are women, they are still under-represented in politics. This Commission – as you know – has the highest number of women commissioners ever. Still, this is not enough. Improving the gender balance should be an objective when the next Commission is appointed: an objective that can be achieved if there is strong political support from the next Parliament.

I also hope that we will have more women in the European Parliament and in top EU posts. Without them, we all lose out on their knowledge, experience and ideas.

Mrs Guy-Quint's report tackles another important issue: how to organise the Union's financial planning cycle for the best use of the EU budget, putting the money where the political priorities are. At a time of intense pressure on public finances, we must have the right procedures in place to deliver best value for money. The balance between stability and responsiveness in budget planning is critical to effective EU planning, and the Commission will return to this in the budget review.

Mr Leinen's report shows how the Treaty will affect the work of Parliament, and the report covers very thoroughly the implications for Parliament of new policy areas, new powers and new procedures. For example, it underlines the importance of ensuring adequate scrutiny of the Union's external action, and we are certainly open to identifying the appropriate methods to do so. However, these methods can only be agreed once the Vice-President and High Representative has taken office.

On this, as in many of the other issues raised – including comitology and delegated acts – we look forward to more detailed exchanges with Parliament on implementing all of the issues raised.

Let me turn to the report of Mrs Kaufmann, which explains clearly how the Citizens' Initiative can bring a new dimension to democracy in the Union. Citizens will be able to call on the Commission to bring forward new policy initiatives. This is one of the areas where the Commission intends to act swiftly once the Treaty is in force – also on the basis of consultation – to understand stakeholders' and citizens' expectations. The Commission's thinking is very much in line with the recommendations of Mrs Kaufmann.

There are, however, a few areas we should discuss further. We want to strike the right balance between a procedure that is easy for citizens and one that means that initiatives will have legitimacy and weight.

For example, on the minimum number of Member States, we should also more closely reflect the type of procedure foreseen in the Treaty.

Finally, Mr Brok's report covers an area in which both Parliament and the Commission have made important strides in recent years: relations with national parliaments. This Parliament has pioneered the use of inter-parliamentary conferences and has found some very practical ways to build up a real parliamentary network.

The Commission, as you know, has set up a completely new dialogue mechanism with national parliaments, and this is an area where a lot of progress has been made. Since 2006, the Commission has sent to parliaments not only consultation papers, but also legislative proposals, inviting them to respond. So far, we have received and replied to around 400 opinions, and we have also massively increased the number of direct contacts, with more than 500 meetings between Commissioners and national parliamentary bodies since the Commission came into office. So, as the report implies, the Treaty's new provisions on national parliaments will be fully in tune with the trend of recent years, and I think will reinforce the European parliamentary family still further.

Taken together, these reports illustrate how the Treaty of Lisbon would deepen European democracy and deliver results to European citizens. That is an excellent message for us to take into the European Parliament elections, as well as being an excellent launch pad for preparing for the implementation of the Treaty itself.

President. – Before I give the floor to the speakers, I am going to allow myself a certain degree of licence that I think may be granted to someone chairing the sitting at this stage of our term of office and this stage of the night, for it is true that these late-night sittings have an advantage.

I would like to tell you that I intend to forward immediately to the President of Parliament and the Bureau a proposal that they prepare a publication containing the Treaty of Lisbon itself, the five reports and the corresponding resolutions, together with the introductory speeches by the rapporteurs and by the Commissioner.

I believe that a document of this kind, translated into the EU's 23 official languages and distributed to the men and women of the 27 Member States, would be a very important document in terms of understanding the importance of the Treaty of Lisbon itself, and also understanding the efforts made and the actions taken by Parliament. It would also be a deserved tribute to the five rapporteurs, particularly to Mrs Guy-Quint and Mrs Kaufmann, who have told us that they are leaving Parliament but who will be always present in our memories and to whom we will always extend our gratitude.

Michael Gahler, *draftsman of the opinion of the Committee on Foreign Affairs.* – (DE) Mr President, to celebrate the occasion, as you see, I have consciously taken the place of Mr Zahradil.

On behalf of the Committee on Foreign Affairs I would like to stress that we regard the future Vice-President of the Commission and High Representative as fully accountable to Parliament for the simple reason that, like all other Commissioners, he needs the confidence of Parliament to take office. The current practice of regular political dialogue in plenary and in the Committee on Foreign Affairs must be preserved in the dual function exercised by a single person.

As the vast majority of us want a more uniform and hands-on approach by the European Union towards foreign policy, the future incumbent of this office will also have a self-interest in securing the support of the European Parliament for his actions. The political plans and positions of our executive can also be regularly debated in the Committee on Foreign Affairs in meetings where the future Chairman of the Permanent Representatives Committee provides information on issues that are debated in the PRC. If so requested, this practice must also apply to the special representatives.

In future, posting decisions in the field of security and defence policy should also be discussed by Parliament to give operations in third countries greater democratic legitimacy.

As regards the European External Action Service, we are of the opinion that the European Parliament must be fully involved in preparatory operations. We affirm that this Service should be assigned to the Commission for administrative purposes.

We also want to succeed in ensuring that, in future, the head of an EU delegation in a third country appears before the Committee on Foreign Affairs before the posting is finally confirmed. I think that, if a person does not make a good impression on his or her own Members there should be little chance of that person being posted abroad.

We also ask that the entire foreign policy of the European Union, including the common security and defence policy, be financed in future from the Community budget. However, for the next treaty after the Treaty of Lisbon, I would also like to see common military expenditure appearing in the budget.

Andrew Duff, *rapporteur for the opinion of the Committee on Foreign Affairs.* – Mr President, as the previous speakers have said, the development of common foreign, security and defence policies is one of the greatest prizes that is prospectively in our grasp as a result of the Treaty. So national parliaments are greatly affected by the changes afoot.

Of course they retain national responsibilities for national security but they should also be required to play a leading part in close and regular collaboration with the European Parliament in scrutinising and seeking to formulate a common European policy, criticising and interrogating their own ministers for performance in Council and in transmitting to the press and public something of the new reality, which is that foreign policy is best made by seeking out, finding and projecting the common European interest.

Thijs Berman, *draftsman of the opinion of the Committee on Development*. – (NL) Mr President, the Czech Senate has today accepted the Treaty of Lisbon. Now, there is just Ireland to go, you may say, and then we will have a treaty that will also provide more opportunities for my Committee on Development to make better policy.

However, pressurising Ireland now would be a tremendous mistake. This is a union of independent states and the Irish are free to make their own decisions. Any outside pressure will increase the risk of the whole EU exploding, because, despite all the fine and complacent words that have been voiced today in this House, the European Union is undergoing a deep crisis of confidence. This kind of crisis can only be resolved with results, social policy, investment and economic recovery, the provision of clean energy for our climate, the protection of social rights, here and elsewhere in the world, but, in achieving all of this, we must respect each Member State's right to come up with effective solutions for itself.

Cooperation is necessary, and that is certainly true in this crisis, too, but you also have to have the confidence to remain true to yourselves. Therefore, pressure on Ireland would not be appropriate, either for the Irish or for the rest of Europe. Let the EU behave modestly, so that it may benefit from great ambitions.

Danutė Budreikaitė, *draftsman of the opinion of the Committee on Development*. – (LT) Mr President, ladies and gentlemen, I would like to underline that the Treaty of Lisbon will give the European Union more opportunities to take the initiative in shaping development coordination policy, to improve donor coordination, to allocate tasks and provide aid more effectively. However, it also means that EU institutions, including Parliament, will have to take on greater responsibility.

To implement development cooperation policy successfully, it is essential to have the appropriate administrative structure to remove the existing inconsistencies of the directorate-general structures and competences within the Commission on aspects of policy and budget, and to give sole competence to the Directorate-General for Development Cooperation.

As development cooperation policy will be applied according to the usual procedure, it is essential to define very precisely the remit of the European Parliament's Committee on Development Cooperation. The Treaty of Lisbon will allow better implementation of development cooperation policy goals with the aim of reducing and ultimately eradicating world poverty.

Georgios Papastamkos, *draftsman of the opinion of the Committee on International Trade*. – (EL) Mr President, as draftsman of the opinion of the Committee on International Trade, I should like to point out that the changes introduced by the Treaty of Lisbon in the area of the common commercial policy contribute overall to the enhancement of its democratic legitimacy, transparency and efficacy of the Union's external action. I would underline in particular the redefinition of the institutional balance within the Union with the promotion of the European Parliament to colegislator for the purpose of defining the application framework of the common commercial policy. Parliament's approval will also be required for all trade agreements concluded.

However, I should like to highlight the imbalance between the internal and external competence of Parliament, *in foro interno* and *in foro externo*, in connection with the common commercial policy, given that the Treaty of Lisbon does not provide Parliament with the right to approve the mandate of the Commission to negotiate a trade agreement. Considering that Parliament is entitled nonetheless to lay down preconditions to its approval of the Union's trade agreements, I consider an enhanced framework agreement to be necessary here for relations between Parliament and the European Commission.

Finally, I should like to highlight the need for more intense dialogue between the European Parliament and the national parliaments, given that all the matters covered by the common commercial policy will come under the Union's sole jurisdiction. All trade agreements will be agreements with the Union and there will no longer be any mixed agreements concluded by both the Union and the Member States.

Evelyne Gebhardt, *draftsman of the opinion of the Committee on Internal Market and Consumer Protection*. – (DE) Mr President, in the Committee on Internal Market and Consumer Protection we also see the enormous advantages of the Treaty of Lisbon, which we would not want to miss out on, notably in the area of consumer protection. It is very interesting to note that, in the Treaty of Lisbon, consumer protection has become a cross-sectional task, which naturally gives this area much greater strength. This area is especially important to the citizens of the European Union, as we can show them on a daily basis what the European Union does for them. The citizens continually ask what the European Union does for them. That this is now anchored in Article 12 and not in Article one hundred and something is also important as it means that the value of consumer protection has been enhanced a great deal.

I think it is good that we will have the Treaty of Lisbon. I am very pleased that the Prague Senate has also ratified the Treaty. This has sent a clear message that we are for this Europe, a social Europe, a Europe of citizens, which we wish to equip for the future. Thank you for allowing us to demonstrate this once again today. A special thanks to you, Mrs Kaufmann, for your very good work in the Convention. You have achieved something very important there.

Oldřich Vlasák, *draftsman of the opinion of the Committee on Regional Development*. – (CS) Mr President, ladies and gentlemen, on behalf of the Committee on Regional Development, I would like to introduce a territorial dimension into the discussions on the Treaty of Lisbon. It is a fact that individual local authorities, municipalities, and regions must cope, on a growing scale, with the impact of European law and European policies. In connection with this, a survey by Utrecht University has shown that Community bodies annually adopt more than 100 regulations with an immediate impact on local authorities. Seventy per cent of the legislation and measures we produce must actually be implemented in regions, towns, and local communities.

That is why the controversial Treaty of Lisbon may be perceived positively from the perspective of local authorities. In actual fact, the Treaty of Lisbon contains a subsidiarity protocol, in other words a protocol under which the adoption of a norm at a higher level, in this case the European level, can be justified only when such a measure is demonstrably more efficient and more necessary. Under the treaty, more effective consultations with local and regional authorities and their associations are required. Another provision that would be introduced is the obligation of the European Commission to minimise the financial and administrative burden of each new legal regulation. These measures should ensure that Brussels will be more attentive to the real problems confronting mayors and better prepared to solve them. I would also like to stress here that this is quite definitely not the last change to primary law that we will be discussing. Therefore, we should start thinking carefully about the changes that have to be made in order to render the EU's legal foundations comprehensible, firm, and beneficial to all citizens.

Ladies and gentlemen, I would not like to judge the positive and negative aspects of the Treaty of Lisbon here. You all know that the Czech Republic's view is critical yet realistic. This has been corroborated by today's debate in the Senate of the Parliament of the Czech Republic, which then approved the treaty later in the day.

Johannes Voggenhuber, *draftsman of the opinion of the Committee on Civil Liberties, Justice and Home Affairs*. – (DE) Mr President, I speak on behalf of the Committee on Civil Liberties, Justice and Home Affairs. I am a bit irritated, as I would also like to know the opinion of the Committee on Development, but Mr Berman used his speaking time to warn us against exerting pressure on the people of Ireland.

This mentality is clearly one of the reasons why we are debating tonight. I find myself wondering whether this Parliament still has the right to speak with its citizens, to exchange arguments, to defend the results of its 10 year's work on the constitutional process, or whether with this dialogue we will be accused of the exertion of pressure and blackmail. It is a rum old world.

I would have liked Parliament to have defended this treaty much more vociferously, much more offensively and much more openly to the citizens of the European Union and not to have left everything entirely up to governments, which all too often have a rather ambivalent relationship with the progress embodied in this treaty.

Mr President, many Eurosceptics claim that the democratic progress embodied in this treaty is slight and that, in fact, it is a fig leaf for a dark and more sinister Europe hidden behind it. I believe that a brief glance at the area of internal security, justice and the police, its communitarisation, Parliament's right of codetermination, the application of the Charter, punishes these assertions and unmask them as deception, propaganda and ignorance.

For me, this area is still perhaps the most annoying expression of the democratic deficit in the European Union. I have never been one to consider the separation of powers a historical philosophical principle; rather it is a basic principle of democracy. In this area, the Treaty of Lisbon has provided a very decisive, forward-looking response. It is one of the most sensitive areas in the constitution. In reality, in this area, ministers of police have made decisions on police laws – behind closed doors – without the control of the courts or the European Court of Justice and without the application of a comprehensive code of basic rights and freedoms. This is changing, however, and it is a huge step forward in the direction of a European democracy. Moreover, Mr Berman, to discuss it with the citizens, to defend it, is our duty and not the exertion of pressure.

(Applause)

President. – I am going to have the pleasure of giving the floor to my compatriot, Mr Carnero González. He is another Member who will not be with us in the next term of office, and I would like to thank him publicly for the enormous efforts and extremely laudable work he has accomplished within the specific area and on the issue that we are dealing with here.

Carlos Carnero González, *draftsman of the opinion of the Committee on Petitions.* – (ES) Thank you, Mr President, and friend, for those kind words that, obviously, are emotionally affecting at a time when I am in the House for the last time in this term of office, to thank for their collaboration all those with whom I have had the honour of working and, also, to ask forgiveness for any mistakes I may have made. I have tried to do my best for the citizens of my country and all Europeans, and there have been periods during this work that have been truly special, such as the Convention.

In fact, we are talking today about citizenship and I am speaking on behalf of the Committee on Petitions. Which committee in this Parliament is closer to the citizens than the Committee on Petitions? It safeguards one of the most important rights enjoyed by European citizens, namely, the right of petition.

The issue is this: if the European Parliament is known in many countries, it is through the exercise of the right of petition. We, as members of the Committee on Petitions, know this, and in fact the entire House knows this. The Treaty of Lisbon, which makes the European Union more democratic and more effective, is bringing in new elements, such as the Charter of Fundamental Rights, and new instruments, such as the citizens' initiative.

The issue is to avoid confusion, for example, between the right of petition and the citizens' initiative right. I would like to point out that, for instance, citizens may demand, through a petition, that Parliament request the Commission to take a legislative initiative, so that in the future we might have a European citizens' initiative calling on the Commission to institute a legislative procedure and a petition, on the basis of the right of petition, addressed to the relevant committee of this House, asking the House to approach the Commission to that effect. We need to avoid this contradiction and to seek synergy that reinforces both routes, which are routes that make citizenship more concrete within the EU.

Of course, the Committee on Petitions would like to be involved in the administration of this right of citizens' initiative. Of course, all the committees would like to be involved, but I would ask that this right be made effective in the best possible way. I believe that this would also be a tribute to a day like today, which is so important: the Treaty of Lisbon has been ratified by the senate of the Czech Republic, so there is just one step left before this Treaty becomes a reality and, in fact, before this Treaty, which is the heir to the European Constitution, the best text produced by the EU to date, enters into force.

If we succeed in this, all of us who are here – starting with all the members of the Convention who are here tonight – will have made a huge contribution to the usefulness of having been a Member of this Parliament.

Maria da Assunção Esteves, *on behalf of the PPE-DE Group.* – Mr President, this is my last speech in the plenary, so it is a bit different.

A day will come when federal and cosmopolitan parliaments will join to govern the world. The dream of a shared humanity without frontiers is being born right here in this place of representation, where freedom grows stronger and democracy grows wider. The Enlightenment's visionary idea of a union of peoples gives the first steps within the magic of our rooms and our debates. In this union Machiavelli weakens, for we were able to replace the sovereignty of powers with the sovereignty of men. The paradigm of cosmopolitanism settles in our institutions and in our decisions and is now drawing a share of the action.

A new anthropocentric vision of law and politics is emerging, and the post-national identity is taking form in the streets of Europe. The sublime dignity of man is now the principle that brings together national and international law. It is the ultimate rule for our original coordination. What the European Union and its Parliament represents is a moral view without precedent in the history of mankind – a collective moral view that entered the strategy of the European states and founded their integration.

European people's mutual commitment is truly the assumption of their common humanity. In fact, isolation and egoism fell on that day of the Treaty of Rome. Now justice emerges precisely from the virtue of politics, like a bridge between Kant and Aristotle, between freedom and happiness. The peoples of Europe know that the only legitimacy is that which comes from human rights, and that the only authority belongs to the powers

that respect them. They know that the emancipation of history is only possible through a project of political sharing and global justice.

A day will come when the peoples of Asia, of the Americas and of Africa will get together. The dignity of men will cross all cultures, from Goethe to Pessoa, from Bach to Tchaikovsky, from Mohammed to Buddha. Human rights as a universal law, as common rule beyond all differences, and Europe, to be an example, requires more constitution, more decentralisation, more politics, more expansion.

At this moment of saying goodbye, I want to tell you how proud I am to have shared such an adventure with you.

(Applause)

President. – Thank you, Mrs Esteves, for your speech, thank you for your work over the past years, and good luck and happiness for the future.

Jo Leinen, on behalf of the PSE Group. – (DE) Mr President, you said that you would propose to the Conference of Presidents and to the Bureau that we summarise the five reports and the essential explanations in a booklet. This is an excellent idea and one that I can only welcome. I would recommend that we also include the Corbett/Méndez de Vigo report, which was the basis for our work on the Treaty of Lisbon. At that time, we had 500 votes in favour, which was a record result. It is part of the process. It was the starting point for this attempt, after the Constitutional Treaty, to get the Reform Treaty in place. I find the idea very good. You have our full support.

You have already thanked a few who are unfortunately no longer with us. I can safely say that all the members of the Committee on Constitutional Affairs have worked well together. We have always been a committee with strong participation. At this juncture I thank once again those who are currently present in the Chamber. First, I thank Johannes Voggenhuber, a veritable cornerstone of our work for democracy and civil rights. Sylvia Kaufmann, who has already been mentioned on a number of occasions, has been particularly effective in expressing her opinion in the face of a great deal of resistance in her political environment. Carlos Carnero González was always with us. He fought for the Constitution and also for the referendum in Spain. Assunção Esteves was always very active. Alain Lamassoure has achieved an enormous amount, including for the Constitution. And, last but not least – although she is not a member of the Committee – Catherine Guy-Quint. She has done substantial work in the Committee on Budgets and always supported the idea of Parliament being given more responsibilities and more rights. I thank you all. I have mentioned those present today who will not be with us next time. We promise to continue their work.

As spokesperson for the Socialist Group in the European Parliament I wish to make two more comments on the reports. As regards the Kaufmann report, we have always argued that the Citizens' Initiative is neither a placebo nor an alibi, but a serious constitutional instrument, with which the citizens can put issues on the agenda in Brussels. I believe that, when the Citizens' Initiative is implemented, we will ensure that it remains so. The Commission should exercise its right of initiative and draft a bill very soon after the reorganisation.

As regards the Dehaene report, I would once again like to mention the transitional period. We want the spirit of Lisbon to be present during the consultations for the Council proposal for the new Commission President. But the entire College of Commissioners, including the President, will not be confirmed until the treaty comes into force. We will in effect vote twice on the President of the Commission. It is important to remember that. It is simply what the transitional period entails. I think that the programme Mr Dehaene has produced for the legislative period is very good. The starting point is the citizens' vote at the European elections, followed by all staffing decisions, political programmes and the financing of the European Union. The starting position is the vote of the sovereign states, of the citizens in the European Union. I find that really good. Thank you, Mr Dehaene.

Andrew Duff, on behalf of the ALDE Group. – Mr President, Mr Churchill said: 'never waste a crisis'.

Well, we have a crisis today of the economy, of climate, of international instability, and it is clear to us, at least, in our group, that these crises greatly strengthen the argument for granting the EU an enhanced capacity to act globally.

The Treaty is the logical response to these challenges. It is the best treaty that can be agreed at this time. It is a good treaty; historically, certainly, it is on a par with Maastricht. It builds up democracy and makes the governance of the EU more representative, efficient and effective.

It is also a reformist treaty. It corrects most of the problems from which the present Treaty of Nice suffers. You do not have to be a militant federalist – as I am – to see this, but you do have to be a good democrat to get the point: first, that we need an integrated Europe to shape our response to globalisation, and secondly, that a post-national democracy is not a substitute for, but a supplement to, historic national democracies.

Conservative and nationalist opponents of the Treaty should tell us why it is that they prefer to stick with the present, ineffective and clumsy Union and why they seek to retain for the nation state the absurd pretensions to nation sovereignty, when what actually matters is to make the interdependence between states and citizens work – an interdependence which is clarified and entrenched in this Treaty.

This Treaty is a great constitutional step forward for Europe, and I am proud to have been associated in its drafting. I will fight to the finish to see that it is brought into force and put into effect successfully and quickly.

Johannes Voggenhuber, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Vice-President, looking around this House I somehow have the impression that the occupants of the constitutional ivory tower have been invited to continue their discussions in the plenary sitting of this House. That was not the agreement. What had been agreed on was a major debate of the European Parliament on the consequences of the Treaty of Lisbon.

Would it not have been nice if this Parliament had discussed the treaty this morning at the same time as the Czech Senate and had made it clear to the citizens of the European Union that the treaty was the work of the European Parliament, starting with the Convention and continuing right through to the present day, that this reform had not been imposed by an EU of elites, but that it was a major piece of work resulting from a collaborative effort?

When something fails, my 15 years of experience tells me that the failure is usually down to governments and not to parliaments. Now, we are all covered in scars and bedecked with decorations. I am giving my last speech after 15 years. We have come a long way. It has been a great honour. I was also invited – along with Mr Duff – to be a rapporteur for this House, both on the Charter of Fundamental Rights and on the Constitution.

I am bound to say – and I think I also speak for the other members of the Convention – that we always felt supported by the approval of the European Parliament. We stuck our necks out, dared to have visions that provoked much shaking of heads, resistance on the part of governments, many a veto, almost the collapse of the Convention. But there is, in fact, no denying that the driving force, the visionary force in this process was the parliaments. As such it was also a first victory for the citizens of the European Union.

Allow me to, perhaps, take a look into the future. We know what we all think of the progress made by this treaty. When the Intergovernmental Conference attacked the results of the Convention, abolished the Legislative Council, re-introduced laws made by the Council and added on the third part – and all these things that really upset us today – I had the idea of a First Amendment of the Constitution in a far and distant future.

One of the important cardinal elements of this treaty is the European Parliament's right of initiative, its right to propose motions for a Convention to be formed to amend the Constitution. And we have not yet come to the end of the road. When we fought for our visions, we were often told in the Convention: 'Ah, you with your comparison to the Philadelphia Convention, Europe needs a major crisis. Without a major crisis you will never manage to create a real European democracy, a real political community. We really do need a major crisis'. They were clearly thinking of the next hundred years. But we have it. We have this crisis. And now, suddenly, the citizens are asking why we do not have any economic governance. They are asking why we do not have a minimum of common European economic law, at least with regard to the key aspects of fiscal policy, corporate taxes and transaction taxes. People are also asking for a social Europe. Yes, we did not dismount from the barricades, the governments simply said *Njet*. Today, the whole of Europe is asking where are the powers of the European Union to defend the social market economy, a fair distribution? In the meantime billions of euros will be spent into the next generation. And we have no democratic power, no legal basis to develop a social Europe.

Every day I am asked what the situation is with regard to military action in the name of Europe. A couple of nation states are taking military action in the context of cabinet politics as practised in the 19th century. Should we not reflect on the fact that this House has to agree before military action can take place in the name of Europe? And the citizens' initiatives? There too constitutional changes were excluded. Why? Why can there not be a Citizens' Initiative calling for the treaty to be amended and for the further development of the European Constitution?

I think there is still a long way to go. The timidity and shyness of this Parliament before the Council is a huge obstacle.

(Heckling)

I believe we should be more militant. I hope that this House will really claim the rights to which it is entitled under the Treaty of Lisbon with tremendous selfconfidence and with great loyalty to the citizens of the European Union, assert them and then consider how the whole thing can be developed a lot better towards a European democracy and a social order. Mr President, I am not giving up on my dream.

(Heckling)

I am not giving up on my dream to enable my children and their children to at least say: “*Vive la République d'Europe!*”

(Applause)

Tobias Pflüger, *on behalf of the GUE/NGL Group*. – (DE) Mr President, the speeches show that the Treaty of Lisbon is clearly viewed emotionally and not rationally. Why do we not wait for the next Parliament and let the new Parliament discuss the issue and just wait and see whether the Treaty of Lisbon actually materialises? No, there are some people here who are absolutely fixated on this Treaty and who want to explain its supposed advantages again and again.

Burkhard Hirsch, the excessive moralist, put it so beautifully when he said that the Irish should not be seen as rain-soaked shepherds and as the only Europeans incapable of understanding the blessings of the Treaty of Lisbon. The referenda would have obtained a negative result elsewhere because we cannot expect, nor should we expect, voters to endorse a Treaty that even a wellintentioned reader will never be able to understand.

The Treaty of Lisbon does not only regulate the relationship between the EU institutions; no, the Treaty of Lisbon establishes policies. And that is important. For example, Article 43(1) of the Treaty of Lisbon lays down the tasks of combat forces of the European Union. The Solidarity clause in Article 222(1a) states that all available resources are to be mobilised to prevent the terrorist threat in the territory of the Member States. The European Union will therefore become a military alliance and there is even the possibility of military operations being conducted inside the European Union. Article 43(1) talks of assistance being given to third countries to fight terrorism in their territory.

There are a number of regulations in this area. There is ‘permanent structured cooperation’ enabling a military core Europe. There is a role for NATO in this Treaty and ‘Member States shall undertake progressively to improve their military capabilities’. In the future, should this Treaty be ratified – and I hope it will not – there will be a start-up fund (Article 41): the EU budget could also be used for military purposes in the area of foreign and military policy.

In terms of economic policy, the economic logic of the Treaty of Lisbon is precisely the economic logic that led to the economic crisis: ‘an open market economy with free competition’. Only one would never call it that today.

I have the impression that the people who want this treaty, especially those from the EU elite, are actually living in the past. Conditions have changed fundamentally. What we need is a new treaty for a new era. Ireland has decided. The decision in the referendum was clear. The treaty was voted against and is therefore dead. All of a sudden there is going to be a second vote. Who in France would say, following the election of President Sarkozy, that they should simply vote again because somebody does not like him. I want to make one thing perfectly clear: there are good, purely rational reasons why we should not ratify this Treaty. What was said in Ireland should stand; in other words ‘no’ means ‘no’. This means that the Treaty of Lisbon is dead, and I do not understand why we are discussing it today in this context.

There is a shift in power within this treaty in the direction of the large Member States. I will make no bones about it: as internationalists we defend the European idea against those who want to make the EU a military power and a purely economic alliance. We need an alternative treaty to the Treaty of Lisbon, and that means a treaty that is oriented towards peace and not a treaty that is, at heart, a military treaty. Thank you.

Nils Lundgren, *on behalf of the IND/DEM Group*. – Mr President, I take it for granted that we are all entitled to speak for as long as we like. I might need an extra minute or two, and I shall be happy to take it.

(SV) I will now switch to my own language. The European political establishment's handling of the Treaty of Lisbon will go down to posterity as a disgrace in two respects: firstly, with regard to the political process for pushing it through and, secondly, with regard to the actual purpose of the treaty and its content. If we look back to Laeken 2000, it was said there that we should produce a proposal for a constitutional solution. This was to lead to us having a closer-knit Europe and citizens who were committed, as we were concerned that, in practice, citizens had a poor opinion of the EU. The Convention, under the leadership of Valéry Giscard d'Estaing, produced something quite different. The people of Europe did not want this, and the people of France and the Netherlands said 'no'. Everyone knows that people in the United Kingdom, Denmark and many other countries would have voted 'no' if they had been given the chance. Attempts were made to find a way round this – a new treaty appeared which is the same but, when it suits, is claimed not to be, and this claim continues to be adhered to. It is now the case that, when the people of Ireland said 'no' to what we are now calling the Treaty of Lisbon, we have the gall to carry out an investigation into the reason why the people of Ireland voted incorrectly. This is quite incredible, and there has been absolutely no debate about it. You are all patting each other on the back and saying how good this is, despite the fact that you know it is a disgrace.

My second objection is this: a constitutional treaty, a constitution, does not exist to make it quicker to take political decisions. Quite the opposite in fact – it exists to make it more difficult to take political decisions. Constitutions are there to ensure that those who simply happen to be elected right now cannot make whatever decisions they want to. It should be complicated. This is what the American Constitution is like. This is a French bureaucratic tradition to ensure that an authority can quickly take decisions on anything under the sun without needing to worry about public influence. This is appalling and a disgrace to the EU.

President. – Mr Lundgren, I am sure you will have noted that your fellow Members have listened to you with respect, in silence and without speaking as you did when you were talking during other Members' speeches, but that is the way that different people understand democracy.

Roger Helmer (NI). – Mr President, I had been hoping that Mr Pötering might perhaps be in the Chair tonight, as I wanted to thank him publicly for giving me the opportunity of leaving the EPP Group a few years ago. I am delighted that my Conservative colleagues will all be leaving the EPP Group shortly – an objective which I have worked towards for 10 years.

We are here to debate the Lisbon Treaty so I would have reminded Mr Pötering that his own country, Germany, has not yet ratified. We in the EU claim to be a Union of values, based on democracy and the rule of law, yet we ignore democracy. We ride roughshod over the wishes of voters. We rejected the results of referenda in Denmark on Maastricht, in Ireland on Nice, in France and Holland on the Constitution and now on Lisbon in Ireland again. We treat the aspirations of our electorates with outright contempt. So much for democracy!

We are no better on the rule of law. We are implementing plans and spending based on the Lisbon Treaty ahead of ratification. This is little less than a bloodless coup d'état. Mr Pötering says that a million Irish voters cannot stand in the way of 450 million Europeans. He is right. So let the 450 million vote on the Treaty. Britain will vote 'no'. In all probability, France and Germany will vote 'no' but you dare not let the people vote on the Treaty because you know their answer already. In Britain, all but eight of our 646 MPs were elected on a commitment to a referendum, yet our discredited Labour Government has scandalously broken its promise.

Let me give colleagues due notice. We in the British Conservative Party will make a Lisbon referendum a key plank of our European election platform. We will deliver a referendum and we will kill this wretched and shameful Treaty stone dead.

Alain Lamassoure (PPE-DE). – (FR) Mr President, ladies and gentlemen, European integration occasionally provides us with symbols that move anonymous actors such as we. The last vote of the parliamentary term will therefore be on the last amendment that was jointly proposed by MEPs and national MPs before the European Convention: the creation of a citizens' initiative at European Union level.

Let us not under-estimate its significance. The Treaty of Lisbon gives the citizens themselves, the ordinary citizens, the same power of political initiative within the European Union as our own Parliament. Our own initiative reports allow us to invite the Commission to act, to propose a legal basis to us in order to launch a new policy or to adapt an existing one. Well, the citizens will now be able to do the same, if there are enough of them and if they come from a significant number of Member States.

I congratulate Mrs Kaufmann on the way she has worked to find the consensus that was obviously needed on an issue such as this. The clarifications that she has brought to the treaty and the procedural guarantees are reasonable. Setting the significant number at a quarter of the Member States is consistent with the solution adopted for the governments themselves in the framework of the area of freedom, security and justice.

This new right thus given to European citizens exists in none of our countries in this form. The Union will thus be ensuring that steps are taken towards direct democracy. Not even in France, for example, do we dare to go so far. We reformed our national Constitution last year but restricted this same right of collective petition to the local level only.

Let us now hope that our political parties compete imaginatively to make the best use of this new right and, above all, beyond the parties, let us hope that civil society takes a hold of it: unions, non-governmental organisations, students – especially those with Erasmus grants – cross-border workers, all the European citizens living in a country other than their own and who find that the laws that we adopt here are, unfortunately, badly applied on the ground.

In this Union of free movement, the only remaining barriers are those of our political debates. Once again, unfortunately, there is no European election campaign beginning, but 27 national campaigns based on a European pretext.

The economic area exists, the single currency exists, the single European sky exists, but the single political area has yet to be created. This is the real challenge for the Treaty of Lisbon and this is certainly one of the provisions that will make the biggest contribution to meeting that challenge.

Adrian Severin (PSE). - Mr President, tonight the hope generated by the Czech ratification of the Lisbon Treaty is being overshadowed by the quasi-conspiratorial atmosphere of this meeting.

Some were afraid that by preparing the proper implementation of a treaty badly and urgently needed we might offend certain citizens of the Union. I believe that, on the contrary, we are offending the citizens by hiding the truth about what Europe really is, and could be, and by refusing a frank and rational dialogue with them.

Likewise, to show respect for a minority opinion while ignoring the majority decision is offensive to both the given majority and the general principles of democracy we all claim to cherish.

The written text of a treaty is not enough. One has to give that text a clarifying interpretation which puts in light its spirit, thus allowing for the best implementation. That is precisely what today's reports are doing. They speak about: one, the parliamentarisation of the Union; two, the communitarisation of the European institutions; three, the establishment of an interinstitutional equilibrium as a guarantee for a transnational checks-and-balances system; four, the assurance of legislative coherence and cohesion at European Union level through Europeanisation of the national parliaments and not nationalisation of the European Parliament; five, concentrations of instruments and policies for the good of institutional efficiency; and, six, the improvement of representation, transparency and participation at European Union level.

Along those lines, we will be able to see emerging a demos which will fill with substance the present shell of the European procedures, making them relevant to the citizens.

The only thing which remains to be done is to find a solution to bridge the elections to the new Parliament and the coming into force of the Lisbon Treaty. I hope that the sense of responsibility and solidarity of our Irish fellows will help us to achieve that, and to keep to our historical timetable.

IN THE CHAIR: MR ONESTA

Vice-President

Andrzej Wielowieyski (ALDE). – (FR) Mr President, Commissioner, I believe that Mr Dehaene's report, which is very important and very valuable, should be supplemented as regards the operation and, above all, the responsibilities of the European Council. This important body will be raised to the rank of institution and, in the political sphere, it is a leading force.

Particular attention should therefore be paid to it. Its actions will be subject to the jurisdiction of the European Court of Justice in the same way as the European Central Bank's are. I also propose, on behalf of my group, an amendment which reflects this extra responsibility. As its legislative functions are limited, this responsibility

essentially falls under Article 265 on the failure to act. I believe that, for lack of details in the treaty, the obligations of the European Council will probably have to be spelled out in an interinstitutional agreement.

Mrs Kaufmann's report is therefore very important, because it constitutes a real opening up towards the citizens. The greatest weakness that we could show, when faced with a challenge for the Union's future, would be to create a void, a distance between the Union and the citizens. For them, the Union is distant and unknown, even though they feel that they need it. My group, the Group of the Alliance of Liberals and Democrats for Europe, believes that this void can only be filled effectively via regular, broad-based consultation of the citizens.

We have not had the time to finish our work nor to conclude our debate on this issue. Nevertheless, as Mr Lamassoure has already observed, the citizens' initiative can, according to the treaty, be a major instrument for creating a European public space that we very much need. It will, in effect, encourage public debate between the citizens and the Union, and this in turn will awaken the public awareness that is crucial to us.

Even so, however, its management is a major challenge for the European institutions, especially for the Commission, with the credibility of this new instrument at stake, for the Member States, which must accept the new practice and provide the infrastructures and, obviously, for the citizens, who must take up this new instrument for the good of direct democracy.

Milan Horáček (Verts/ALE). - (DE) Mr President, Vice-President, President Klaus reacted to today's decision in the Czech Senate, which we sincerely welcome and on which I offer my hearty congratulations, by, amongst other things, claiming that the Treaty of Lisbon was dead, because it had been rejected in the Irish referendum.

He is a political zombie launching an attack against the majority decisions of his own Parliament and the Senate and confirming his unfortunate and sectarian attitude in other policy areas as well. Fortunately, after the positive votes, he is merely making himself look very silly. We, the Greens, have a positive and constructive attitude towards the process of European integration, with critical comments, of course, where necessary.

Once again, my warmest thanks to the Czech Senate, the Czech Parliament and the Czech Government.

Bastiaan Belder (IND/DEM). - (NL) Mr President, Mr Dehaene's report gives me mixed feelings. On the one hand, I welcome the fact that he occasionally feels the need to analyse things in earnest, and here I refer to paragraphs 14 and 26, where he refers to the dominance of the European Council and the problems associated with the new presidency system within the Council.

On the other hand, I am disappointed with this report because the rapporteur's analysis is not focused throughout. In particular, in the last 12 paragraphs, where he discusses external policy, all the institutional uncertainties have been massaged away, although the institutional consequences of this dual role are not entirely known. Therefore, I cannot understand how the rapporteur has come to the general assessment that the new system will entail stronger institutional balance in the Union.

I recognise that the Treaty of Lisbon constitutes an improvement in certain areas. However, this does not detract from the fact that it is precisely the uncertain consequences of this Treaty which will prove to be Lisbon's Achilles' heel for the Union's institutional balance, something that the rapporteur has failed to pick up.

Jana Bobošíková (NI). - (CS) Ladies and gentlemen, at this session we are doing something described in our country as drawing up the bill in the absence of the innkeeper. We will be voting on relations between the institutions of the European Union, its Member States and their parliaments, as if the Treaty of Lisbon were in force. I would like to reiterate that the Treaty of Lisbon is still a long way from ratification. Members of this Parliament should be aware of that and should not withhold this information from citizens. Each democratically minded person must realise that not even the most aggressive onslaughts against politicians who have not signed the Treaty of Lisbon will change anything.

In conclusion, I would like to tell Mr Cohn-Bendit that his objectionable statements, claiming that President Klaus of the Czech Republic intends to bribe senators of the Parliament in my country, are an affront not only to President Klaus but also to the citizens of the Czech Republic. Such accusations are an affront to the principles of friendly international relations, as well as simple human decency. That is why I am asking Mr Cohn-Bendit either to prove his claims of corruption or to make a public apology to President Klaus.

Richard Corbett (PSE). - Mr President, this package of reports shows that, if the Lisbon Treaty comes into force – and this is without prejudice, of course, to the decision of the Irish people – then we will have a Union that offers more opportunities for participation, more accountability, more democracy and more checks and balances. That is the central message we can give out tonight, whether it is through the Leinen report showing the increased role for this elected Parliament within the institutional system; the Brok report showing the new opportunities for national parliaments to participate; the Dehaene report looking at the extra accountability of the executive branches of the institutions and how we will operate a possible transitional period; the Guy-Quint report showing that there will no longer be parts of the European budget that are ring-fenced from parliamentary control; and of course the Kaufmann report on the citizens' initiative.

My group will support all these resolutions and we are proud to do so, I would just say, with one particular reservation, and that is on the Kaufmann report, which we see as a first step: putting on the table a first reflection on how that might operate in the future. But we have to be careful – and I agree with what the Commissioner said earlier – not to set up a system that is too onerous for citizens or has too many bureaucratic obstacles for exercising that right. But we have plenty of time to come back to that, should the Treaty indeed come into force.

We are talking on the day where we have achieved the 26th parliamentary ratification. I know that the British Conservatives over there are not interested in that. They are chatting away on some other matter no doubt, but it is an important fact.

Twenty-six ratifications through parliamentary procedures: 26 'yeses' to the Treaty; one 'no'. I would suggest that, in that situation of 26 'yeses' and one 'no', it is not, as some people have suggested, undemocratic to look at that result and ask the one country that has said 'no' whether or not it is willing to reconsider in light of the ratification of the others. It remains their choice to do so or not. But I think it is quite reasonable that they themselves in Ireland have come to the conclusion that they might be willing to reconsider if certain conditions are met. And it is incumbent on us to do what we can to address the concerns that were expressed by the 'no' vote. That has to be part and parcel of the answer and that, after all, is what the Union has agreed to do.

All the other Member States – because it is the Member States, not just the European institutions involved in this – have agreed to try and address those concerns to make it possible to achieve the 27th ratification.

There is a wider lesson to learn from this. Our basic rule book in the European Union, the treaties signed and ratified by Member States, can only ever be modified by the unanimous agreement of each and every single one of those Member States. That is a very high hurdle to reach. It shows that those that claim that we are running roughshod over democratic accountability and ignoring the views of the people have got it completely the wrong way around. It is very easy to block any step forward, any reform of the European institutions. Those Eurosceptics over there only need one victory out of 27. The dice is loaded in their favour, not in the favour of those who, like Mr Duff, would want a much more speedy integration. That is the way it is.

They also quote referendums that have given a 'no' result. I notice they only quote the referendums that have given a 'no' result. They never manage to mention the Spanish referendum, the Luxembourg referendum. I think if you look at the history of European integration there have been some 32 (if I remember correctly) referendums in the Member States over the years, with 26 or 27 of them giving a 'yes' result and only a handful giving a 'no' result. But whenever there has been a 'no' result, it has been impossible to override it without coming back and addressing the concerns that were expressed and asking the country in question whether or not it wished to reconsider; whether or not it wished to change its mind.

I find nothing wrong in democratic terms with that, with building up gradually, step by step, slowly, by means of consensus of all the Member States, this Union that we have worked on over half a century, this Union that we should be proud of, with the fact that we have 27 countries working together in a continent which our history shows has all too often been torn asunder by the national embers that some are seeking to revive.

Anne E. Jensen (ALDE). - (DA) Mr President, participating in the debate this evening is a somewhat special experience. For five years I have been working closely with Catherine Guy-Quint. The two of us have been budget coordinators for our respective political groups. We have had our battles along the way, but most of the time we have fought together in the spirit of cooperation which pervades work in the Committee on Budgets.

You are finishing, Catherine, and I would like to take this opportunity to thank you more officially for the time we have spent together. I have learnt a great deal! My French has improved and I have also learnt a lot from your style, which I have come to respect. You are more no-nonsense than I am, but sometimes that is necessary!

This evening the outgoing Parliament is handing over to the new Parliament, which will be elected from 4 to 7 June. If the voters of Ireland vote yes in October and the Treaty of Lisbon comes into force at the end of the year, we will have to act quickly because there are major consequences for Parliament's work; not least in the area of budgets. This is described well and clearly in Mrs Guy-Quint's report. You have completed a first class piece of work to hand on to the new members of the European Parliament.

Parliament will be formally involved in establishing the multiannual financial frameworks, but we still have not succeeded in securing a change in this framework period from seven to five years to correspond to the period of office of the Commission and Parliament. This would enable us always to help shape these frameworks. Parliament would have full influence over the entire budget, including the agriculture budget. I believe that it would be good for the farmers and citizens of the EU if the discussions concerning agricultural policy were thereby thoroughly opened up and if the horse trading behind closed doors were replaced by open, democratic debate. No one can say in advance what the result would be for the level of agricultural expenditure, but it would undoubtedly prevent schemes being maintained and developed if they cannot be clearly and logically explained to our citizens.

The annual budget procedure is being changed, and last year we tried out the new requirements made of work in Parliament's Committee on Budgets. Having only one reading followed by negotiations to reach agreement forces us to prepare earlier and much more carefully. That is not such a silly idea in essence. I feel that last year's general trial of the new discipline had good results.

The Treaty of Lisbon gives Parliament new budgetary powers and new ways of working and Mrs Guy-Quint's report provides the forthcoming Parliament with an excellent basis for this work. I hope and believe that we will succeed in getting the Treaty of Lisbon adopted, thereby ensuring that the work of the EU becomes more open and effective.

Michael Henry Natrass (IND/DEM). - Mr President, since the 1970s, British politicians have sworn the EU is not about political domination or loss of sovereignty, yet EU presidents state that we pooled our sovereignty and have a European empire, which makes 75% of our law.

This Treaty signs away our ability to rule ourselves, yet a BBC poll says that 84% of the British people want no more power surrendered. Like mushrooms, the British people are left in the dark and fed manure. The Conservatives, through the EPP Group, gave their allowances to the 'yes' campaign in Ireland, then deviously promised to allow a referendum – but only if Ireland votes 'no' again. Behind the backs of the British people and with no mandate, the Westminster parties have sold their country away, while the polls show 55% want to leave the EU. Never before in the field of human politics have so many been conned by so few.

Roberto Fiore (NI). – (IT) Mr President, ladies and gentlemen, millions of Europeans, Britons, Italians and French do not want a Europe based on politically correct attitudes, on a laissez-faire and antisocial outlook, as we have seen with the Bolkestein draft, on totalitarian and Jacobin centralism, or on a lay, Masonic and faux Marxist outlook.

I believe that Europeans are very interested in true social freedoms, in those that offer families, communities and social bodies the opportunity to achieve real progress, and in a Europe based on subsidiarity and, precisely, on social bodies and a deep-rooted Christian and Roman view of history. This is a Europe in direct opposition to that of the Treaty of Lisbon, sought by the strong powers, sought by the lobbies that effectively wish to radically centralise the situation.

We believe that Europeans must finally vote and throw this treaty into the sea.

Paul Rübzig (PPE-DE). - (DE) Mr President, Commissioner Wallström, ladies and gentlemen, I believe that this debate is very important, because we have heard from various sides of the House that powers are to be given to Europe. From the point of view of the nation states this is true, but the fact is that nation states are also to be given an opportunity to ensure that the same laws and regulations apply in the remaining 26 Member States. This European rationalisation project, undertaken to ensure that we do not have completely different legal systems in 27 Member States and that we strive to create a single regulatory framework, is a major step

forward and gives not only our Ministers but also our Members of Parliament many more rights and opportunities to promote the interests of the citizens of the European Union.

Even though I often express dissatisfaction in the tiers here in Parliament, and when I now look back and see that the tiers of opponents are empty and that the vast majority of opponents are not taking part in this debate, I wish to make it quite clear that of course we are also critical of the institutions and we want improvements. It is precisely these improvements that have been the subject of intense debate over the last eight years. We simply want to ensure that relations between the institutions and the citizens are improved. Today we cannot just stand there and say that a reform process initiated eight years ago is to be stopped without offering any alternatives – that is the true scandal of this debate.

We urgently need to focus on what the treaty is about. This treaty gives us new objectives. We are at last getting a representative and participative democracy with the corresponding Citizens' Initiative. We are getting new powers in environmental protection and climate change. As if a single nation state could solve these problems on its own! For air and water in particular, and in various other areas too, that is just not possible. Together, we must also take care of freedom, security and full employment. In view of the crisis, it is particularly important that the European Union be given these powers.

New legal bases are also important, however. In view of the critical energy situation we need a legal basis for energy policy. Also in the field of trade policy, when we consider international trade issues, we see how urgently we need a good solution for our European citizens, quite apart from space travel and intellectual property. And, for our opponents, the exit clause may also be quite important. I believe that the new supervisory powers and procedures will strengthen this Parliament. I am in favour of this debate being much more intense, because many of us have still not seen what opportunities this new Europe offers.

Libor Rouček (PSE). – (CS) Ladies and gentlemen, as a Member from the Czech Republic, I am delighted that today, as we are discussing the impact of the Treaty of Lisbon, the Czech Senate has approved the Treaty of Lisbon with an huge majority of 54 to 20 votes. It has thus expressed the will of the Czech people to have the Treaty of Lisbon in place. This particular will has already been expressed by the lower chamber of the Czech Parliament, the House of Deputies. At the same time, however, the President of the Republic is questioning the will of the people, the view clearly expressed by the House of Deputies and the Senate.

Václav Klaus, the President of the Czech Republic, has said: 'I must express my disappointment that some of the senators, following unprecedented levels of political and media pressure, both at home and abroad, have abandoned their earlier publicly held views – thus surrendering their political and civic integrity – and have given their consent to the Treaty of Lisbon. They have turned their backs on the long-term interests of the Czech Republic, which have been subordinated to their own interests and to the short-term interests of current politicians. This provides very gloomy evidence of yet another failure on the part of a major section of our political elite. I will now wait to see if a group of senators – some of whom have already announced their intention of doing so – asks the Constitutional Court for another review of the Treaty of Lisbon in relation to our constitution. If this happens, I will not be considering my own decision over the ratification of the Treaty of Lisbon until the Constitutional Court has issued its judgement.'

We are here to discuss the impact of the Treaty of Lisbon on the development of the European Union's institutional balance. However, I think we should also discuss here – and this should be done by Czech deputies and senators as well – the institutional balance in the Czech Republic. The Czech Republic is a parliamentary democracy. In spite of this, the Czech Republic has a President who does not respect the will of the House of Deputies, who does not respect the will of the Senate, and who acts like an absolutist monarch or dictator from the country he criticises so much and recalls so often, which is to say the former Soviet Union. There is much to say to our Eurosceptics on the state of democracy in Europe, on the state of democracy in our country and on the behaviour of the President whom you admire so much.

Kyösti Virrankoski (ALDE). - (FI) Mr President, the Treaty of Lisbon will radically reform the budgetary procedure of the European Union. The multi-annual financial framework will become mandatory, the classification of expenditure into compulsory and non-compulsory expenditure will go, and budget proceedings will be shorter.

I support the five-year financial framework for the term of office of the European Parliament and Commission. It will result in more efficient work and allow the institutions to establish their own policy strategies.

It is becoming an awkward process drafting the budget. It makes one wonder who could have developed such a complicated system. So far it has been clear as to which institution decides the final figures for the

budget. Now there has to be consensus on each detail, which can mean very intensive negotiations in the Conciliation Committee.

For Parliament the new procedure will require a strengthening of available human resources. Otherwise it will not be fully able to exercise its powers in the drafting of the budget, in general, or in the administration of the EU, in particular.

Finally, I wish to thank the rapporteurs, and Mrs Catherine Guy-Quint especially, for their excellent reports and, more generally, for their excellent levels of cooperation over the years.

Elmar Brok, rapporteur. – (DE) Mr President, thank you for giving me this opportunity to make a few comments rather earlier than anticipated.

This debate has shown a high degree of conviction right across the political and national spectrum. It has also demonstrated the strength of our commitment to take Europe forward. When I listen to some very critical speakers from Anglo-Saxon countries, I remember that it was precisely from such countries that, over the last few months, a particularly large number of cries for help came to overcome the financial crisis together. I am sure that these gentlemen will also realise that they represent positions based on the 60-year legacy of Winston Churchill.

We are now entering a very decisive phase. Following our decisions, which we reached with such broad consensus in the European Parliament and which we found so convincing in Prague, we should not fall into triumphalism. It will be an important task for us to give the people of Ireland, in all modesty, an opportunity to take their decision, in sovereignty and freedom – a decision that Ireland has to take in sovereign freedom out of responsibility for the entire continent. I believe that we should also be instrumental in ensuring that this is possible. I hope that, at the end of June, the European Council will create the necessary conditions for the completion of this final stage and that the Irish are given the conditions they need to tackle this issue.

Proinsias De Rossa (PSE). – Mr President, I welcome this debate. It seemed for a while that it might not happen. I am glad it is happening, and it is thanks to the persistence of my colleagues that it is taking place. It is entirely appropriate for this House to responsibly and sensibly address the transition for the possible ratification – finally – of the Lisbon Treaty. It would be foolish of us not to do so. I will be working hard in the latter part of this year to ensure there is a 'yes' vote – whether I am elected to this House or not – and I regret that a number of my friends are not going to be here, and will miss them.

But I want, in particular, tonight to congratulate the Czech Republic for a 'yes' vote, because they have voted today for the future. I think that it is extremely important that we get this message across: that the unification of Europe and the building of a united Europe is about the future for the people of Europe.

Nowhere else in the world outside of Europe do we have 27 sovereign Member States sharing decision-making on a cross-border basis in the common interests of their people. Nowhere else do independent states submit their collective decisions for approval and amendment to a directly elected multinational parliament. This Union of ours is unique. It is a unique democratic experiment. It is not without its faults. It needs reform, and indeed the reforms in the Treaty of Lisbon are the reforms on which we can agree at this point in time. No doubt future Parliaments – and indeed future Councils – will identify and agree further reforms.

But Europe also needs a new direction. It needs to reassert its commitment to the social well-being of our peoples and to rebalance the almost exclusive obsession with market liberalisation that we have had for the past decade. It must be borne in mind that the political and social and economic orientation of this Union is driven by the choices made by the electorates: in general elections, in European elections and by the commissions that we collectively select and put in place. The European Union is where we settle the disputes, where young men previously resolved them by killing each other in trenches. It is a great honour for me to participate in this Parliament, where we have replaced the force of arms with the force of argument.

We cannot let the Eurosceptics turn the clock back. That the decision of one Member State, representing less than 1% of the population of the Union, could stop it in its tracks is a sign of how delicate our construction is. But it is also a sign of the strength of the Union that we can survive and allow the peoples of Europe to independently make these decisions. We must, I believe, try and reinfuse the dream of Europe with our people. We have to avoid getting dragged down into the gutter by the angry old men who stand up at the backbenches up there on the far right and who scream at us and tell us how undemocratic we are, when in fact this is the Parliament elected by the people of Europe to make decisions for the people of Europe.

Costas Botopoulos (PSE). – (FR) Mr President, this is indeed a rather solemn day: the Lisbon package – as it is called – is finally coming before Parliament; the Czech Senate has given a sign of hope; many are taking the floor for the last time, the emotion is palpable; we are in the process of bringing this parliamentary term to a close, and many of us are quite emotional. A really historic atmosphere prevails in this late-night session of Parliament.

As a Janus Member – half constitutional, half budgetary – I would like today to speak a little more specifically about Mrs Guy-Quint's report on the new budget system and about the impact that the Treaty of Lisbon will have on this new system. As has been said, it is above all a more democratic system. Henceforth, all spending – the entire budget – will be agreed under the codecision procedure between the Council and Parliament.

It is also, and this is even more important, a more political budget, since we have – as Mrs Guy-Quint calls it – interinstitutional strategic programming, in other words, all of the bodies of the European Union agree to bring the budget into being. However, this is a system that still contains uncertainties.

Will Parliament, for example, really play what is, in theory, its strengthened role? Will it enjoy this new power, given that there are also problems? We have less time; there is only a single reading. It is therefore up to Parliament to seize – and this is a challenge in itself – this opportunity to play its role. Will the five-year budgetary term coincide with or be accentuated by the five-year parliamentary term? It is not certain. On this issue, too, we need to make an effort.

There are also lost opportunities. We lost the opportunity to provide ourselves with more own resources, we lost the opportunity – please allow me 10 more seconds, since we are in a formal late-night sitting – to implement a new budget philosophy.

To end, I would like to stress that we face challenges: the challenge of the transition – it is not easy to go straight over to a new system – and the challenge of flexibility – we need more flexibility if we are to face up to the crises.

I will finish with the wish that all this might be carried forward with the implementation of the Treaty of Lisbon.

President. – As I myself am a Janus Member on the same committee as you, Mr Botopoulos, I had no option but to give you those 40 seconds.

Justas Vincas Paleckis (PSE). – (LT) I think that all us taking part in this late-night sitting will remember this meeting for a long time to come and will have something to tell our children and grandchildren. Even this evening we can all feel the European ship being buffeted by the storms of the financial crisis. It is clear that this ship's engine, the treaty mechanism, is too weak and needs to be replaced immediately.

The Treaty of Lisbon is the stronger engine which we need to face the crisis. Therefore I agree with the reports being debated and I agree with my fellow Members, who stress that it is not very democratic if the rock of one referendum can wreck the whole European ship, if one state leader can imagine that he is the only one marching in step and the opinion of the other 26 states is of no consequence. I think that Ireland's voters will draw their own conclusions on what is happening in Europe and throughout the world.

Avril Doyle (PPE-DE). – Mr President, it remains for me to be the last on the speakers' list for the European People's Party/European Democrats this evening, and as an Irish MEP I suppose there is some rationale to that.

Could I thank, first of all, all the rapporteurs of the five reports. I am delighted that we have the opportunity to discuss them and, like other Irish colleagues, I have been requesting, through my political group, that we arrive at the situation we have here tonight where we can discuss five most important reports.

At the outset, may I make it quite clear that what I say on this debate tonight is fully predicated in my next sentence. It would not be appropriate, nor is it intended to anticipate in any way or take for granted the decision of the Irish people in the forthcoming second referendum on the Lisbon Treaty, which was announced only earlier this week by our Taoiseach Brian Cowan TD.

The conclusions of last December's European Council contain a package of measures that arose from research following our referendum last June: measures to respond to the concerns of the Irish 'no' voters as they were outlined by our Taoiseach to the Council meeting last December, along with a road map to enable the Treaty to enter into force by the end of 2009.

This package includes the retention of the principle of one Commissioner per Member State, confirmation of the importance the Union attaches to workers' rights and other social issues, and a series of legal guarantees on taxation neutrality and the provisions of the Irish constitution in relation to the right to life, education and the family.

At the spring European Council our Taoiseach informed partners that, in accordance with the timeline agreed in December, detailed work is now under way to give effect to these commitments and should be finished by mid-2009.

If our Government is fully satisfied with the outcome, the Taoiseach has agreed to seek ratification of the Treaty by the end of the term of the current Commission, which is expected to leave office, I understand, at the end of October. I sincerely hope the promise of an early autumn referendum will mean early October at the very latest.

And, given the increase in the European Parliament's powers envisaged in the Treaty of Lisbon, it is understandable that its Members should consider the institutional and procedural implications of the Treaty, hence tonight's debate on the five reports.

The European Parliament's consideration of these issues tonight takes place at a time when my script for tonight said four Member States – Ireland, the Czech Republic, Germany and Poland – had yet to complete their ratification process. Technically that is true, but my congratulations this evening to the Czech Republic – to the Czech Senate particularly – for their Parliament's complete approval to allow, hopefully, their President to ratify the Treaty on behalf of the Czech people. I trust he will accept the will of their Parliament. I understand it has been referred to a judicial review. I hope that is only a technical delay.

For the Treaty to enter into force, of course, all countries must ratify the Treaty, and, yes it is correct to say that 26 European parliaments – 26 Member State parliaments – have said 'yes', and so far the Irish are the only ones yet to do so.

I fully accept that Parliament would wish to examine the issues raised in these papers and these reports in the fullest manner possible, without any interference in or pre-emption of the outstanding ratification procedure.

Can I say that I object to the opportunistic bleating of a few Eurosceptic fossils in our back benches, and what they say should be recognised for what it is. My message to them is clear: butt out of an Irish sovereign decision, because nobody will tell the Irish electors what to do.

May I thank you, as this is my last contribution in Parliament, and all the Presidency of Parliament, the Commission, the Czech Presidency and all colleagues for what has been an extremely rewarding 10 years for me as a Member of the European Parliament. I look forward to a 'yes' vote from the Irish people in our second referendum in October.

Mairead McGuinness (PPE-DE). - Mr President, it is nice to be first on anyone's list these days. Can I just, as Avril has finished, wish her well as she retires from the European Parliament. To be fair to her, she really gave the fossils a good whacking after the Lisbon Treaty vote in Ireland, and will be well remembered for a fantastic turn of phrase. I wish you well, Avril, publicly, and hope you will be involved in the 'yes' campaign for Lisbon in your retirement.

It has been a very interesting debate. My body and brain wanted to go home and sleep, but it has been too good to miss, and too important – because I am Irish – not to be here. Let me say this – and I speak to the electorate: you are in the driving seat. You have a choice. You can vote for the views of a few angry old men – and I say that of men and women, but mainly men – of the extremes in this Parliament and the extremes in this European Union, on the right and on the left, and you will get plenty of noise and plenty of colour photo opportunities and headlines, but there will be no work done in this House. Or you can vote, in both the Parliament elections and on Lisbon, for positive people who work hard, who do not get headlines, but who are here for good purpose.

I believe that the Irish people know that the situation is different now. They were hoodwinked in the last debate. We have had a better discussion since the 'no' vote and I urge them to vote 'yes' for their future, for my children's future and for the future of the European Union.

Siiri Oviir (ALDE). - (ET) We remain here this evening – actually it is already night – to discuss the implementation of the Treaty of Lisbon. The making of preparations for the entry into force of the treaty

and the fact that this is being done in due time is a sign of responsibility. Good preparation for the implementation of a treaty as important as this offers confidence that the European Union functions well, and this will enable it to more effectively fulfil the tasks that citizens of the European Union expect their elected representatives to solve.

Perhaps the steps that are being taken are not big enough. Some citizens believe that the Charter of Fundamental Rights is too rhetorical, but the Lisbon Treaty is nevertheless a serious step forward. It is a response to the changed needs of the European Union. By giving their support to the Treaty, the parliaments elected by the peoples of the 26 Member States have done so.

Today's reports show that the European Union is creatively confident, having pragmatically undertaken the planning of the transition stage. We cannot create something new through pessimism and delaying tactics. I thank the rapporteurs for their courage and their ability to create the necessary documents.

Zita Plešinská (PPE-DE). – (SK) Ladies and gentlemen, we cannot say that the Treaty of Lisbon is the best that each Member State of the EU-27 could wish for, but it is the best that could be agreed on by the EU-27. Until now all treaties have been treaties of the EU-15 and I would therefore like to underline the political message of the Treaty of Lisbon, which puts the EU-27 on the starting line so that in future we will finally stop dividing the EU into old and new Member States.

The European Parliament has shown that it is capable of taking operational decisions and it is therefore right that the Treaty of Lisbon should give more power to the Parliament, in other words to the elected representatives of Europe's citizens. If the Treaty of Lisbon comes into force in all EU Member States it will bring about changes which include an end to the current system of rotating presidencies in the Council. On a far more important note, the EU will have a common energy policy, which was shown to be necessary particularly in the gas crisis.

I welcome today's decision of the Czech Senate approving the Treaty of Lisbon. It is a very important signal from the Czech Parliament to the EU during the Czech Presidency.

Daniel Hannan (NI). - Mr President, these past 16 months I have spoken 77 times in this Chamber and I have ended every speech with a call for the Lisbon Treaty to be put to the people: *Pactio Olisipio censenda est*.

I have done so in homage to Cato the Elder, who ended every speech famously with a call for Carthage to be destroyed. Sometimes it has been a bit of an effort for me to contrive that ending from a different subject, but not this evening.

It is extraordinary to have listened to some of the contributions. Not all. There have been some honourable and democratic pro-Europeans in this Chamber, but some of the speeches have been filled with such disdain, such arrogance, such contempt for public opinion that, now that the EU and indeed the Member States are beginning to learn about the political value of YouTube, you could do no better than to put the entirety of this debate on YouTube as a party election broadcast for the various 'no' campaigns.

I have been reminded of those eerie words of Bertolt Brecht: 'would it not be easier in that case to dissolve the people and elect another in their place'? And all the speakers keep on saying that the parliaments have ratified. They are just advertising the rift that exists between the political class and the people in every Member State.

Cato the Elder was mocked and shouted down and the other senators used to mimic his voice. Do you know what? In the end they did what he said.

Paul Rübig (PPE-DE). – (DE) Mr President, the previous speaker has just demonstrated how difficult the advancement of democracy in Europe is when we see that, in Ireland, half the population failed to vote because of the complexity of the issues and the fact that not everyone wants to be a constitutionalist. Of those who did vote, half voted against the Treaty because they had not read it. How are we to reform Europe if we cannot manage to persuade those responsible to actually assume their responsibility?

The Commissioner, Mrs Wallström, and her team bear a very special responsibility, which is to inform the people of Europe, those who are interested, and to make all information available to them, so that the issues can be discussed competently. We must seek dialogue with the people of Europe far more intensely, inform them and tell them just how important the reform is for the development of Europe. With this approach, we will get results.

Richard Corbett (PSE). - Mr President, I am just curious to hear this argument that somehow national parliamentary ratification is not legitimate because, if that is the case, let me just take the example of my own country, which has never, ever in the whole of its history, ratified an international treaty by means of a referendum.

In that case, if it is illegitimate for the national parliaments to ratify a treaty, then the NATO Treaty, the United Nations Treaty, the World Trade Organisation, every commitment that Britain has ever entered into by means of an international treaty is equally illegitimate. So I do not understand this argument that national parliamentary ratification is somehow undemocratic.

Bernard Wojciechowski (IND/DEM). - (PL) Mr President, Commissioner, in Poland probably only 13% of the electorate will vote in the European elections. This will probably be the lowest in the entire European Union. Why? Please look around the Chamber. There are no representatives here from the two leading political parties in Poland, at such an important debate. That is precisely the attitude of those parties to the elections and to European affairs — a total lack of involvement.

The debate over Europe, serious debate, does not exist in Poland. How can it exist, since, and I stress this once again, during this debate there is not one representative of either the governing or the opposition party. One might have the impression that the leading part of the Polish political class is not interested in European affairs. That is what the electors think, and that is what many young people in Poland think, people with whom I have talked and who are interested, for example, in the Treaty of Lisbon. There is no such response from the political class.

Ewa Tomaszewska (UEN). - (PL) Excuse me! I must protest! I am a member of the Law and Justice Party, the largest opposition party. The statement that there is no-one here from that party is untrue.

Syed Kamall (PPE-DE). - Mr President, thank you very much for giving me this opportunity. I think it has been an interesting debate, whatever one's view is on the European project and on the Lisbon Treaty.

There have been lots of references to old men and old fossils, but let me talk about it from the perspective where I sit. To me, I see an older generation of politicians here stuck in a mindset of the 1950s – stuck very much in a 1950s solution to problems and challenges that the world faces. If you look across the Chamber, you see much older people all speaking out in favour of the Lisbon Treaty, all condemning those people of Ireland and other countries who voted 'no' to the original Constitution and voted 'no' to the Lisbon Treaty. We even see old men of arms now talking about putting down your guns and speaking for peace.

Yes, in the 1950s that was a post-war solution to what had gone on before, but we must keep moving with the world. When you talk about democratic accountability, let us not forget one thing. When we started with the Constitution, the rules were that every country had to ratify it or it fell. When we started with the Lisbon Treaty, the rules were the same: every country had to ratify it or it fell. So let us not push ahead with the Lisbon Treaty until every country has ratified it. If you really want a proper democratic debate, let the people of Britain have a choice. Do they want the vision that Mr Corbett proposes of a federal United States of Europe, or a looser, free trade vision of a Europe that my party supports?

Margot Wallström, Vice-President of the Commission. - Mr President, I wish to thank the honourable Members for this interesting debate, which has been partly consensual on a number of issues, partly a repetition of well-known arguments for and against the Treaty, and partly a very interesting debate about what constitutes democracy. This is the first time I have heard about totalitarian systems that allow referendum after referendum in a number of Member States, and why some referenda results are forgotten or do not count – mainly those that have meant a 'yes'.

It has also been a discussion about legitimacy. I still find it strange – and I have said this before – that a Parliament like this one should say that a decision by a national parliament is anti-democratic or does not count or is not legitimate. As for the Commission, it has always held the opinion that whatever system one chooses – a vote by referendum or through a national parliamentary decision – it is democratically legitimate. I do not see that any other position would be possible.

Any European citizen listening to this debate would wish us to go back to these reports, which actually reflect some serious concerns about the way we take decisions, about the rule book, about how to strengthen the democratic functioning of this European Union, and about how to use the budget in the right way in order to put resources to our political priorities. All these things are taken up by these important reports.

This is also about how to take decisions in an effective and hopefully more rapid way. I found Mr Lundgren's intervention absolutely flabbergasting. Do we really think the whole idea is to make things slower, and to slow down decision-making when dealing with an economic crisis like the one we are seeing now? People expect us to take action to ensure jobs and growth, to deal with climate change and the energy crisis and to tackle the problems that come with immigration and security – all of those things. That is the basis, also, for these reports. That is why we are here and that is how we gain democratic legitimacy – if we show that we can act and that we can act swiftly. I do not think that any arrogant, snobbish intervention, giving us lessons about this or that, helps us either. It is really about tackling these problems, which today are not national. They are European and international, and we have to have a modern rule book.

We have to have a more democratic Union which allows citizens to take the initiative. We never hear anything about that from those that are against. We never hear them say anything about the democratic strength of what is in the Lisbon Treaty; that is clearly missing. These reports give us a good grounding and a good platform to reform the way we work. From the Commission's side, we are of course willing to follow up and to work on all the details to ensure that we can implement this swiftly.

A last point on Ireland, is that after this 'yes' in the Czech Senate, all eyes will of course be on Ireland again, and on the possibility of ratification by the end of the year. The issue of the legal guarantees is of course essential here, and both content and timing is very important. We are confident from the Commission side that the EU Council will be able to settle this issue, and I know also that careful preparations are taking place at the moment and we will, if given the possibility, also contribute from the Commission side.

Thank you very much and thank you also for this being partly a social event, where people are thanking each other for the good cooperation and wishing all those who are leaving good luck. I guess we will all meet in the election campaign in one way or the other.

(Applause)

President. – Commissioner, on behalf of Parliament, as it is the last night sitting, please believe me when I say that we have been very aware of the excellence of our reports throughout this parliamentary term. Thank you once again.

Jo Leinen, rapporteur. – (DE) Mr President, Vice-President, I thank Mrs Doyle for her contribution from an Irish perspective, which I fully support. The people of Ireland must decide independently and without external pressure, most likely in October, whether the guarantees to be negotiated at the June Summit will allay their misgivings, their main concerns associated with the treaty, and whether, under these circumstances, they can follow the remaining 26 countries and take the step towards reforming the European Union together with them.

I hope that the independence of opinion forming in Ireland is also respected by its neighbour, Great Britain. At the first referendum many 'no' voters from Great Britain travelled around Ireland and, above all, the Europhobic British tabloid press helped to unsettle the people of Ireland. One thing has to be acknowledged, which is that the independence of the people of Ireland to form an opinion at the second referendum must be respected.

It was a major debate, an important debate. Today parliaments in 26 countries have said 'yes'. More than 7 800 representatives of the people have found that the Treaty is good and that it represents progress. Three hundred and fifty representatives of the people in 26 countries have said 'no'. They cannot all be fools and scatterbrains. What I mean is that the treaty cannot be as bad as it is repeatedly portrayed to be. It is labelled with stereotypes, sometimes also in this House. Whoever says this will be a military union misunderstands the primary objective of the European Union, which is the service of peace, on the continent and throughout the world. Moreover, anyone who says that a neo-liberal economic constitution is being established has not read the treaty. It is the most social European treaty there has ever been.

Vice-President, ladies and gentlemen, thank you. I hope that the new Parliament will do what is stated in the reports, which is to apply and implement the Treaty. Thank you very much.

Jean-Luc Dehaene, rapporteur. – (NL) Mr President, ladies and gentlemen, I think that we have indeed had a good debate tonight. It demonstrates that the European Parliament is ready for the implementation of the Treaty of Lisbon and that we are in no way trying to pre-empt the decision of the Irish people. However, I also think that another important thing that has emerged is that, on the eve of the elections, Parliament has taken a clear position, which has resulted in it being strongly placed for further negotiations on this treaty.

I would like to thank all my colleagues for their support. I would also emphasise the complementary nature of the five reports and remark that they do, indeed, form a unitary whole setting out Parliament's position. Allow me to conclude by making the point I made at the beginning: I am concerned about the situation after the elections and about the transition from the Treaty of Nice to the Treaty of Lisbon.

I would still argue that we ought to broker an agreement between Parliament and the Council before the elections. Otherwise, I am apprehensive that we will find ourselves in a rather awkward position, and that would be in no one's interest. Such an agreement has to be clear enough for Parliament and the Council to know exactly where they stand in the difficult transitional period ahead.

Catherine Guy-Quint, rapporteur. – (FR) Mr President, this debate has been really interesting and passionate. Allow me, however, to take a humorous look at what Mr Kamall said just now, because to call us old people – and hence fossils – as we retire to leave room for the young, is absolutely delightful.

However, what I wanted to say to all those who have vilified this draft treaty is this: do not confuse democracy with demagoguery! You see, for eight years in this Parliament, throughout Europe, we have been living not through a psychodrama, but through a political tragedy where Europe is floundering, and we can clearly see that we are avoiding the current problems.

This debate strengthens my conviction that this treaty must be implemented, despite all the difficulties which have been raised, because, through its content, it will bring transparency. It will bring democracy, and we all need this democratic shock in order to re-focus the European project on politics, and the politics of the 21st century applied to today's world.

The budget, in this respect, is only a tool, but it will enable us to ensure that the institutions can be rebalanced and, through this transparency, we will be able to know the attitude of Parliament, of the Commission and, above all, of the Council. This political will is indispensable. This transparency is indispensable in the fight against the cancer of national selfishness, which has been eating away at the European political project for so many years.

This transparency, I hope, will instil belief in all of Europe's citizens again, and will enable us to develop information better, because this is very difficult. Mrs Wallström, you have been working on this for years, you are starting to make headway, and you have to persevere.

All of that requires conviction, time and, above all, political courage, which we are lacking. We must recover that political courage and that utopianism, the utopianism of the founding fathers of the European Union, of those who believed that peace could be born out of war. In our own way, today, in the 21st century, we must take up this challenge, and one of the tools that will help us to do so is the Treaty of Lisbon. Let us reclaim utopia, and utopia for peace!

President. – The joint debate is closed.

The vote will take place tomorrow at 12 noon.

Written statements (Rule 142)

Sebastian Valentin Bodu (PPE-DE), in writing. – (RO) There is only a small step left to be made towards adopting the Treaty of Lisbon which, once it has come into force, will bring the European Union and its 500 million citizens much closer together. Romania, the country which I represent here in the European Parliament, was one of the first states that ratified the treaty because all its policy-makers believe in European integration.

The European Parliament elections will not be organised in accordance with the Treaty of Lisbon, but even this fact highlights how democratic and representative the institution of the European Community is and how important each of its Member States is.

European institutions, including Parliament, are far too abstract for the Community's citizens at the current moment. Parliament's importance in the EU's decisionmaking process has grown with each European treaty. The Treaty of Lisbon is no exception, creating a parliament with a tangibly greater involvement in the legislative process.

The treaty will bring the EU closer to its citizens. We all know how difficult it is to bring the Community's problems to the attention of the citizens in the countries which we come from. The fact that the MEPs which

each Member State elects directly will receive greater powers is, at the moment, the ideal solution for bringing a unique institution in the world closer to its people.

Cristian Silviu Buşoi (ALDE), *in writing*. – (RO) I would first of all like to welcome the vote passed in favour of the Treaty of Lisbon by the Czech Senate, which brings the overall ratification process a step forward. I believe that it is desirable to implement this treaty as soon as possible as it will ensure that the EU operates more efficiently, more transparently and, above all, more democratically.

I support the rapporteur's conclusions regarding the reorganisation of the European Parliament and I hope that the findings of the parliamentary reform working party will reflect Parliament's expanded role, as provided for in the treaty.

I would like to make a few comments about the procedure for appointing the European Commission. I basically support the timetable proposed for appointing the Commission, but I feel that certain stages could probably be shortened so that Europe's institutions are not paralysed for months on end whenever we have European elections. Due to the failure to ratify the Treaty of Lisbon on time, it is desirable, after the 2009 elections, for appointments to be made using a procedure which is much closer to the one provided for in the Treaty of Lisbon. However, the problem is complex because until we know the result of the Irish vote, we must bear in mind the need to comply with the Treaty of Nice, which is currently valid.

Dushana Zdravkova (PPE-DE), *in writing*. – (BG) Ladies and gentlemen, according to my fellow Member, Elmar Brok, the report on relations with the national parliaments gives an excellent overview of the tasks facing the European Parliament after the final ratification of the Treaty of Lisbon by all Member States. Strengthening the role of national parliaments in the legislative process of the European Union will not only speed up the transposition of European legislation into national legislation, it will also provide EU citizens with yet another means of participating in government.

The positive results achieved so far based on cooperation in COSAC must be used as a basis for increasing the participation of parliamentarians from all Member States. I think that it is especially important that we include representatives of the parliaments in the candidate countries for accession to the European Union in this effort as well. This will help us make their accession to the EU a simpler, smoother process. This issue is not examined either in the report or in the Treaty of Lisbon, but I believe that Parliament will find mechanisms for achieving this.

Finally, I would like to stress that national parliaments will need to strengthen their administrative capacity and ensure there is adequate funding so that they can fully exercise their new powers.

Thank you for your attention.

16. Explanations of vote

Oral explanations of vote

President. – We will now proceed to today's explanations of vote. I am sure this will provoke strong feelings among you, but there are very many Members who have put their names down to speak, and I believe they are present.

- Report: Petya Stavreva (A6-0259/2009)

Inese Vaidere (UEN). – (LV) Mr President, it was not really clear on which report I could speak now. I gave notice to speak on the report by Mrs Stauner, Mr Maldeikis and Mr Corbett. Yes, I would like to say something. It is just that I did not react immediately.

Mr President, with this EUR 5 billion package, the majority of which has been directed towards rural development, I would particularly like to emphasise the fact that it is very important to look not only at official indicators, but also at the real needs of rural development. Broadband is necessary in all the Member States, but there are Member States, such as my own, where improvements to road infrastructure as well as other measures to preserve the rural landscape are needed. I urge you to look more in the direction of convergence policy and cohesion policy, and to provide more support to those Member States that have fallen into economic difficulties and which are, perhaps, at a lower level of economic development than the older Member States. Thank you.

Zita Pleštinská (PPE-DE). – (SK) The Stavreva report is one of three reports incorporated into the EUR 5 billion combined package. In the context of the economic crisis we can see that we are lacking the funds for investing in projects in the energy sector and rural development, which have suffered the worst effects of the economic crisis. I welcome the fact that the European Parliament has passed the proposed regulation within the framework of the European economic recovery plan, which allocates EUR 1.5 billion for all Member States through the European Agricultural Fund for Rural Development.

Rural areas can implement projects aimed at developing broadband Internet links. Land plays a central role in the agricultural sector and the use and management of agricultural land is exceptionally important when solving new problems involving climate change, renewable energy sources, water shortages and biodiversity.

I would like to call on the Member States not to wait but to draw up their national plans quickly, on time and in detail, and to provide transparent information on the new legal provisions. At the same time they must adopt accelerated and simplified processes both for expenditure and for reporting.

Neena Gill (PSE). – Mr President, my constituency in the West Midlands encompasses both urban and rural areas, and the broadband provision in the rural areas is downright appalling. Let me give the example of a town on the Welsh border, Knighton, where entrepreneurs are being let down by poor connections and are all saying ‘rescue me’. One of my constituents wanted to set up a business offering online services – which was particularly crucial as he has a disability, and working from home was the best way for him to do this. Unfortunately, owing to the monopoly, the connection is very slow and not conducive to running a business.

This funding is therefore crucial to rural areas and to economic recovery, and I wanted to ensure that it is distributed fairly across all the Member States, prioritising areas where there is unworkable broadband coverage. I call upon all parties to rapidly come together right now over this and, once and for all, bridge this unfair digital divide.

*

* *

Christopher Heaton-Harris (PPE-DE). – Mr President, on a point of order, you very rightly say that we are here late, and I thank the interpreters for staying behind. But it is not our choice to be here late: it was a ruling by the Presidency earlier today – which was an unbelievably arbitrary ruling which has never happened before – to put back the explanations of vote until after the debate instead of, as we have in our Rules of Procedure, after the vote has taken place.

So it is because the President in the chair at the time broke our own Rules of Procedure that we are here tonight, and all of us that are trying to make our explanations of vote are doing what we can legitimately do to raise our voices in a Parliament that does not really like to listen to minorities.

President. – Mr Heaton-Harris, I will clarify a point in the Rules of Procedure for you. It is in fact after the vote, but not immediately after the vote. The difference enables us to interpret matters.

We are coming to a report on which I am very happy that Mr Heaton-Harris wished to express an opinion, as it is Mr Onesta’s report.

*

* *

- Report: Gérard Onesta (A6-0027/2009)

Christopher Heaton-Harris (PPE-DE). – Mr President, I have bizarrely grown to respect the rapporteur of this report over the period of time and I wanted to talk about the petitions in general because they have been of great use to me. Whilst people do not understand the institutions of Europe and whilst people are slightly scared of them, sometimes they need a way of registering a dispute. The way we have registered petitions in this place in the past has been slightly cack-handed but has given them that chance to air a problem on a slightly different stage, when they might have exhausted many other opportunities. I have brought petitions to this place from people across my constituency; the ‘Earls Barton seven’ was one of my most famous cases.

The point is that the petitions process is probably the only process that is properly worth protecting in this place. Other rules and procedures and many of the other committees pale into insignificance when it comes to comparing them with the importance of the Committee on Petitions.

- Report: Richard Corbett (A6-0273/2009)

Christopher Heaton-Harris (PPE-DE). - Mr President, like Mr Corbett, I would not like to anticipate the results of any second referendum in Ireland and I certainly would not like to anticipate the voting in the region of Yorkshire and the Humber in the coming European elections. But I wish Mr Corbett well in whatever he does after he leaves this place in July. I wonder what Parliament will do without its Rules rapporteur, the man who has almost single-handedly behind the scenes contrived to eliminate the powers of smaller groups and the voice of minorities in this place.

This report is, maybe, not so bad but, because it is not so bad, it is worthy of further examination because quite often the changes in the Rules, at face value, are completely fair. It is what they achieve in practice and how they are implemented by the Presidency and by the Bureau that really counts. When it comes to the package on the Rules of Procedure and their adaptation to the Lisbon Treaty, I do wonder whether he has overstepped the mark.

Syed Kamall (PPE-DE). - Mr President, a few weeks ago we discussed the report on totalitarian regimes. At the time, I pointed out that there was indeed a common thread linking National Socialism and Soviet Socialism, and that was Socialism itself.

We know that the rapporteur, Mr Corbett, believes in the European project. He makes no bones about the fact that he believes in further political and economic integration; he wants a United States of Europe or a Federal Republic of Europe. However, in seeking to achieve these goals he is calling for the suppression of minority views and is almost single-handedly destroying the principle of freedom of speech.

I know he does not care much for the principle of freedom of speech. Looking at this report, any evil dictator from the last century would have been proud to have Mr Corbett by their side.

Daniel Hannan (NI). - Mr President, since 2004 I have had many new colleagues from the accession countries here, some of whom I am proud to call my friends. When we talk about the bad times which they lived under, the thing that strikes me most is the way that they say that the really frightening thing, living in the Comecon states, was not the absence of democracy, nor the absence of property rights, but the absence of a secure rule of law. If you were a troublesome critic of the regime, you would not be put on trial. Your life would just be made difficult – your driving licence would mysteriously vanish in the post, your children would not get their place in university, you would be unable to find any but menial jobs.

What worries me is that a similar double standard is beginning to pertain within our institutions. When Václav Klaus came here, Members hooted and gibbered and panted at him like so many stricken apes, and no one was so much as told off. But when we protested in favour of a referendum, 14 of us were fined. Goody-goody Christian Democrats can commit almost open fraud and get away with it, but when an Austrian Eurosceptic photographed people signing in for a meeting which was not there, he was fined thousands of euros for effectively filling in a form incorrectly. You might think that it is not my place to say this. I did not live under that system, but Václav Klaus did, and when he warns against going back to it, I think we should listen.

Richard Corbett (PSE). - Mr President, quite frankly, I have never heard more rubbish in my life than has been spoken about this report. 'Dictatorship and manipulation'? Why on earth did it get such a huge majority if it was such a negative report?

The first mistake its detractors have made is that it does not mention the Lisbon Treaty or implementation of the Lisbon Treaty. That part was set aside for the next Parliament to deal with and not dealt with today. Its objectors do not even seem to have read the report.

As to saying that it is aimed at silencing minorities, there is not one single amendment in that report, or indeed in any rules report that I have produced, that has that effect. This Parliament is a parliament of minorities, unlike some national parliaments that are dominated by a single party majority or by the executive. This is a parliament where everybody is a minority, and long may that diversity continue to apply.

As to the comments about shouting down Václav Klaus, which have nothing to do with this report, I know that a few Members walked out during his speech, but when the Portuguese Prime Minister was here, you lot tried to stop him speaking; you shouted him down. He was not even able to make his speech because you did not want him to get his pro-European message across.

So I utterly reject what has been said. I am afraid I have used up my time so I cannot give the explanation of vote I was going to give, which was to say I am glad that my report was adopted in its entirety, bar one little mistake, which I think was when the EPP got its voting list wrong. Hopefully we can correct that in the next Parliament.

Inese Vaidere (UEN). – (LV) Mr President, I would like to emphasise the fact that the European Parliament is an institution that promotes democracy both throughout Europe and also internally, within Parliament. Unfortunately there were various points in this report, various lines of argument, which I was not able to support. Although they were inspired by the highest intentions, I do not think that at the European Parliament we ought to support a rule that is restrictive and that is directed against a single person. Similarly, I do not think that giving the European Parliament's president the right to decide whether or not to permit a written statement will increase democracy. After all, Members have a right to have their say. Similarly, too, debates using blue cards may possibly turn into a settling of parties' internal scores. Regrettably, I felt compelled to vote against these European Parliament proposals. Thank you.

- Recommendation for second reading Malcolm Harbour (A6-0257/2009)

Siiri Oviir (ALDE). – (ET) It is not always the case that before every report our mailboxes are full of interesting materials in favour and against, and this is a source of both concern and injustice. I voted for the joint position in favour of passing the report, because I am satisfied that support was given to proposals that state that measures influencing users' access to the Internet must respect fundamental rights. Issues of the protection of privacy and consumer protection issues connected with electronic communications were also solved in an equitable manner.

Christopher Heaton-Harris (PPE-DE). – Mr President, this report goes to the core of what people think they are getting from the European Union. Many people in Britain thought they were getting a kind of economic, trade-based, Europe and that it was a Europe for jobs. Mr Leinen, earlier today, told us that it was actually more of a social Europe.

What we did in the Harbour and Trautmann reports was essentially to choose. We actually chose that we did not want to have a further single market measure. In fact, people who wrote in to us who were concerned about this report were actually missing the point concerning its being a single market measure.

If, before this report, you were downloading things illegally – like music or films – your ISP could just shut you down and terminate your account without any notice. With the report, the compromise proposal would have meant that it had to contact you and you could dispute this. Now, with the package that went through – which will probably end up in conciliation for years – we have a situation where you have to go to court to terminate what may be really illegal and disgusting sites, and that is surely not what the people of Europe wanted.

Syed Kamall (PPE-DE). – Mr President, I would really like to explain my vote, particularly the part on the e-privacy part of the Harbour report. I think, at a time when we are trying to get the right balance between national security and civil liberties, I think many of us are fearful that more and more governments are collecting more and more personal data about us. Almost every day in the British press we read stories about our big brother Labour Government collecting more and more personal data about individuals and, even when they are proven innocent, refusing to give back that data. But, thanks to an ECJ judgment, some innocent people's data will now be returned.

It is interesting that we also spoke about the fact that consumers need to be told if there is a breach of personal data on electronic communications networks. There is something missing in this in that we have not talked about what happens when information society services such as Google or Facebook lose personal data, and I am quite pleased that in this report we call for the Commission to investigate this further.

Ewa Tomaszewska (UEN). – (PL) Mr President, the telecommunications package was a regulation which prompted our citizens to be unusually active. Internet users, acting both together and alone, were decisive in defence of their rights to have free access to information and to be active on the Internet without external restrictions. It is a luxury for an MEP to learn from direct signals what the electors expect, and it was thanks to the electors that I attached sufficient importance to this vote. This fosters hope for a citizens' Europe, and that Europe will not exist only for officials. I would like to thank all those who sent us e-mails about this.

Unfortunately, as a result of the controversy at the initial phase of voting, I made a mistake with my vote twice, but fortunately it did not make any difference to the final result.

- Recommendation for second reading Catherine Trautmann (A6-0272/2009)

Siiri Oviir (ALDE). - (ET) The passage of a legal framework enables us to consolidate for citizens of the European Union the advances that have been made in the area of high-speed permanent Internet connections and wireless communications and the development of services with high added value, and achieve 100% coverage with broadband Internet. We need legal provisions regulating individuals' rights to use the Internet. These were the positions that led me to support Mrs Trautmann's report.

Daniel Hannan (NI). - Mr President, I see that now Brussels wants to get its hands on the Internet. Commissioner Reding says that it is intolerable for the Internet to be regulated by a private company and, worse in her eyes, a private company with a contractual relationship with the American Commerce Department.

This is the same Commissioner Reding who, in a pretty crowded field, came up with what may be the single most fatuous argument I have heard from the Commission over the last term when she said that we needed a .eu common domain name in order to make the Internet more accessible to women.

The Internet works. The current system of domain names and registrations works brilliantly. Can you point to a single EU policy which is half as successful as the Internet? The common agricultural policy? The common fisheries policy? I think not. The prosecution rests.

- Report: Astrid Lulling (A6-0258/2009)

Siiri Oviir (ALDE). - (ET) It is clear that we must recognise the need to implement more effectively the principle of equal treatment of men and women working as sole proprietors and the spouses who support them. Twenty-two years ago a corresponding directive was passed. The European Parliament and the Commission have consistently called for that directive to be reviewed, because time has taken its toll.

Today we have reached the point where we have passed amendments to the directive, and a new directive was passed that improves the situation of supporting spouses, whether that be in agriculture, handicrafts, commerce, small and medium-sized enterprises or freelance occupations. I welcomed this decision, and supported the report.

President. – According to my watch, we have just started on the last day of our legislative work. Mr Heaton-Harris, the honour is yours.

Christopher Heaton-Harris (PPE-DE). - Mr President, one issue that feminism has had an ongoing discussion about is that of the stay-at-home mother. Let me try and address this in contemporary terms, helped by a lady called Kristen McCauliff.

One issue that feminism has had an ongoing discussion of is that of the stay-at-home mother. In season three of the Simpsons, 'Homer Alone', the same issue is addressed. Opening on a stressed Marge, it shows a sped-up version of her daily routine. Like a perfect storm, the combination of practical jokes on the radio, heavy traffic, a rude tailgater and Maggie, who spills her bottle of milk all over Marge and the car, lead her to breaking point, stopping her car in the middle of a bridge and creating gridlocked traffic in both directions. Local newsman Kent Brockman shows up to report on the situation. It is at this point that the gender issues discussed in Ann Crittenden's *The Price of Motherhood* are brought to light as Brockman states, 'An overworked and under-appreciated housewife has snapped and parked her car on a bridge.'

Now I could go on about this particular Simpsons episode but, safe to say, there is actually no time for me to do so and I shall submit the rest in writing because it is worth a good read.

President. – I am sorry that we cannot have explanations of vote by video; that would be wonderful.

Syed Kamall (PPE-DE). - Mr President, I will not even try to follow that, but will just congratulate Mr Heaton-Harris as this evening – or last night depending on how you look at it – he achieved his 100th speech in this place, and I know that you for one are grateful for that.

We all need to recognise the extremely important role played by women, and particularly spouses, in small businesses and, particularly, in respect of the self-employed. I myself, before I was elected, was self-employed and my wife played a vital role in that business.

It is absolutely right that we recognise this, and when talking about women in small businesses I would just like to end with the words of that great philosopher, John Lennon. He said, 'Woman, I can hardly express

my mixed emotions at my thoughtlessness. After all, I am forever in your debt. And woman, I will try to express my inner feelings and thankfulness for showing me the meaning of success'.

Neena Gill (PSE). - Mr President, in the current economic climate, I think it is crucial that we do everything in our power to support those members of society who wish to contribute to our economy. This is why the EU, in the past, has brought in legislation for maternity and paternity leave.

Working nine to five is not an option for all. Therefore, there are many people who are self-employed – many of them women, who are often overlooked. Better maternity protection would help spouses in agriculture, commerce and small businesses and encourage women to become involved in these vital industries, where they are now currently under-represented.

It is now or never for them – spouses or life partners, who must be given clear, defined professional status and benefit from at least an equal status of social protection as self-employed workers. There is no 'return to sender' for them. Member States should ensure that assisting spouses can become members of sickness and invalidity insurance schemes and pension schemes.

We have to end the travesty of women losing rights when they care or bring somebody into life.

- Report: Gabriele Stauner (A6-0242/2009)

Inese Vaidere (UEN). – (LV) Mr President, on the whole, I support the use of resources from the European Globalisation Adjustment Fund, and it is a good thing if we are able to help those that have fallen into difficulties. However, I do not know whether those that have fallen into difficulties are always to be sought among the most developed countries. Whether they are German, French or Spanish car manufacturers, it seems to me that similar failures and similar troubles also befall people in the less developed states, in the small Member States. If some tens of people lose their jobs, then in a country with a population of 2.3 million that is just as significant as when 10 times as many people lose their jobs in the large Member States. I would therefore very much like to see this fund directed more towards the small Member States, the Member States with a lower standard of living and where threats of unemployment are greater. Thank you.

*

* *

Richard Corbett (PSE). - Mr President, in view of what you said earlier about it being past midnight and the cost that this would entail for Parliament, I think I will desist. But I just wonder if you could give us a figure for what those three gentlemen have cost us tonight by their recitations of the antics of Mr Homer Simpson and other things that are totally irrelevant to our debates.

President. – If I remember the rule correctly, once our friends the interpreters have to work beyond midnight, they are entitled to a special break. We must, therefore, take on new teams to allow them a well-deserved rest.

At 11.59 p.m. the rule does not apply, but at 12.01 a.m. it does apply, but I do not know the exact cost.

*

* *

- Report: Gabriele Stauner (A6-0242/2009)

Ewa Tomaszewska (UEN). – (PL) Mr President, I endorse Mrs Stauner's draft report, as I said during the debate. I am in favour of making it easier to use the Globalisation Adjustment Fund. I am very worried that only 3% of the fund has been used so far. It was my intention to vote in favour of the report, and I would ask for that fact to be noted. Fortunately my mistake did not change the final result of voting. I would also like to express my pleasure that we have also adopted the reports by Mr Peneda and Mrs Lambert.

- Report: Eugenijus Maldeikis (A6-0261/2009)

Neena Gill (PSE). - Mr President, we supported this report because it is the right way to go about tackling economic difficulties. We need to use this situation, not to draw in on ourselves and say 'rescue me', but to develop new practices and technologies that will enable us to emerge stronger than yesterday.

Mr President, knowing me and knowing you, I know that the focus of my group, to invest in energy efficiency and support attempts to create smart cities represents a fantastic opportunity for all of us and presents a

vision for the future. Combined with provisions on energy security, reduction of emissions and job creation, this report takes a holistic approach that will represent the best way for an economy to thrive in the future.

Some MEPs and some political parties reject the idea of large-scale investment at this time. Their short-sightedness of vision takes my breath away and will only do harm in the long run. We can see clearly now what needs to be done, so I urge the UK Government to do its utmost to make the money available through this package.

Inese Vaidere (UEN). – (LV) Ladies and gentlemen, I would like to give a very positive assessment both to this report and the plan to use Community financial assistance for projects in the energy sphere to aid economic recovery. It is clear that projects linked to energy are our future and that those countries that adjust to a low-emissions economy, and that are better able to devise and introduce renewable energy sources, will prevail over the competition. In this connection the short deadline for submitting and evaluating projects creates some concern, because it might again perhaps create additional difficulties for the new Member States. Similarly, I would really like to see the Commission's proposals and a detailed programme on how to increase amounts of money to be allocated to energy efficiency projects. Similarly, we really ought to give some thought to the insulation of buildings, which would make a significant contribution not only at national but also at regional level. I would like support to be given to local, regional and individual action. Thank you.

Daniel Hannan (NI). – Mr President, in all this talk of stimulus packages and recovery programmes, we are missing a rather important part of the picture. In order to pump money into an economy, you first have to suction that money out of the economy. The one-sided way in which we discussed this reached a pinnacle at the recent G20 summit, when leaders of the world boasted of having injected a trillion dollars into the world economy.

'Into the world economy': where did it come from, if not – in the broadest sense – from the world economy? Saturn's rings? The red soil of angry Mars? So what we are really talking about is taking money out of taxpayers' pockets and giving it to bureaucracies, national or international, to spend on our behalf.

If that really were the better way of proceeding, if we were all better off with state officials deciding for us how to spend our wealth, we would have lost the Cold War and we would be holding this debate in Russian.

- Report: Othmar Karas (A6-0139/2009)

Syed Kamall (PPE-DE). – Mr President, can I end up by thanking all the interpreters and thanking you all.

I think it is important to recognise the report in the context in which it is set. This is going to be one of a number of reports we are going to see on the financial situation, yet, as my colleague Dan Hannan said, we seem to be missing the point.

How did the crisis start? Actually it started in the United States of America with the subprime problem. How did the subprime problem start? It is because banks were encouraged to lend or forced to lend to uncreditworthy customers. So what we did – across the world, not just the United States of America – we built up a mountain of debt.

When it comes to tackling that mountain of debt, rather than stimulus and extra financial regulation stifling innovation, I prefer the Jimi Hendrix approach. When he saw a mountain of debt, he said: 'Well I stand up next to a mountain and I chop it down with the edge of my hand. I stand up next to a mountain and I chop it down with the edge of my hand.' I think we can all learn from that.

- Report: Janusz Wojciechowski (A6-0185/2009)

Siiri Oviir (ALDE). – (ET) I supported the passing of Mr Wojciechowski's report because I believe that in doing so we have eliminated an existing example of hypocrisy. Namely, we stand up for the lives of various animals that live outside the European Union, which is naturally commendable, but we fail to see what is happening in our own back yard. The objective of this report was precisely to eliminate that contradiction, and now we can harmonise the Member States' legislation that pertain to standards of animal welfare in slaughtering or killing. This report speaks of a good conscience.

Daniel Hannan (NI). – Mr President, not for the first time and assuredly not for the last, I find myself asking what any of this has to do with the European Union.

Methods of slaughtering animals reflect differing cultural, national and religious traditions, and it shows an extraordinary presumption for us to trample into this sensitive area.

I want to use my remaining time – since this is as you say our last legislative day before the election – first of all to thank you, Mr Onesta, for your forbearance and your good humour throughout this session and to extend my thanks to the staff, to the ushers and to the interpreters. If this prolongation of the session beyond midnight has indeed led to this extraordinary extra cost, first of all I hope that some of it has gone into their overtime. They display a professionalism from which a lot of Members of this Parliament could learn. Secondly, I would ask the Presidency to look again at the Rules. The reason we are here is because the vote was not followed, as is explicitly provided for in Rule 163, by explanations of vote. This says that once the debate has concluded, every Member shall have the right to make an explanation of vote in not more than 60 seconds. It really alarms me that we have arbitrarily set aside what our Rules of Procedure plainly state.

If we want to change that rule, then that is fine. There is a mechanism for doing that. However, as long as that is what the rule says, it is incumbent on us to obey it in letter and spirit.

President. – Forgive me for contradicting you, Mr Hannan, but the Committee on Constitutional Affairs discussed the issue a very long time ago: ‘once the debate is finished’ does not mean ‘immediately after the end of the debate’.

We are currently at the ‘once the debate is finished’ stage, but I am sure you will come back to me in order to have that amended – I have faith in you.

Ewa Tomaszewska (UEN). – (PL) Mr President, the ritual slaughter of animals, which causes them extreme suffering, is inconsistent with our civilisation. I do not believe that any religion which aims to do good could require something like this from its followers. Such slaughter is, rather, a custom of savage and primitive tribes, and we should not agree to it. If religious toleration is to be used as an argument, then we should add that there are religions in the world which practice the ritual killing of people. Are we also going to agree to that? Is that our community of values?

Rejection of Amendment 28 would have given at least the possibility for maintaining or introducing a ban on such practices in particular Member States. Adoption of Amendment 28 reveals the true, bloodthirsty face of this Parliament. I voted in favour of the report as a whole, but I did so only because other provisions improve the situation of animals designated for slaughter.

Neena Gill (PSE). – Mr President, the time of killing is one of the most important but potentially one of the most sensitive issues we can legislate for in this House. But we cannot just walk on by, because many of my constituents in the West Midlands are concerned that the legislation will affect their religious rights.

The decision about whether or not an animal should be stunned before slaughter is not something that should be decided here but at Member State level, through open dialogue and consultation with religious communities.

We need to walk, not run. This seems to me the best approach on this issue. The role of this House is not to impose norms and values but to represent and reflect the views of its constituents and get a balance. We can work it out together. While most MEPs would prefer it if all animals were stunned before slaughter, we should uphold the right of religious communities to eat meat killed in accordance with their religious beliefs.

Finally, Mr President, can I thank you for all those who are here tonight, because I think only the lonely are here tonight, and we are all hopelessly devoted to you because that is why we are here tonight.

- Report: José Albino Silva Peneda (A6-0241/2009)

Siiri Oviir (ALDE). – (ET) European social models face many problems at the moment, for instance demographic changes and globalisation, which also influence the models under discussion. For that reason, European social models must be modernised in view of long-term developments, while at the same time preserving their initial values.

In the context of the present economic crisis, it is extremely important that social policy go hand in hand with economic policy. For these methods to be effective, they must be democratically structured, i.e. on the principle of working from the grassroots upwards, and they must be implemented at the local level, i.e. closer to the citizens. The proposal was in the spirit of these principles, and for that reason I support the report prepared under the guidance of Mr Silva Peneda.

- Report: Jean Lambert (A6-0263/2009)

President. – Mrs Oviir, you are not bothering me in the slightest, moreover I am pleased to tell you that you are the last speaker, on the last report.

Siiri Oviir (ALDE). - (ET) Sometimes it is good to be first, and sometimes it is good to be last. I would like to mention the following things: in the present severe economic crisis, the European Union's labour market is controlled by the reality that more and more people are being made redundant, which in turn will increase the total number of individuals suffering from poverty and alienation in Europe. Today it is very important that social involvement and the connected labour market policy also be pursued through an integrated and united approach in the recovery plan for the European economy.

We have spoken extensively about flexibility in labour market policy. It is high time we also spoke of flexibility in social policy. By that I mean that labour policy and the policy for granting social assistance should be connected. The present situation requires this. The report supported the active involvement of unemployed people, and I considered it to be very positive to vote in favour of passing this report.

President. – Mrs Oviir, your fan club has stayed to the end.

The next sitting will start shortly, because it is already Thursday 7 May 2009, the last day of the sixth legislative term of the European Parliament.

17. Agenda of the next sitting: see Minutes**18. Closure of the sitting**

(The sitting was closed at 12.20 a.m.)