

TUESDAY, 9 MARCH 2010

IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

Vice-President

1. Opening of the session

President. – I declare the 2010-2011 session of the European Parliament open.

2. Opening of the sitting

(The sitting was opened at 09.00)

3. Debates on cases of breaches of human rights, democracy and the rule of law (announcement of motions for resolutions tabled): see Minutes

4. Internal Market Scoreboard - Consumer protection - SOLVIT (debate)

President. – The first item on the agenda is the very important joint debate on three reports on the internal market and consumer protection:

- A7-0084/2009 by Mrs Von Thun und Hohenstein, on behalf of the Committee on the Internal Market and Consumer Protection, on the Internal Market Scoreboard (SEC (2009)/1007 - 2009/2141(INI)), and

- A7-0024/2010 by Mrs Hedh, on behalf of the Committee on the Internal Market and Consumer Protection, on consumer protection (2009/2137(INI)), and

- A7-0027/2010 by Mr Buşoi, on behalf of the Committee on the Internal Market and Consumer Protection, on SOLVIT (2009/2138(INI)).

Róza Gräfin von Thun Und Hohenstein, rapporteur. – (PL) I am pleased to be able to present the 19th Internal Market Scoreboard, which was produced in July last year. This document shows that Member States are managing increasingly well with the transposition of EU law. Once again, the objective has been achieved – the objective which the Heads of State or Government set themselves so that the average transposition deficit would not exceed 1%. Nevertheless, the number of directives which have not yet been transposed in one or more Member States, in other words, market fragmentation, is still too high. It is over 100 internal market directives. In addition, as many as 22 directives have not been transposed two years after expiry of the deadline for this. The Member States must do even more for the internal market to become something which benefits all Europeans.

At this moment, as I present this report to you, I have in my hand the next scoreboard, the round-number 20th edition, which shows further progress in transposition of EU legislation. The transposition deficit has fallen to 0.7%, so significantly lower than the target set. This is the best result ever. It can be very clearly seen that the work of the European Commission which has resulted in this publication is having a mobilising effect on the Member States. We can warmly congratulate the Commission on this productive, hard work.

Another piece of good news is that market fragmentation has fallen from 6% to 5%. However, 74 directives still have not been transposed in one or more European Union Member States, and this means that barriers, very harmful barriers, continue to affect citizens and entrepreneurs in the internal market. We must eliminate these barriers together.

To this end, the report of the Committee on the Internal Market and Consumer Protection proposes closer cooperation between all the institutions which are jointly responsible for transposition and stakeholders. We propose holding an annual Single Market Forum, or SIMFO, which would bring together the European institutions, but which would also bring together Member States, members of national parliaments and representatives of business and consumers. A forum of this kind will be an opportunity for the exchange of experience and best practices concerning transposition of EU law, as well as for the preparation of strategies for meeting the challenges which are still ahead of us.

To get rid of those harmful barriers, we are calling on the European Commission to apply an 'internal market test' to all new EU legislation, to ensure that new measures do not undermine the four freedoms of the European Union. It is also extremely important to give the citizens clear information about how the internal market operates, bearing in mind that it was precisely for them that the internal market was established 20 years ago.

To present a fuller picture of the development of the internal market, the Committee on the Internal Market and Consumer Protection is calling for the Internal Market Scoreboard, the SOLVIT Report, the Citizens Signpost Service and the Consumer Markets Scoreboard to be published at the same time.

Finally, I would like to thank everyone who has worked on this report, and to ask fellow Members to vote in favour, because I am sure this will result, in the future, in faster, proper transposition of EU legislation within the framework of the legal order of Member States. Thanks to this, Europeans will encounter fewer barriers in the internal market, and surely this is a matter which is fundamental for the development of our European economy, and also of our European identity.

Anna Hedh, rapporteur. – (SV) Mr President, first and foremost, I would like to start by thanking the shadow rapporteurs and others involved for the good cooperation we have enjoyed over the period in which we were working on the Consumer Markets Scoreboard. I am also pleased that once again, we have produced a report that has the support of the overwhelming majority of the Committee on the Internal Market and Consumer Protection.

I have always maintained that we need confident and satisfied consumers in the EU in order for the internal market to operate properly. It was therefore pleasing that in 2007, we got a Commissioner with specific responsibility for consumer issues. Partly as a result of Mrs Kuneva's strong personal commitment and great openness, consumer protection policy and consumer issues have moved forward. The Consumer Markets Scoreboard is also of Mrs Kuneva's doing.

Despite the concern regarding responsibility for consumer issues being shared by two Commissioners, we hope that this work will continue to make progress and bear fruit and that the focus on consumers will not be weakened as a result of the new Commission. This responsibility is, in fact, now even greater, since Article 12 of the Treaty of Lisbon states that consideration is to be given to consumer protection requirements in the drawing up and implementation of the Union's other policies and activities. This is an important step for consumers and something that I do not intend to allow anyone to forget in my continued political work.

I very much welcome the second edition of the Consumer Markets Scoreboard. The scoreboard is one of a number of instruments that we have to improve the internal market and I think the perspective on which the scoreboard is based is of particular interest, since it concerns citizens' expectations and problems and because it improves the internal market specifically for consumers. The scoreboard has analysed the consumer market according to the same indicators as previously – namely price, switching supplier, safety, complaints and customer satisfaction.

Eventually, these will no doubt need to be developed and improved, and new indicators will also need to be included. However, I feel that at present, they provide an adequate basis for establishing priorities and drawing conclusions concerning the further analyses that need to be carried out. It is incredibly important that we are patient and give the scoreboard time to develop. It is still in its infancy.

In the second Consumer Markets Scoreboard, we have seen, among other things, clear indications that consumers have more problems with services than with goods, and that prices increase less often in sectors in which consumers frequently switch supplier. Cross-border e-commerce is also developing more slowly because of border obstacles that leave consumers concerned and lacking in confidence. Moreover, we can see that effective application of the legislation and actual redress mechanisms are of crucial importance for the proper operation of the market.

Data also shows that there are great differences between Member States and that there is room for improvement in respect of redress mechanisms. I therefore call on the Commission to follow up the Green Paper on Consumer Collective Redress.

Effective application and surveillance of the EU's provisions on consumer protection are essential if we are to increase consumer confidence. However, surveillance in the EU is far from uniform and, according to the statistics, there are significant differences between Member States in terms of market surveillance budgets and the number of working inspectors. Both the Commission and the national surveillance authorities must therefore increase their efforts if we are to achieve the aim of bringing about good consumer protection and

ensuring that consumers feel sufficiently confident to be able to exploit all the opportunities offered by the internal market.

It is highly important that we strengthen the mechanisms for market surveillance and supervision in order to increase consumer confidence. Consumption will, after all, be a crucial factor in Europe's economic recovery.

Cristian Silviu Buşoi, *rapporteur*. – (RO) I would like to begin by thanking those whom I had the opportunity to work with on the SOLVIT report, the Secretariat of the Committee on the Internal Market and Consumer Protection, all the shadow rapporteurs, and the rest of my fellow Members who have shown their interest in this dossier and have made an important contribution to the end result.

SOLVIT is a network offering informal solutions to problems which can arise due to the inappropriate implementation of internal market legislation. It is a particularly useful innovation for European consumers and companies in the European Union in terms of providing the benefits which European legislation entails. We often have problems implementing European internal market legislation. SOLVIT seems to me to be a viable alternative to the judicial route, with the courts also being so clogged up with all kinds of different cases.

We cannot ignore the fact that SOLVIT is faced with an ever-increasing case load and, from this perspective, it is somehow a victim of its own success. So that SOLVIT can offer high-quality assistance to citizens and companies in the European Union, those SOLVIT centres which do not have the staff they need must receive additional staff.

This additional staff must be supplied in a logical and controlled manner, taking into account the size of the country's population and the previous number of cases the centre has dealt with in the past. This analysis must be carried out with a view to providing additional staff only in those places where there is a genuine need. Providing SOLVIT with additional staff obviously incurs some costs as well. The report invites Member States to use all the resources available to fund additional staff, including alternative methods of financing.

Another focus area in this report is the promotion of the SOLVIT network, which I personally consider to be of paramount importance, and I believe that all of you will concur with me on this. By calling upon the services of SOLVIT, SMEs can save large sums of money which they can invest in other areas capable of generating economic growth and which are more beneficial to their development than the legal assistance which they would need to resolve any problems. As far as individual consumers are concerned, SOLVIT offers them the benefit of avoiding lengthy and costly judicial proceedings.

However, to enjoy the benefits offered by the SOLVIT network, citizens and companies firstly need to be aware of the network's effectiveness. This is why I believe that we should actively involve national authorities, the European Commission, as well as members of this Parliament, in promoting SOLVIT. There are numerous ways of doing this, ranging from the mass media and information campaigns organised by Member States to the creation of a single SOLVIT portal. In addition, the public services which are involved in the implementation of European legislation governing the internal market could appoint someone in charge of SOLVIT's communications, which would again boost the network's efficiency and contribute to its promotion. As MEPs, we can take the initiative ourselves to promote SOLVIT and we can help raise awareness about it among our colleagues at national parliament level.

The exchange of good practice between Member States with regard to promoting SOLVIT and resolving this network's operational problems is another measure which this report strongly encourages. In fact, good ideas can be spread and applied at European level for the benefit of all.

Finally, we cannot ignore the fact that SOLVIT often faces many cases which do not come under its remit or which are especially complex, requiring solutions using alternative methods. Petitions submitted to the European Parliament's Committee on Petitions may offer a solution for those cases which are too complex to be resolved at SOLVIT level. This is why one of the proposals suggested by this report is for the SOLVIT portal to forward such cases to the website of the European Parliament's Committee on Petitions, as well as to the specialist committees in the national parliaments.

These are just a few of the ideas on which the SOLVIT report is based. I believe that these proposals are able to improve the network's operation in terms of offering high-quality assistance to consumers and companies. SOLVIT has enormous potential and we must constantly analyse its performance in order to utilise its potential to the full.

Michel Barnier, *Member of the Commission*. – (FR) Mr President, ladies and gentlemen, first of all, I think it is very important that we should stand shoulder to shoulder with my colleague, Mr Dalli, to reply to your questions and to tell you about the implementation of these various tools and texts.

In my political life, ladies and gentlemen, I have often considered that the monitoring effect is at least as important as the announcement effect. I therefore think it very important, when one is in a national parliament, or the European Parliament, when one is in the Commission, that one should have instruments to check and to evaluate the concrete, genuine implementation of the texts one is voting for. I also think that in order to act properly, one needs to understand properly, and it is precisely on this point that your rapporteurs have focused with a great deal of skill and vigilance.

I would like to thank Mrs Thun Und Hohenstein and Mr Buşoi most sincerely for those matters which concern me more directly, as well as Mrs Hedh, for the quality of their reports.

What are we talking about? We are talking about the internal market. I said quite late yesterday evening in this Chamber that, at this time of crisis and economic difficulty, we cannot afford not to make use of all potentialities. If the internal market, the large European market, functioned normally, as it will have to function, we would be able to achieve by ourselves, between ourselves, between 0.5 and 1.5% of additional growth.

At the moment, we cannot afford to lose this opportunity. The internal market must therefore function fully in all its aspects and this is, of course, the task that President Barroso has entrusted me with, under your control. This is why I attach importance to this scoreboard and to this SOLVIT instrument, and to their proper functioning. I think that Mr Dalli will say exactly the same regarding the important issue of consumers.

Mrs Thun Und Hohenstein has just spoken about the good news and the not so good news concerning this scoreboard. We are talking here about 1 521 directives or texts that enable the internal market to function, and that is a lot. There is currently a transposition deficit which, precisely as you said, is at its lowest ever level. This is good news, and we must thank all those who, in the Member States, and sometimes in the regions, are responsible for implementing this directive. I would also like to include in these thanks my colleagues in the Directorate-General for the Internal Market.

There is also one piece of news that is not so good, and that is that the quality of transposition, the quality of implementation, is unsatisfactory. We must therefore all work together, with the European Parliament, with the national parliaments, with the officials in each Member State. This is the purpose, as I told you when I was heard by Parliament, of the visits I am going to make as of now – I have already begun – to each of the 27 capitals to meet in person, under the authority of the competent ministers, the officials responsible for implementing the internal market directives, and for working out the items on this scoreboard and getting SOLVIT up and running, as Mr Buşoi has clearly said.

This is also why I told Mrs Thun Und Hohenstein that I agree with this idea of a forum; it is a very good idea. We need to bring people together, and we shall do so together, here in Parliament, with the Commission, the national parliaments and all those responsible in each Member State for sharing, evaluating and exchanging good practices. I fundamentally believe in the benefit of pooling those in charge: agreement rather than constraint, agreement first, mutual trust and shared labour.

As far as SOLVIT is concerned, Mr Buşoi has pointed out the importance of this tool, which is beginning to work well. We currently have 1 500 cases that have been dealt with by cooperation, by resolution, by mediation, essentially on behalf of citizens, but also on behalf of a large number of businesses. As Mr Buşoi quite rightly pointed out, this enables savings in terms of money and time and in this way, citizens, consumers and businesses are returned to their place at the heart of the single market rather than having to enter into excessively cumbersome procedures so that a solution to their problems can be found, included and provided in the implementation of this or that internal marketrelated provision that concerns them.

It is, to some extent, this same spirit that drives the action plan for the Single Market Assistance Services, the SMAS plan, the aim of which is to provide better information and a better service to citizens and businesses. Progress has been made here as well. This plan has enabled different services and common online forms between SOLVIT and the Citizens Signpost Service to be brought together.

As that has been suggested by your rapporteurs, I think that, under the control of Mr Dalli, we could make an effort, that we must make an effort to present all these documents, all these results, all these communications at the same time, in order to bring together and better coordinate these different tools that describe the implementation of the internal marketrelated texts or directives.

In any event, I am in favour of this improved coordination and confirm my personal undertaking to make good use of these various tools for evaluating and monitoring the 1 500 directives associated with the functioning of the internal market.

John Dalli, *Member of the Commission*. – Mr President, I will be commenting on the report about these two very key European policies – the Consumer Markets Scoreboard and the Consumer Enforcement Package – that has been presented by Ms Hedh. I would like to thank Ms Hedh for her excellent work as a rapporteur.

Consumer policy lies at the heart of the economic and social challenges that we face today. It is all about people. Informed and empowered consumers drive innovation and competitiveness but, perhaps most importantly, making the internal market work for consumers is our trump card in reconnecting with citizens. The central role given to consumer policy is reflected in a number of portfolios. Indeed, the College will be working together closely on ensuring that the rules adopted translate into practical benefit for consumers. I am here today with my friend Michel Barnier, just as an indication that this is the close way in which we will be working together. This will be our working practice.

The consumer dimension is to be developed in all portfolios and benchmarks will be adopted across the Commission to measure progress or the lack of it. The Consumer Scoreboard serves as an alarm system, telling us even when the internal market is letting consumers down. The scoreboard also serves to monitor progress in integrating the retail side of the internal market for consumers, SMEs and other retailers. It also helps to show whether Member States are doing enough to enforce new consumer law and to inform, educate and empower consumers.

Turning to enforcement, I am pleased to see that Parliament shares the Commission's view about the importance of giving people in practice the rights they have on paper. We have a long way to go in this regard. The communication of July 2009 aimed at identifying ways of making enforcement more effective, efficient and consistent throughout the European Union. It now needs to be translated into concrete action. One priority will be to step up efforts to increase the efficiency and effectiveness of our cross-border networks, which must send strong messages to traders that there is no safe haven in the EU where they can hide from pursuit. The same applies to cooperation with authorities in third countries. To achieve this, national enforcers need sufficient staff and resources. In tough economic times, all public services are under pressure, but cutting back on enforcement of consumer rights can only be false economy. Free, open, well-policed markets encourage competition on quality and price and drive competitiveness. This benefits not only consumers but also the EU economy as a whole. Both the Commission and Parliament should work together to ensure that this message rings out loud and clear across Member States.

We also intend to continue the good work in establishing Europe-wide coordinated enforcement – so-called sweeps. However, these sweeps have shown that sometimes, combining national efforts is not enough. European solutions are needed. I will therefore happily take up your invitation to explore the legal basis in the treaty with a view to strengthening consumer protection, in particular, enhancing the Commission's capabilities, but this will be done and we will go down this road if we are first convinced that it will add value to work at national level.

Turning to redress, I agree that alternative dispute resolution mechanisms can offer cheap, simple and quick redress for consumers, while maintaining the reputations of businesses. One element of this strategy relates to the handling of collective claims. Here I intend to make sure, together with Vice-Presidents Almunia and Reding, that the Commission moves forward in a coordinated manner.

Finally, I count on your support to ensure that sufficient funding is made available post 2013, when the current consumer programme expires, to support the ambitious consumer policy, not least the continued delivery of an enhanced scoreboard. Together, I am confident we can meet the complex challenges of today and tomorrow and work in partnership to ensure the internal market delivers its full potential to all our citizens.

Simon Busuttil, *rapporteur for the opinion of the Committee on Petitions*. – (MT) On behalf of the Committee on Petitions, I have drawn up an opinion on the SOLVIT network, which I fully support, since it is a means which helps citizens who encounter difficulties. However, I would like to make an important point on which I will elaborate: the need for full cooperation between all the stakeholders who are contacted by the citizen. What options are available to the citizen who encounters a difficulty? He may either file a petition in front of the European Parliament, which is endowed with such power under Article 194 of the treaty, he may present a complaint to the European Commission, or else he may file a complaint with SOLVIT. The citizen may also seek redress by addressing a complaint to the European Ombudsman, but this creates great confusion

with the result that the citizen would not know exactly where to seek redress and assistance. Consequently, in my opinion, and on behalf of the Committee on Petitions, I appeal for greater cooperation between all institutions involved so that the citizen will know exactly where he needs to seek redress.

Zuzana Roithová, *on behalf of the PPE Group.* – (CS) Commissioner, ladies and gentlemen, the Internet service SOLVIT has been in operation for eight years now and has succeeded in resolving 83% of complaints from citizens and enterprises caused by the incorrect application of European law in the Member States, and it has managed to do this within 10 days. In 2008, judicial disputes and damages amounting to EUR 32 million were avoided thanks to informal solutions from SOLVIT.

The problem revealed by our three reports has two levels: first and foremost is the tardiness of a number of Member States in implementing European law into national practice, with a shortfall of 100 directives that have not fully entered into force in connection with the internal market. I know this is a small percentage, but it is an important percentage. Secondly is the very poor use made of SOLVIT as a practical instrument. For example, in the Czech Republic, it is well known among professionals, but only 7% of registered entrepreneurs know anything about the service. The situation in France is far worse. According to the statistics, SOLVIT is looked after by just one individual on work experience.

I am delighted that our committee has also supported the proposals I presented as a shadow rapporteur; for example, the measure to increase the professional administrative staff of the SOLVIT network in Member States. However, it is mainly a matter of promoting the network among entrepreneurs, expatriates, various associations, national parliaments and also this Parliament. I would like to mention the need to link SOLVIT with the unified points of contact and advisory services operated by the Commission and, of course, it is important for the Commission to inform all countries in a timely manner of the issues resolved through the SOLVIT network. The Commission should present these analyses in annual reports and, in this way, we could of course improve the usability of the SOLVIT network.

I am delighted that our committee has backed all three reports to such a broad extent across the political spectrum, and I hope that the plenary will also back them. I would like to thank all the rapporteurs for the work they have carried out.

Evelyne Gebhardt, *on behalf of the S&D Group.* – (DE) Mr President, Commissioner Barnier, Commissioner Dalli, ladies and gentlemen, today we are talking about the internal market, consumer protection and the mobility of people within the European Union. These are the key issues when we are discussing these three instruments and they are what I want to address in particular.

Bringing these three topics together provides a very great advantage for us today, because the economy and the rights of consumers and workers are not intrinsically opposed to one another; they need to be brought together. This is something that we need to make progress on for the future. That is why it is good that we are having this joint debate today.

In order to make this a reality, we need, above all, to bring three political principles to the fore. Firstly – and Commissioner Barnier put this very well earlier – protectionism, which is still very much in evidence in the national governments of the Member States, needs to be overcome. That is something we need to do in any case and it is on the agenda.

The second political principle is that we must guarantee a high level of protection of the rights of both consumers and workers. In other words, the internal market does not mean the abolition of rights and it does not mean deregulation. It means ensuring that we preserve our very high level of common rights in these areas. For this reason, there is one paragraph in Mrs von Thun Und Hohenstein's report that we do not agree with. This concerns the so-called Internal Market Scoreboard or internal market test. This is the wrong approach. It gives the impression that the only important thing is how the market is functioning. That is not the case. We need to ask what impact the European Union legislation will have on the rights of workers and on the rights of consumers. We therefore reject this concept, because it is the wrong one.

Thirdly, we need good enforcement of these rights at European level. For this, we need a system of collective redress so that consumers do not stand alone in this internal market, but are also able to really assert their rights.

Robert Rochefort, *on behalf of the ALDE Group.* – (FR) Mr President, ladies and gentlemen, first of all, allow me say that I am very pleased to see this exchange regarding the internal market and consumer protection entered as a priority debate this morning.

In the context of economic crisis, Mr Barnier, the internal market is an asset that we really must develop. Within this internal market, of course, it is consumption which is perhaps the most important driver that we need to support in the very short term. Not any kind of consumption, however. We need the sort of consumption that prepares for the future, that is in line with the challenges of sustainable development, responsible consumption that is not always seeking to promote discount products that are supposed to enhance the purchasing power of families but which, in fact, are often mediocre in quality and which derive from the almost systematic relocation of their production outside the Union. We know who their main victims are: the consumers with the lowest income, the most vulnerable consumers.

In short, we must re-establish trust between consumers and businesses, especially distribution businesses, to strengthen and promote the development of our EU's internal market. I would like to address a very clear message to the Commission. Yes, Mr Dalli, you will have our support, but we experience that unease born of the risk associated with the distribution of competences between yourselves. We fear that this will lead to the fragmentation of your responsibilities. At the same time, we shall be very much on the alert to see that you are really working together in a coordinated manner. We expect consumers' interests to be genuinely taken into account in all the European Union's policies, in the spirit of the Treaty of Lisbon.

I shall give you an example immediately that links not only Mr Barnier and Mr Dalli, but also Mrs Reding. It is time to follow up the Green Paper on collective redress. We expect you to make progress on this matter. Since you have referred to it, by the way, Mr Dalli, I would like to ask you whether you already have a schedule on this matter. We also expect you to come up with a specific new European form so that this collective redress will avoid the all too familiar abuses of the US system, so that we come up with something that can benefit everyone, that does not pit the interests of one side against the other.

I would like to congratulate our fellow Member, Mrs Hedh, on her very complete report. I would like to pay particular attention to the emphasis she rightly places, in her report, on consumer education, which is essential and which must continue throughout life, since it is not only a matter for young children but also for consumers, given the extent to which products change and marketing forces become more sophisticated.

(The President interrupted the speaker)

In conclusion, I would just like to tell you that the indicators, the scoreboards, are all very well – and this is from a former statistician-economist – but they are no substitute for political will, which is what really must spur us to action.

Heide Rühle, *on behalf of the Verts/ALE Group*. – (DE) Mr President, I would like to follow on from what Mr Barnier said at the start about the considerable importance of the internal market in the current crisis. This has been proven very clearly once again. However, the internal market obviously requires citizens to have confidence in it. Only then will it function in the right way. This is still lacking at many levels. In the debates in our own countries, we parliamentarians in particular very often notice that these fears of the internal market are still very much in evidence amongst the general public and that subjects like protectionism are, unfortunately, also well received because these sorts of things are not only propounded by governments, but are also supported by many citizens. It is therefore all the more important for us in Parliament to do our utmost to boost confidence in the internal market. Consumer policy is, of course, a key element in achieving this. Consumer policy providing a high level of consumer protection can increase and safeguard people's confidence in the internal market. We therefore need to work harder in this area.

I welcome the fact that both of the Commissioners are here today. You are, of course, aware that our group, too, was critical of the fact that there is no longer a single commissioner responsible for consumer policy, because the message sent out by Mrs Kuneva was a very positive one. We therefore welcome the fact that you are giving us a very clear signal here that you want to cooperate in this area. We were also concerned that, by dividing the responsibilities between different commissioners, consumer protection would ultimately receive insufficient attention. I hope, however, that this is not just a one-off occurrence, but that you will cooperate on this very closely with us, because we have some very important issues to address; for example, we still have to finish debating the subjects of class actions law and collective redress, and progress needs to be made in this regard. Of course, that will also play a very important part in increasing the confidence of citizens.

We need more instruments that make it clear that citizens are protected in the internal market. SOLVIT is a very important instrument in this regard. We therefore wholeheartedly support Mr Buşoi's report. SOLVIT, which provides an opportunity for out-of-court solutions, creates confidence in the internal market and provides consumers with a better knowledge of the internal market and this is something that is very often

lacking on the part of the authorities in the Member States. SOLVIT can provide an important and key addition in this respect. This year, I am rapporteur for the budget and I can assure Mr Dalli that we will be vigilant in budgetary matters and the allocation of resources in the area of consumer policy. We have already approached our Committee on Budgets and emphasised that we, of course, want funds to continue to be provided and that we want the appropriate money to be used. In this regard, you can count on our support.

To summarise once again, I think that, overall, these reports send out a very important and very positive signal. Although we support them, we do have one point of criticism. This relates to the internal market check, which we feel is rather one-sided. If we are going to review the directives, they need to be reviewed from various different viewpoints. Sustainability is very important here, as are social issues. A review, if it is to be carried out, must not focus solely on the single aspect of the internal market. It must be a comprehensive review. The subject of subsidiarity must also be given adequate consideration in this regard. We therefore find the one-sided focus on the internal market check regrettable. In principle, however, we support the approach of the rapporteur, including with regard to the internal market check, and we will vote in favour of the report.

Adam Bielan, *on behalf of the ECR Group*. – (PL) Mr President, the process of building the common market based on the four freedoms – the free movement of people, goods, capital and services – is still an unfinished process, especially if we are thinking of the fourth freedom, the free movement of services, and we still have a very great deal to do. It is an extremely significant process, particularly at a time of sluggishness in the economy and in view of the economic crisis we are facing in Europe. Indeed, it is at a time of economic slowdown that we ought to talk about the merits of the common market, and perhaps then we will see the political will for which Mr Rochefort has appealed.

I would like, for this reason, to congratulate the Bureau of the European Parliament for realising the importance of the matter and deciding to make the debate on these three reports a priority debate for this sitting of Parliament. My thanks and congratulations are also due to Mr Harbour, Chair of the Committee on the Internal Market and Consumer Protection, for the effectiveness of his efforts in this regard. I would also like to congratulate the three rapporteurs for these three reports of such importance. I cannot but notice, however, a certain absurdity. In plenary today, we are discussing Mrs Thun's report – an excellent report, I would like to add – but it is a report about the Internal Market Scoreboard for 2008. However, several days ago, the Commission published the Internal Market Scoreboard for 2009. I think this is another reason why, in future, the Commission should publish all four important reports monitoring the internal market at the same time. After all, the Internal Market Scoreboard, the Consumer Markets Scoreboard, the SOLVIT Report and the Citizens Signpost Service are all, in fact, about the same thing, and we should receive them at the same time.

Finally, I would like to express support for the two main proposals contained in the Thun report. I support in full both the proposal to hold an annual internal market forum, as well as, and more importantly, the proposal of a compulsory test, the 'internal market test', which should accompany all European Commission proposals in future.

Kyriacos Triantaphyllides, *on behalf of the GUE/NGL Group*. – (EL) Mr President, there is now a pressing view, which is confirmed in the Treaty of Lisbon and by the position taken by the Commission itself, that consumer protection policy needs to focus on safeguarding a healthy market in which consumers can act with safety and confidence.

This reasoning is based on the fact that, if consumers feel comfortable and confident in the market and cross-border trade is encouraged, competitiveness will increase and consumers will have a wider selection of goods and services at more competitive prices.

We do not agree with the position and the view that more efficient and flexible consumer markets are fundamental factors for competitiveness and citizens' prosperity. The economic crisis proves that we need to be guided by the particular conditions in each state and not by the dogmatic application of a single standard, namely that of unadulterated competition. We consider that competitiveness is not intertwined with citizens' prosperity, because it tends to favour companies, given that, to date, price reductions as a whole have demonstrably not benefited consumers.

We need price controls for basic goods, for the benefit of the poorer classes and society as a whole. The only policy that can consolidate and raise the level of consumer protection is one that revolves around man and his prosperity and not around increasing competition.

This being so, we agree with a scoreboard to record and evaluate European consumer satisfaction with the smooth operation of the market but, on the other hand, we should not move away from the essence and the objective, which is none other than to operate a people-oriented internal market which revolves around man's prosperity, not around numbers. We see a consumer scoreboard as a tool for recording the extent of consumer satisfaction within a specific framework and at a particular point in time. However, this evaluation and these records alone cannot bring greater prosperity to citizens purely and simply because, apparently, they will give consumers greater self-confidence and security.

Furthermore, any evaluation needs to be made on the basis of quantifiable social targets. We also note that, as the primary objective of the scoreboard is to record consumer complaints, particular emphasis needs to be given to the measures which need to be taken to prevent profiteering.

Oreste Rossi, *on behalf of the EFD Group*. – (IT) Mr President, ladies and gentlemen, today we are discussing three measures relating to the health and protection of consumers, which we have already voted in favour of in committee and which we will vote in favour of in plenary.

We are on the side of the citizens, who are too often harmed by decisions taken by European bodies: I am thinking of the decision taken by the European Court of Human Rights to deny the freedom to display the crucifix; the inability to effectively tackle illegal immigrants; the endless stream of people from third countries who take jobs away from our people; the reticence to give consumers proper information on what they are buying or the place of provenance of foodstuffs.

The Hedh report attaches importance to the point of view of European citizens, who experience the pros and cons of the internal market every day, and emphasises the wisdom of appointing, in 2007, a Commissioner for Consumer Affairs. The report also points out the need to harmonise Member States' surveillance and monitoring structures, as well as those of third countries.

The Thun Und Hohenstein report criticises certain attitudes adopted in the past and calls for responsibility to be shared among Member States and the Commission.

The Buşoi report concerns the SOLVIT network, created by the European Commission to give citizens and businesses free help in asserting their rights within the Union, particularly in cases of dispute. It also criticises certain inefficiencies of the network and advocates improved information for citizens and businesses, who are often unaware that this structure exists. As legislators, our primary concern must be citizens and consumers.

Angelika Werthmann (NI). – (DE) Mr President, ladies and gentlemen, SOLVIT can and should make a substantial contribution to greater transparency in the enforcement and assertion of personal and civil rights in the internal market. The SOLVIT online problem-solving network is based on a pragmatic approach, which will benefit both citizens and enterprises without huge amounts of red tape.

However, the report from 2009 also shows that almost 40% of questions raised by citizens related to residence conditions in another EU country. This gives rise to the question of whether residence rights are still not being implemented in a transparent way.

Tiziano Motti (PPE). – (IT) Mr President, ladies and gentlemen, today we will vote on the own-initiative report on consumer protection, a very important instrument for which, among other things, I must thank the rapporteur, Mrs Hedh, and the other rapporteurs for the excellent atmosphere in which we have managed to work together.

There were many points on which we were in total agreement, and others I hope we can work on in the future: specifically, the European consumer scoreboard promoted by the European Commission, a very important instrument that nonetheless, in my view, still does not provide standardised data to enable people to make clear decisions. If we were a company and we decided on the future of the company based on data that was still inaccurate, we could go bankrupt. That is why, in future, I hope that we can work on a database that enables people to make clear decisions.

We must also consider, including in this report, the great burden put upon consumers but, in my view and on behalf of the group, I believe that a better balance is necessary in the future, since European citizens are not just consumers but also workers in companies that operate in the internal market. We must therefore always consider the balance that must exist between those who provide services and provide goods and consumers themselves, since this is our objective.

An informed consumer is a free consumer – so any initiative to provide additional information is welcome – but we said no to school schemes because we must not take the place of the consumer when it comes to exercising their own freedom of choice and we believe that parents should be the first point of reference for young children in terms of what should be their consumer education. Moreover, parents also have control over their children's consumption, especially when they are young.

As for adults, it is true that consumers sometimes have difficulty protecting themselves via the appropriate legal channels, which is why we are in favour of non-judicial redress, but we believe that a greater effort could be made, particularly in times of crisis, to make what already exists work, rather than seeking to increase the number of consumer ombudsmen.

I will finish by mentioning services provided by the public administration. I am sorry that due consideration was not taken of the fact that the public administration, municipalities, bodies, provinces, and even states, are also a point of reference for the consumer. I hope that in future, we can do more, because it must be possible for consumers also to be protected from those malfunctioning services provided by the public administration.

Liem Hoang Ngoc (S&D). – (FR) Mr President, Madam President, I thank Mrs Thun Und Hohenstein for the conscientiousness of her work and the overall quality of her report.

As shadow rapporteur for the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, I am delighted that the vote in the Committee on the Internal Market and Consumer Protection has made it possible to integrate into the final report a number of ideas that we wanted to see emerge.

The first is the need to adopt a more qualitative approach in respect of the implementation of the Internal Market Scoreboard, enabling the causes of the transposition deficit to be identified. We do not underestimate the usefulness of the statistical data and the pressure that comes from promoting the EU's good and bad students, but in our opinion, the Commission ought to be more ambitious and try to make this scoreboard a tool designed to appreciate the difficulties encountered by the Member States within the context of the transposition process. All the more so since we all know that the transposition deficit may sometimes be due not to ill will by the Member States, but to the mediocre quality of the European legislation to be transposed.

The second aspect I focused on is the need to strengthen dialogue between the Commission and the Member States throughout the transposition period. The more the information exchanges take place upstream, the more it will be possible to prevent the risk of nontransposition or incorrect transposition.

The report does, however, pose a problem on one point: this relates to paragraph 10, which did not initially appear in Mrs Thun Und Hohenstein's draft report. This paragraph proposes the creation of an internal market test for all new proposed legislation. We are strongly opposed to this since such a test seems to us to be pointless at best and dangerous at worst.

Indeed, the review of any barriers to the internal market already takes place during the impact studies carried out by the European Commission with each new legislative proposal. We would not like this internal market test to be used as a pretext for undermining social or environmental advances. We could not agree to it in those circumstances.

Jürgen Creutzmann (ALDE). – (DE) Mr President, Commissioner Barnier, Commissioner Dalli, the fact that we are discussing three own-initiative reports on consumer protection and the internal market today shows that, despite all of our successes in these areas, there is still much that is in need of improvement. Admittedly, the Member States' transposition of the internal market directives has, on average, greatly improved, but seven Member States have failed to meet the target set by the Commission of reducing the transposition deficit for the internal market directives to 1%.

The main problem, however, has more to do with the application of EU law than with its transposition. Thus, in the event of treaty infringements by Member States, it takes, on average, 18 months – in other words, still far too long – for them to comply with the judgment of the European Court of Justice. This can be seen from the current internal market scorecard, and the Group of the Alliance of Liberals and Democrats for Europe finds that unacceptable. This deficit will lead to problems for citizens and, in particular, for small and medium-sized enterprises, which depend on harmonised rules within the internal market, but which meet with unexpected, time-consuming and bureaucratic obstacles when they want to operate across borders.

This is why it is important for SOLVIT to be developed further. SOLVIT is an online problem-solving network in which the Member States work together in a pragmatic way to resolve problems that have arisen as a result of the misapplication of internal market rules by public authorities. All Member States must ultimately provide the financial resources and adequately trained staff for the SOLVIT centres. The ALDE Group calls emphatically for people to be made more aware of SOLVIT in the Member States in order to facilitate the cross-border sale of their products and services. For this purpose, the involvement of the relevant associations in large-scale information campaigns is just as necessary as a uniform, easy-to-understand and easy-to-find Internet portal for receiving all kinds of complaints.

Malcolm Harbour (ECR). – Mr President, as chairman of the Committee on the Internal Market and Consumer Protection, it gives me great pleasure first of all to say how much we all appreciate the fact that Commissioner Barnier and Commissioner Dalli are both here today, as a number of my colleagues have observed, and secondly also to remark that I think this is a remarkable occasion for Parliament.

We have one committee that has put together three own-initiative reports focusing on monitoring and implementation of key legislative instruments and, as you, Commissioner Barnier, have said, part of your success will be judged not just in the number of legislative proposals you bring forward but how well they are working.

I think this is a really significant development that all committees in this Parliament need to engage with. I want particularly to thank all the coordinators on the committee who have worked with me to move forward in the work that we are doing and also to engage national parliaments, to have forums of national parliaments.

I very much hope, as both Commissioners indicated, that we would have a wider internal market forum, but we would like to have your reports brought together so this can become an annual event in Parliament for this really important subject.

I think it is significant – if we look at the EU 2020 proposal – that the completion of the single market is now relegated to a paragraph that says missing links and completing networks. Well I hope all my colleagues agree this is absolutely not acceptable. The EU 2020 initiative is calling on Member States to contribute and we have heard from the rapporteurs (whom I thank greatly for their reports) about the fact that Member States need to contribute to the completing of the single market.

This must be a flagship initiative and not relegated in the way that it is in the EU 2020 initiative, and I hope that both of you will help us to make sure that that happens over the next few weeks.

Trevor Colman (EFD). – Mr President, the first note of dissension this morning: these reports wholeheartedly support the implementation of EU laws on consumer protection in Member States and the monitoring of the integration process of markets, which will be reported on in an annual report.

One of the main recommendations is the establishing of a Consumer Markets Scoreboard concerning topics such as complaints, prices, satisfaction, switching and safety, plus a whole host of additional long-term indicators. The Commission intends to carry out in-depth analysis of all so-called problematic sectors identified in the Consumer Markets Scoreboard.

This bureaucratic web of interconnecting enforcements and self-perpetuating regulation will do for the small-business retail trade in Britain what the common fisheries policy has done for the British fishing industry: it will kill it.

Yet again, the small-business entrepreneur is being targeted and disadvantaged by bureaucratic interference and overregulation. However well-intentioned these proposals are – and I am sure they are – yet again, this is an EU solution desperately looking for a problem.

Andreas Schwab (PPE). – (DE) Mr President, Commissioner, I wholeheartedly endorse the sensible contributions made by my fellow Members – with the exception of the last one – and I would therefore like to come straight to the most important points.

The report by Mrs von Thun is a very successful example of how we, as the European Parliament, can show that we are serious about actually implementing what we have decided on together with the Council, and this implementation is the job of the Member States. We, as Parliament, together with the Commission, must therefore pay greater attention in the next few years to ensuring that this implementation is actually successful.

The second thing that his report shows is that the division that the socialists clearly want, namely that they themselves be responsible for the good deeds, for consumer protection and for the protection of workers, while the Commission should keep the internal market under control, will not work.

Therefore, our request, which the report takes up with the internal market test, is that we bring together all of the essential elements that we value in the internal market, and that consumers like and enterprises need, and undertake a clear evaluation.

We do not want to bulldoze workers' rights, but we do want these workers to also be able to buy the products that they value. We do not want to cause problems for social structures in the Member States, but we do want these social structures to adapt to the future. This requires a balance, which Parliament needs to find in cooperation with the Commission. It must not be the case that the Commission is responsible for the problems while Parliament promises the good deeds.

Secondly, the report by Mrs Hedh, which, like all reports that we debate here, has been added to superbly by the shadow rapporteurs, shows that we need to attach just as much importance to consumer confidence as to the confidence of entrepreneurs. That will be a task for the future, for which a solution can only be found by putting the long-term focus on the goal of the internal market, putting an end to the fragmentation into individual directorates general and different political approaches, and actually seeing the internal market as the grand aim of the European project that we have rather neglected in recent years.

I am very pleased, Commissioners, that both of you are here today and that you will take this impetus for the next five years with you to the Commission.

Catherine Stihler (S&D). – Mr President, I would like to thank the Commissioners and rapporteurs. I was the shadow on SOLVIT, and that is what I would like to concentrate on, on behalf of my group, the Socialist Group.

SOLVIT is a great concept and I think Commissioner Dalli summed it up by saying it is all about people. It is citizen-centred, and it tries to help those who come up against barriers and problems created by the EU and to solve the problem in 10 weeks. I know that some people would shirk from the idea that 'I am from the government and I am here to help', but SOLVIT is, in essence, a network across 27 Member States which is there to do exactly that: help.

I would like to put on record and pay tribute to all those who work in Member State SOLVIT centres. Just last year, I met with the small-staffed team who run the SOLVIT centre in the United Kingdom. The way the SOLVIT centre works in the UK is a model of best practice because it tries and uses a SOLVIT+ model, going further in helping businesses and individuals who contact them with a problem. The team are integrated into the European Regulatory Division within the Department for Business and Industry. One of my many amendments sought to make sure that centres are suitably staffed across the EU with no exceptions.

Commissioner Barnier, in December, I raised the issue of SOLVIT in the Chamber when you were present and mentioned that in the autumn in committee, we were told that in your own Member State, the person running the SOLVIT centre was an intern. Members of the committee were horrified. Can I ask, as I did in December, whether that situation has changed? If you are not able to provide the House with that information, can I ask you to clarify it? It is important that SOLVIT centres are well staffed.

The internal market is at the centre of what binds us. It is important that our legislation is clearer and easier for Member States to interpret so that the internal market can operate in the smoothest fashion and consumers can reap the benefits of the best price and the highest quality.

In conclusion, why is there not a SOLVIT day in the European Parliament? Why do we not have a poster in all our constituency office windows advertising SOLVIT? What can we do to inform all national politicians and their political offices of the benefits of SOLVIT? I hope we will continue to support SOLVIT and help the people we are here to represent.

Morten Løkkegaard (ALDE). – (DA) Mr President, I am shadow rapporteur for the report on the scoreboard for the internal market and I will therefore concentrate on that, and in that respect, this is a day of rejoicing. It is a day on which we can all agree that these scoreboards are working extremely well. They are a great success at a fundamental level, and therefore I presume we can only agree that more should be done to promote them. I am also pleased to note that it looks like the Social Democrats have found out that it is not a good idea to vote against it in any event. With regard to the famous test that has been proposed, we in the group of the Alliance of Liberals and Democrats for Europe naturally support this proposal; moreover, we

find it a little difficult to comprehend what the slightly defensive argument against this proposal is really about. We can come back to that, however. I will merely note as a general observation that it is excellent that there is broad agreement on the proposals and the report otherwise.

I will concentrate on what I think are a couple of the good things that have been included in the report. Firstly, we have succeeded in focusing on the need for greater powers in the Member States' administrations, not only nationally, but also regionally and locally. I feel that one of the problems with the scoreboards is that some powers are still lacking as regards how we get things to work. It is good, therefore, that this has been included in the report.

Another good thing is the focus on enforcement. The SOLVIT centres have received a lot of praise, and I fully support this. As the last speaker mentioned, we could in fact instigate a SOLVIT Day here in Parliament. I feel that SOLVIT's greatest problem at present is that it is not sufficiently known. There really is a great need to bring SOLVIT into focus much more than is happening at present – which brings me to my last point, which concerns emphasising that this is a communication issue, as is also made clear in the report. We really must ensure that we bang the drum in respect of the press and the rest of the public and ensure that much more focus is put on areas such as SOLVIT and the scoreboards.

In general, I would like to say on behalf of my group that I am really pleased to be able to lend this report our wholehearted support, and naturally I hope that the Commission – and I gather ...

(The President cut off the speaker)

Edvard Kožušník (ECR). – (CS) Mr President, ladies and gentlemen, I would like to begin by saying something that has not been said here in this Chamber, and that is that we should surely thank Commissioner Kuneva. Just like all other Members, I am delighted that the two Commissioners are sitting here today, both Mr Dalli and Mr Barnier, who was a member of our committee prior to his appointment.

I have personally met the staff who are responsible for SOLVIT in the Czech Republic. It must be said that this is certainly a very good opportunity for the internal market, but it is also necessary to mention the differences of approach in various countries. It is clearly important here to have a cross-border element and I hope that both Commissioners will contribute towards opening up the cross-border consumer market and especially towards breaking down barriers in the form of various national exemptions, and that we will thereby achieve full harmonisation of the consumer market.

Personally, I think that opening up the cross-border market will bring greater competition and will ultimately serve as an effective instrument for combating the economic crisis which we face today.

Othmar Karas (PPE). – (DE) Mr President, Commissioners, ladies and gentlemen, let us take up the statement made by Commissioner Barnier in his hearing and make the internal market our friend. If we are to take this task seriously, we need to make the internal market a domestic one. If we make the internal market into a domestic market, we will make it into a place where the citizens of the European Union can live. We are Europe. Making it into a place to live, but not into a homeland, is a different matter entirely.

The internal market is not yet complete. It still has a lot of potential for development. The Commission must highlight all obstacles and propose measures for their removal. The euro and the internal market represent our most successful response to the challenges, both internal and external, of globalisation. The strengths of the internal market are the qualifications of European citizens and the small and medium-sized enterprises, which make up 90% of the economy. We therefore need to transpose the Small Business Act in all Member States as quickly as possible. Let us make this Act a hallmark of the internal market. However, 80% of the economy in the European Union is credit-financed and only 20% is financed by the capital market. This is something we need to bear in mind in the re-regulation of the financial market.

The third strength is the competitive export economy. We also have a few tensions to resolve. These include the horizontal approach versus sectoral concerns, the four freedoms versus the different social realities, the skills imbalance, above all, in the areas of taxation, education and research, and the yet to be implemented sustainable social market economy. We need a one-stop shop for business and consumer protection-related information that is relevant to the internal market.

The internal market forum and the joint debate on these three reports on the same day every year will give us the opportunity to ask ourselves all these questions and to make the internal market into a domestic market for all citizens.

Bernadette Vergnaud (S&D). – (FR) Mr President, Commissioners, ladies and gentlemen, I am delighted to have the opportunity to mention during a priority debate these three reports concerning citizens' everyday lives. I would like, moreover, to congratulate our rapporteurs on their work and, more specifically, to mention the SOLVIT network.

The network has now been in existence for eight years; it has resolved many problems effectively and yet it is completely unknown. How many times have I had to refer people to this network, the existence of which they did not even suspect, even though this tool could strengthen the image of a Europe protective of its citizens' rights.

I must admit – and I am very glad that Mr Barnier is here – that I understand that my country's government does not really promote it. The increased number of cases would consequently be very tricky to manage for the sole trainee who, currently in 2010, is in charge of the SOLVIT network in France, a country which, it is true, has only 60 million inhabitants and which is only the second Member State in the EU from the point of view of the number of cases submitted in 2009.

Indeed, the resolution rate is amazingly good, but the time periods are dreadful, with an average of 15 weeks before cases are dealt with, which is five weeks beyond the maximum allowed.

I would therefore ask the Commission and the Member States to grant real financial and human resources and to conduct major information campaigns, aimed especially at businesses, which submitted no more cases in 2009 than in 2004.

Olle Schmidt (ALDE). – (SV) Mr President, Commissioners, I would like to thank the rapporteurs concerned for their constructive work. Despite its shortcomings, the EU's internal market is a great success and I find it difficult to comprehend Mr Colman's criticism. The aim of the internal market is to give consumers a wide range of high quality goods and services at good prices, while at the same time guaranteeing a good level of consumer protection. I therefore think we should work towards full harmonisation of consumer rights with a high level of protection, so that consumers can genuinely exploit the advantages of the internal market. This is of particular importance with the increases in cross-border trade and e-commerce.

I am convinced that the class action would be an effective way to strengthen Europe's consumers – based not on an American model, but on a European model. In this respect, we must stop hesitating and finally get down to action. I am pleased that Commissioner Dalli is taking this up.

We all know that these days, most jobs are created in the services sector. It is therefore important that the EU has a truly European services sector in which entrepreneurs and consumers can act freely not just nationally, but in the internal market. We need a functioning market in health care services. That will result in better care, more freedom of choice and shorter waiting times. At present, we have an almost unregulated situation and I am relying on Commissioner Dalli to deal with this.

Another area to which we must pay more attention is financial services, where we know problems still exist. We therefore need clear and credible rules, not least in view of the financial turbulence, and Commissioner Barnier is going to rise to this challenge. Balanced, reasonable and correct rules are good for consumers.

Jacek Olgierd Kurski (ECR). – (PL) It is good that Parliament has drawn up a report on SOLVIT containing suggestions for the European Commission and the Member States.

As shadow rapporteur for the report for the European Conservatives and Reformists, I stressed, while the report was still at the committee stage, the significance of promoting SOLVIT among EU residents, especially the possibility for citizens and, in particular, businesses, to assert their rights. We probably all agree that it is essential to run an information campaign promoting the SOLVIT network as an alternative dispute resolution mechanism. This is so that information about the existence of SOLVIT will reach interested parties. The Internet is crucial here, so it would be good if the Commission listened to the suggestions of Parliament and initiated the creation of a common Internet address with the domain name solvit.eu for all national SOLVIT centres, and Member States which, up till now, have not done so, set up Internet pages with national domains linked to the European SOLVIT portal.

Of course, promotion is not everything. It is also important to increase the efficiency of national SOLVIT centres by providing competent civil servants and by subsidising SOLVIT at European level.

Sławomir Witold Nitras (PPE). – (PL) I warmly congratulate all the rapporteurs, because the reports for which they are responsible have two very important features. Firstly, they do, in fact, very consistently defend

the internal market, pointing to shortcomings in its visibility, but, at the same time, very consistently defending it. The second great quality of these reports is that they are generally accepted. I mean that we are dealing with a situation in which the entire European Parliament, including those fellow Members who are very sceptical of the free market, in general defend the internal market and its values – this is a great quality of these reports.

I would like to draw attention to several specific matters. As for SOLVIT, we are dealing with the paradoxical situation, as Mr Kurski has said, in which the instrument which is supposed to even out those differences itself functions in different countries with different levels of efficiency. In my opinion, this requires some kind of coordination, because it must be a consistent system which not only functions well, but functions everywhere in the same way. Something which is very important in Mrs Thun's report is the means which the Commission should find so that a model can ultimately be developed to ensure that none of the legislation we create will be incompatible with the free internal market. This would appear to be a crucial matter in the report. If we managed to build such a mechanism, we would also not need to worry about the future of the new market.

Barbara Weiler (S&D). – (DE) Mr President, Commissioners, ladies and gentlemen, this joint debate this morning and the high quality of all three reports indicates the high priority given to internal market and consumer policy in Europe. I would like to thank all three rapporteurs and the many shadow rapporteurs and fellow Members who have produced this joint work.

I would like to focus on two crucial points. The first is that we, that is, the Commission and those of us in this House, are assuming that everything runs relatively harmoniously in the internal market and that we have enlightened consumers and fair suppliers. That is often the case, but not always. There are irresponsible suppliers who only see their short-term profits and therefore, we need stronger market surveillance and supervision. However, there are also uninformed consumers. We need better information. It is not enough for the package leaflet to be readable. We need continuous information.

Someone has just said that we need confidence. However, confidence comes from knowledge. I have heard that in Germany, only one in two 14 to 15 year olds understands the meaning of inflation. I do not even want to ask what the results of the questionnaire were when it came to the word 'deflation'. We need schools to be better networked along with information on the conflict between the interests of suppliers and consumers. That is mentioned in the reports by my fellow Members ...

(The President cut off the speaker)

Theodor Dumitru Stolojan (PPE). – (RO) It is a fundamental right within the single market for European citizens, when they wish to purchase a product or service, no matter which Member State they are in, to be offered the same prices or fees, and when there are discrepancies, to be able to receive an explanation for this.

I think that we need to focus more on the problems in the banking and financial services sector as there are currently large differences in the single market with regard to the fees paid for these services. If you are in Romania, for example, and you wish to use a banking service offered by banks – the same banks which also operate in Romania, France, Italy and Austria – you will pay more fees in Romania and at much higher rates. Such a situation is wrong and I believe that citizens, not only in Romania but in other Member States too, are entitled to hope that European institutions will play a more active role in clarifying these discrepancies. I want to reiterate that I am talking about fees and not about bank interest.

Thank you.

Alan Kelly (S&D). – Mr President, I just wish, in particular, to congratulate all my colleagues on the Committee on the Internal Market and Consumer Protection who worked on the future of the Internal Market Scoreboard. It is an issue that is close to my heart as it provides an excellent communication tool for how Member States treat EU directives.

It is also close to my heart because I am constantly hearing about overzealous EU regulation, particularly in my home country, Ireland, and this needs to be digested. Well, a quick glance at the scoreboard will show you that Ireland has misapplied EU directives on no less than 67 occasions and is in danger of missing out on the 1% transposition deficit target as agreed.

This raises the question: who is at fault for this supposedly overzealous regulation? If a Member State is not transposing EU legislation correctly, or is adding more regulation onto directives, then is it the fault of the EU or the Member State? I think possibly and probably the latter.

Perhaps an idea for the scoreboard in future might be to directly address the matter of overregulation, or 'gold plating', as it is known. I think this would be a positive outcome.

Seán Kelly (PPE). – Mr President, firstly, I would like to compliment the person who came up with the title 'SOLVIT': it is simple, it is clear and, as they say, 'it does exactly what it says on the tin'.

Since SOLVIT was established in 2002, its workload has been growing exponentially year on year, so much so that in 2008, there was an increase of 22% of cases coming before it, leading to 1 000 cases, and with an 88% resolution saving EUR 32.6 million. That is an impressive statistic. However, the downside is that the days taken to solve the problems rose, on average, from 53 to 69 days. That brings us to the solutions that are required.

Obviously, there is a shortage of staff. That must be dealt with. They must have proper resources. There is a need for continuous training in line with the EU 2020 strategy on lifelong training, and an exchange of best practice, and it is important to meet regularly. I would also suggest that, since many of the problems are local, there could be a local aspect to this to deal with inquiries at an early stage.

Consumers also need to have greater awareness. I think an online address would create that and create more confidence. I think it is important, as a previous speaker said, that what is happening in individual states in the transposition of EU regulations is looked at very closely.

Finally, a previous speaker said that this was an 'EU solution desperately looking for a problem'; I would say that it is an EU problem successfully finding a solution.

Sylvana Rapti (S&D). – (EL) Mr President, congratulations and thanks to the rapporteurs and shadow rapporteurs of the three reports. The fact that there is agreement makes me optimistic about the future of the internal market.

I should like to highlight two points: the first point has to do with paragraph 10 of the Thun report. I consider it fundamental and I think that the best thing that could happen would be if we could clarify that workers' rights, social rights and environmental protection are not obstacles to progress in the internal market.

The second point concerns SOLVIT. It is an extraordinary mechanism but it still requires a great deal of help. To tell you the truth, I was thinking about putting pressure on my government in Greece to do something about this, because we only have two employees. However, when I heard that France only has one trainee, I thought I would wait first for Mr Barnier to put pressure on his government.

Pascale Gruny (PPE). – (FR) Mr President, Commissioners, ladies and gentlemen, the new online problem-solving network concerning cases of misapplication of internal market law, known as SOLVIT, is a very successful system insofar as it provides redress, without formal procedures, within approximately 10 weeks.

Created in 2002, this network saw its workload increase by 22% in 2008. Even though the resolution rate remains quite high at 83%, the number of cases resolved is decreasing. It would seem to be time, eight years after it was created, to think about strengthening this institution by giving it the means to function effectively.

These new measures would make it possible to help European citizens and businesses to assert their rights, especially with regard to the recognition of qualifications and of their social and residence entitlements.

I therefore support the idea that not only should there be more SOLVIT staff in the Member States, but also that support and training measures should be put in place so that staff can function as efficiently as possible.

It seems essential to me that governments and we ourselves, as elected representatives for our respective constituencies, should promote the SOLVIT network, which enabled cost savings of EUR 32.6 million in 2008. Furthermore, promoting this new tool would limit excessive recourse to the judicial system. I therefore call on the Member States to transpose all the European directives and make citizens and businesses aware of their rights within the internal market through national forms of media and information campaigns.

To conclude, on behalf of my political group within the Committee on Petitions, I hope that cooperation between SOLVIT and our parliamentary committee will be strengthened so as to facilitate the work of these two bodies.

Małgorzata Handzlik (PPE). – (PL) Mr President, I would like to congratulate the rapporteurs on their very good reports. Recently, we have been saying a lot about the need to revive the internal market. The Commissioner also spoke about it during the hearing before the Committee on the Internal Market and Consumer Protection. This will also be the case with Professor Monti's report, for which we are waiting. In my opinion, not enough of the internal market itself is to be found in the European Union's 2020 strategy. The internal market is something which we need. However, we do not need an internal market in name only, but an internal market which is really operational. It cannot be said that we have this at present. There are too many barriers to the free flow of the four freedoms, and they limit the market's potential, while the protectionist policies of Member States are inconsistent with the principles of the internal market. On the one hand, we need proper implementation of the law by Member States and we need support instruments which function well, such as SOLVIT, but we also need deeper (...).

(The President cut off the speaker)

Marc Tarabella (S&D). – (FR) Mr President, I can only endorse the conclusions in the report by our fellow Member, Mrs Hedh, especially with regard to the need for an active consumer policy aimed specifically at protecting vulnerable consumers and those on low incomes.

I would also like to focus on a few other essential points of this policy. Admittedly, the Internal Market Scoreboard is an important statistical tool, but it is completely inadequate since it concentrates exclusively on the functioning of the consumer sector, but without attempting to resolve the problems of EU consumers within this market.

The Internal Market Scoreboard should not merely look at market demand and consumers as passive recipients at the end of the chain. It is becoming increasingly clear that consumers must, from now on, play a responsible, active role by engaging in sustainable, ethical, socially responsible and ecological consumption. The scoreboard should therefore be revised and indicators incorporated into it concerning the social and environmental aspects of these choices, which are becoming more and more important.

Finally, the laws concerning energy consumption, transport, the environment, digital technology and so on need to be included in the review of the *acquis*.

(The President cut off the speaker)

Franz Obermayr (NI). – (DE) Mr President, I would like to talk about proposals relating to consumer protection and would, of course, like to start by mentioning the positive aspects: the means of informing and empowering consumers by providing more information at all levels, from municipal, local and regional spheres right up to EU cross-border dealings, the promotion of the consumer – like we do in Austria through anti-trust law – and, of course, tougher penalties for careless banks that grant ill-considered credit. A standardised credit form is also an extremely positive move.

However, I would also like to touch on some problematic issues, namely serious prejudice in the law relating to guarantees and improper contractual clauses, which are punished more severely in places like Austria. I would like to propose that the favourability principle be applied so that, where national rules provide better protection for consumers, these rules should be used accordingly.

Mairead McGuinness (PPE). – Mr President, consumer protection: we are all in favour of it. The difficulty is that some Member States pay lip service to the SOLVIT mechanism, as other speakers have addressed. That needs to be looked at so that there is proper staffing.

But can I tell you about some practical examples of consumer problems that come to my office. Just this morning, I had one relating to property transactions across the European Union. I know the EU does not have competence in this area, but could I ask Member States, where there are problems, to deal with citizens as they would with their own, and I do think there is an issue here that we need to take action on.

The second one relates to business directories. European City Guides has caused us enormous headaches in Parliament and they continue to operate because they receive some level of protection within the Member State where they are based. This needs to be addressed because the attitude of citizens to the internal market is affected by their experience in these areas, even if there is not competence for the EU in them.

Christel Schaldemose (S&D). – (DA) Mr President, thank you for a good debate here today. I am pleased that Mr Barnier and Mr Dalli have given such support to the need for the consideration of consumers in the internal market. However, I would like to draw attention to one particular paragraph in Mrs Hedh's report – namely paragraph 40, in which we propose the establishment of a European Consumer Agency. I can well imagine that it is something you would like to work towards. Such an agency could help to compile data, to prepare studies on consumer behaviour and, of course, it could also act as a watchdog in respect of the Commission's work and in respect of Parliament's work on consumer issues. I would therefore like to hear your view on the idea, whether it is something you would like to work towards – as far as I am concerned, we could easily locate such an agency in either Malta or France if that would help the process.

Michel Barnier, Member of the Commission. – (FR) Mr President, Mrs Schaldemose has just highlighted the quality of this debate, particularly on the specific point of the consumer agency which, unless I am mistaken, already exists in Canada, and Mr Dalli will tell us how things stand today. I agree with this assessment of the quality of the debate and the quality of all the constructive, critical speeches and proposals that have been made on the implementation and evaluation, on the monitoring of these 1 500 – I repeat, for all those listening to us – 1 500 directives or texts which regulate this large European market. I might add that I am not sure whether I prefer to talk about the large European market rather than the single market, since it would be clearer for citizens and consumers.

Under the supervision of the Chair, Mr Harbour, who heard me say this in the Committee on the Internal Market and Consumer Protection, and in response to Mr Triantaphyllides's speech, I would like to remind you of the principle behind the action I will be taking within the Commission over the next five years.

Ladies and gentlemen, my aim, day after day, law after law, is to ensure that the European market once again serves the men and women who live on our continent. I have a second aim, and that is to ensure that the markets – since I am also responsible for regulation and supervision – to ensure that the financial markets, about which much has been said over the last few months, once again serve the real economy, that they serve men and women.

I want citizens, consumers and small businesses to take ownership of this market again. This is what will guide the action that I shall have the honour of directing in the College. It is a matter of trust, to adopt the word used just now by Mr Rochefort and Mrs Rühle, of mutual trust. This is why I thank Mrs Thun Und Hohenstein once more for her high quality report on the scoreboard published by the European Commission.

There are many ideas, in this report and in all I have heard, that are worth adopting or examining. Mr Bielan has supported the idea of indicators on the application of the rules included in Mrs Thun Und Hohenstein's report. Mrs Gebhardt has also mentioned the economic and social assessment of the directives and the impact studies. Perhaps at this stage, I might respond to the constructive criticism of Mr Harbour concerning the 2020 strategy. Furthermore, I also heard Mrs Handzlik say that we were not talking enough about the internal market.

Frankly, when you actually read the 2020 strategy that the Commission published last week, the internal market is at the heart of this approach and it is everywhere: intelligent growth with patents and other tools; green growth with proper use of procurement contracts; and inclusive, equitable and fair growth. The internal market is everywhere – it must be everywhere – but, Mr Harbour, the 2020 text is not designed to talk about everything. For example, it does not talk about foreign policy and defence policy, nor does it aim to relieve the Commission of its task, which is to properly enforce, supervise and monitor the correct implementation of all the texts. Please believe that I do not feel relieved of the need to check and take action, sometimes even through infringement proceedings, to ensure the proper application of the internal market. However, I will always, I repeat, prioritise agreement, trust and explanation over constraint.

There are other good ideas in Mrs Thun Und Hohenstein's report: the partnership with Member States and the creation of this internal market forum, which I support. Incidentally, perhaps we could pull together other initiatives today concerning some of the same matters we are covering with Mr Dalli, such as the implementation or highlighting and promotion of the SOLVIT network, and get things done at the same time.

I have talked about attaching as much importance to the monitoring effect as to the announcement effect. This is my way of doing politics and, from that point of view, I believe that the scoreboard, the evaluation, must enable us not only to make a quantitative evaluation – how many directives are transposed – but also a qualitative one.

I believe Mr Hoang Ngoc mentioned, and very clearly too, the quality of the implementation of the laws, the quality of transposition and, as you said, the quality of the laws themselves, which, for a legislator or a commissioner, is a good exercise in clarity. At any rate, all these ideas are worthwhile, as Mr Schwab and Mrs Roithová stated just now.

With regard to SOLVIT, to end with a few brief comments, I support the idea – the good idea – that someone mentioned of creating a SOLVIT.EU website. It will disseminate information or refer the user to national sites. We will work very quickly on this SOLVIT.EU site with my departments in conjunction with another project relating to the Your Europe site. As Mr Kelly and you said, though, the word SOLVIT is at least a clear and simple one, and I agree with this positive assessment.

SOLVIT is working well, but it could work better. There are too many citizens and businesses that are still unaware of their rights and the ways in which they can assert them, and I uphold Mrs Werthmann's remark calling for greater transparency. I believe, too, that a number of you, Mrs Vergnaud, Mr Rossi, Mrs Stihler, Mrs Rapti, have referred to the inadequacy of the resources made available to SOLVIT, not only in France, by the way, even though I clearly heard what you said. This is not a French minister addressing you, even though I am a former French minister, and please believe that I will look very closely at what happens in that country – of which I am still a citizen – so that it functions properly, just as I shall do in all the other countries.

Indeed, we require the appropriate, necessary resources, and I will check that during each of my in-situ visits. Once again, these tools are necessary in order to check properly how the internal market is functioning; this market, I say in turn, is not complete. We must relaunch it and develop it further – several people have mentioned this, Mr Stolojan, Mrs Gebhardt, Mr Karas, Mr Kožušník – from the cross-border perspective or even within each country. We must remove the barriers, and that is why, Mr Harbour, it is important to determine where the missing links are, which is something that is perhaps not emphasised enough, but which is nevertheless laid down in the 2020 strategy. I will endeavour to do this with my 12 or 15 colleagues in the College who are responsible, one way or another, for applying the directives on the internal market.

Mr President, I will conclude by mentioning three specific points. Yes to close cooperation – it was Mr Busuttill who raised this matter – between SOLVIT, the Ombudsman and the work of the Committee on Petitions. This is the approach that I shall be taking.

I thank Mrs Rühle and the other members of the Committee on Budgets for their willingness to defend SOLVIT's budget. I support Mrs Gruny's idea of organising consultations and seminars. We already have one or two of these a year – but I will check that this is enough – between all agents in the Member States, sometimes even in the regions, who are in charge of the SOLVIT project.

Finally, with regard to the matter criticised by several members of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, namely the internal market test, without dramatising this matter, I would remind you, ladies and gentlemen, that any legislative proposal must respect the treaty. This is what the rapporteur means; in other words, it must undergo a test of compatibility with the principles of the internal market. That is one thing, and I am also going to keep an eye on a number of social, environmental and economic criteria, since I am committed to all laws being evaluated in advance.

These are the obligations required upstream and downstream of any legislation if we are to try to construct the finest body of legislation to serve the citizens, consumers and businesses working and living on European territory.

IN THE CHAIR: MR ROUČEK

Vice-President

John Dalli, *Member of the Commission*. – Mr President, like my colleague, Michel Barnier, I find it very heartening to be part of such a lively debate and to hear such expert views relating to consumer issues. This augurs well for our working together in a true spirit of partnership and achieving our objective to put consumers first.

If I may, I will repeat one point I made in my initial address. In addition to the economic arguments for a strong, effective and properly enforced consumer policy, we should keep our sights firmly on the central role this can play in reconnecting Europe with its citizens – perhaps the biggest prize of all. I know that one of my main tasks is to coordinate this effort in the Commission, and your vigilance will be most welcome and comforting.

The consumer scoreboard is a tool which enables us to detect failures in the market and allows us to move to a further study on how to address such failures. I believe that it is a crucial mechanism that serves a very real purpose, and we can usefully benefit from its further development and strengthening.

The scoreboard will be our eyes and ears alerting us to problem hotspots. A better reflection of the consumer angle across EU policies and our joint commitment to effective enforcement will result in a stronger EU consumer, and the economic benefits that will follow.

Following a public consultation last year, the Commission is evaluating the comments about collective redress and intends to find a solution that meets European consumers' needs without importing US practices. Alternative dispute resolution is going to be our key mover in this regard.

My friend, Michel Barnier, has already explained the central position that the internal market has in the EU 2020 strategy. If you look closely at the text, there is a clear understanding also that consumers must remain at the heart of the single market. Consumers are positioned as drivers of the single market and we intend to continue to consolidate the centrality of consumers.

I see the issue of consumer education as a key issue for consumer empowerment. We are indeed looking at how our Dolcetta Programme can be further enhanced to cover new areas.

On the last point raised about a European consumer agency, it must be emphasised that enforcement is the exclusive obligation of the Member States and they need to provide adequate resources for its proper functioning. However, the treaty does provide a legal basis for the Union to support and complement their efforts. It has to be carefully evaluated in what areas the EU can complement national public enforcement and what is the right institutional structure for that. The Commission will carefully evaluate the different options.

I very much look forward to making serious and sustained progress with you over the time I am responsible for this sector.

Róza Gräfin von Thun Und Hohenstein, rapporteur. – (PL) Above all, I would like to thank everyone for this fascinating debate, for the lively reactions and the serious reflections. The presence and statements of both Commissioners and the presence of numerous Commission staff show that this new Parliament and this new Commission are going to work together closely and well on the matter of further development of the common market.

The common market is one of the greatest achievements of the European Union, and I would like to express my thanks for the positive reactions to the proposals which I have included in my report. To fellow Members who are socialists and are worried about paragraph 10 – the 'internal market test' – I would like to remind you that, firstly, this is nothing new. This proposal was adopted by the Committee on the Internal Market and Consumer Protection as long ago as 2003 and is part of the internal market strategy. We should not be afraid of it. The test does not threaten any of the European Union's social achievements. After all, a moment ago, we heard here from the Commissioner that the European Commission evaluates new directives from the social, economic and ecological point of view, and so there is no need to panic. What we are all concerned about is that the common market should develop further, and we are also concerned to ensure that protectionism does not creep into the European Commission.

European integration will develop only when the citizens are aware and active, and public institutions are competent, effective and citizen-friendly. In this report, I have proposed a number of solutions so that you – fellow Members – can engage your electorate effectively and well in the process of European integration and, in this case, by actually strengthening the common market, increase their share in the common market, that great success of the European Union. We must continue to develop instruments which will help in development of the common market. The simultaneous publication of the four reports is a very important element, as is better coordination and better transposition of legislation. We should not react negatively to the word 'market'. In the part of the world which I come from, we could not use this market for many decades, and we know what that led to.

Finally, we are reminding the citizens that at the heart of the common market are the four freedoms, and this is stressed in my report. It is extremely important not to limit the freedoms of this market, to help the citizens make increasing and fuller use of these freedoms and to develop them, and not to spoil anything we have achieved so far.

Anna Hedh, rapporteur. – (SV) Mr President, I have listened with interest to all the intelligent and interesting contributions to this debate. I am also very pleased that both the Commissioners responsible are promising to work together to develop and improve the EU's consumer policy. I would like to add a few points of my own.

The consumer organisations have an extremely important role to play in drawing the authorities' attention to the everyday problems faced by consumers. Consequently, the instruments that are available to the consumer organisations should be improved to make it easier for them to act effectively at EU level and at national level.

In addition, we must call upon the Member States to consult the consumer organisations as much as possible at all stages of the decision-making process where consumer policy is concerned. I am also pleased that Commissioner Dalli brought up the matter of the importance of Member States ensuring that there is adequate financing and personnel available to develop the scoreboard further.

Finally, the scoreboard should not just be used to bring about better consumer policy, but rather must influence all policy areas that are of significance for consumers and ensure that consumer issues are integrated into all EU policy to a greater extent. Furthermore, the scoreboard should stimulate a more general discussion of consumer policy issues, both at EU level and at national level. I would really look forward to having another debate on the internal market and consumer protection in this Chamber in a year's time.

Cristian Silviu Buşoi, rapporteur. – (RO) I wish to thank Commissioner Barnier and the fellow Members who provided positive feedback, not only on my first report, but on the SOLVIT network itself as well. I believe that SOLVIT offers consumers a practical solution. This is why I think that it must be improved and promoted by us and Member States so that as many European citizens as possible learn about SOLVIT's existence and can defend their rights by calling upon SOLVIT for assistance.

I think that the outcome which we have reached, both in the Committee on the Internal Market and Consumer Protection and the Committee on Petitions, is satisfactory. SOLVIT is a network which is already operating well. However, we need solutions for a number of problems which are being encountered by both those using SOLVIT's services and its staff. The report contains some of these solutions, while others have been raised for discussion in this debate.

Apart from the fact that the number of staff employed in some SOLVIT centres needs to be increased to ensure SOLVIT's effectiveness, staff must also be suitably qualified and receive training on internal market regulations. Another factor which is just as important is for SOLVIT staff to be able to receive legal assistance, both from officials working in public administrations and from the European Commission, given the degree of complexity of the cases which are being reported to SOLVIT. The European Commission is sometimes late in responding to requests for legal assistance from SOLVIT staff, which leads to certain delays in the whole process of resolving cases.

I wish to thank Commissioner Barnier for making the commitment to the European Parliament that he will make available the website <http://www.solvit.eu> as quickly as possible.

I firmly believe, fellow Members, that this report marks an important step towards improving SOLVIT's operation. This is why I am asking all groups to vote for this report.

Thank you.

President. – The joint debate is closed.

The vote will take place shortly.

Written statements (Rule 149)

John Attard-Montalto (S&D), in writing. – It is unbelievable that, in two essential areas such as health and consumer protection, in Malta and Gozo, the official structures are completely passive in spite of blatant transgressions.

In the Maltese Islands, medicines are much more expensive than in another EU country, namely Belgium. I will give the following examples:

Galvus 50 mg (diabetic pills)

Price in Malta for a box of 28: EUR 27.84

Price in Brussels for a box of 180: EUR 135.13

For 180 pills, the price in Malta is EUR 178.97 as compared to EUR 135.13 in Brussels.

Tegretol 200 mg

Price in Malta for a box of 50: EUR 17.00

Price in Brussels for a box of 50: EUR 7.08

Zocor 20 mg

Price in Malta for a box of 28: EUR 34.94

Price in Brussels for a box of 84: EUR 21.71

For 84 pills, the price in Malta is EUR 104.82 as compared to EUR 21.71 in Brussels.

These are only a few examples of a situation which is contributing to the hardship being suffered by the majority of Maltese families. The EU prides itself on health and consumer protection but in the Maltese Islands, the price of medications has spiralled for no justifiable reason.

Robert Dušek (S&D), in writing. – (CS) The efficient functioning of the internal market is a precondition for an adequate guarantee of the rights bestowed by a treaty in respect of the free movement of persons, services, goods and capital within the Community. In a time of crisis, it may also assist in creating a stable and prosperous economic environment. However, the internal market cannot fulfil its function without the proper implementation, application and enforcement of legislation. The Member States have an obligation to implement laws on time, if they have committed to do this under an agreement. An implementation deficit of 1% may seem small, but if we include the number of overdue or non-implemented directives, it has a significant effect on the functioning of the internal market. Doubts repeatedly arise in the case of certain Member States. I support the provision of more detailed information on the Commission website concerning directives that have not yet been implemented. This information should contribute to greater awareness among the broader public and constitutional bodies in the Member States. I welcome the challenge to Member States to adopt essential measures, including the allocation of resources to secure the functioning of cross-border networks of electronic information systems for the timely exchange of information, especially for hazardous non-food products (RAPEX) and food and fodder (RASFF), or the network for cooperation in the area of consumer protection (CPC). These systems still do not function properly and cannot be relied on in all Member States. It is also necessary to pay attention to the correct application of directives. This can be achieved through effective cooperation between bodies at national, regional and local levels.

Louis Grech (S&D), in writing. – Serious consideration has to be taken as regards existing Union-wide redress mechanisms such as SOLVIT. This alternative avenue for redress is underused due to a lack of knowledge of its existence on the part of citizens, consumers and businesses, as well as because of the inadequate resources in place at national level. SOLVIT centres that are currently present in each Member State (as well as in Norway, Iceland and Liechtenstein) are understaffed and underfunded – training for staff and funding to improve the administrative capacity of the centres must be stepped up. I call upon the Commission to complete the Single Market Assistance Services (SMAS) project as a matter of priority. I propose that the Commission consider including in the Consumer Markets Scoreboard a detailed account of the progress, achievements and shortcomings of SOLVIT. Furthermore, in an attempt to raise awareness, Member States must promote SOLVIT as an expedient and accessible alternative dispute resolution mechanism, in the form of a nation-wide information campaign. Finally, there needs to be marked improvement on the part of the Commission and the Member States to raise awareness of the opportunities that the Single Market offers for citizens, consumers and businesses.

Danuta Jazłowiecka (PPE), in writing. – (PL) A society which freely makes use of the possibilities offered by the single market is the foundation for the success of the process of European integration. We will not build a truly unified European Union if people are not convinced that the whole of Europe is their home. This end can, principally, be served by SOLVIT. It is safe to say that the establishment of the SOLVIT system in 2002 was one of those events in the history of Europe as a united continent which appear inconspicuous, but which, with the passing of time, have brought unexpected results. The idea of the system refers directly

to the sources of European integration or, in other words, to the fact that it is primarily to serve the citizens of the Union, and not particular Member States or governments.

Can there be anything better than giving ordinary people a simple instrument enabling them to solve problems which restrict their freedom of activity in the single market? However, the experience of nearly a decade has shown that there are numerous barriers which prevent people from making full use of the system's possibilities. We should, therefore, agree with the proposals of the report drawn up by the Committee on the Internal Market and Consumer Protection. Above all, we should concentrate on promoting SOLVIT in the Member States, among the citizens, because they know very little about it. Giving greater financial and staffing resources and additional training, or appointing a SOLVIT liaison officer, will be pointless if people do not know they have such an instrument at their disposal. In my opinion therefore, all the measures we take should start with this, although we should not give up the other ideas.

Ramona Nicole Mănescu (ALDE), *in writing*. – (RO) Mr President, ladies and gentlemen, the smooth operation of the internal market must remain a priority for the European Parliament, with services like SOLVIT being essential to ensuring this is the case. The report highlights this point and focuses attention on the problems this service is facing. Although we are all aware that aspects such as communication and raising the SOLVIT service's media profile are of paramount importance, we can still see that these remain some of the recurring problems which the service has been facing right from its early years. Member States and the European Commission must ensure that European citizens, the business sector and, in particular, small and medium-sized enterprises which need support to be able to make full use of the facilities offered by the internal market, have access to resources which can provide information and a rapid solution. Furthermore, the SOLVIT centres require additional resources. I am referring here to qualified staff and, by extension, ongoing training courses for them. Member States must realise how important these centres are and how instrumental they are in ensuring the correct implementation of the internal market's regulations. I believe that the benefits which this service can offer both citizens and the business sector are far from being fully utilised.

Andreas Mölzer (NI), *in writing*. – (DE) Consumer protection in the European Union must be designed in such a way that citizens can take advantage, within the internal market, of a wide choice of high-quality products and services, while at the same time having confidence that their rights as consumers are protected and that they can exercise them effectively if the need arises. It goes without saying that, to do this, it is also necessary for consumers to be duly aware of their rights and obligations under the applicable law. The initiatives mentioned in the report for providing clarification and information to EU citizens are therefore important and must be implemented quickly. The increasing complexity of the services sector, in particular, presents a huge problem, making it increasingly difficult for consumers to make an informed choice when purchasing goods or services. The knowledge, as well as the needs, of consumers, which have also been brought up by the consumer barometer, must be taken into account by the EU institutions in their policies and lawmaking. We should aim for greater harmonisation of consumer protection regulations – and by that I mean an adjustment upwards – on account of the increasing cross-border use of services. However, in all our attempts to improve the internal market, we must not forget the numerous imports from third countries. In this regard, we need greater cooperation between the customs authorities and consumer protection authorities in the Member States in order to protect consumers from unsafe imports.

Siiri Oviir (ALDE), *in writing*. – (ET) Over the years, the scope of EU consumer protection policy has changed to reflect changes in people's needs and expectations. With nearly 500 million consumers, the EU internal market has a significant role in the achievement of the objectives in the Lisbon action plan (economic growth, employment and increasing competitiveness), as consumer spending brings wealth to the EU. Above all, owing to the rapid development of e-commerce, the cross-border dimension of consumer markets in the EU has grown significantly, making it even more important to have high-level consumer protection. Unfortunately, however, today's EU consumer protection regulations have not been implemented and enforced to the same extent in all Member States. In my opinion, stronger supervision of the market and the mechanisms of enforcement, and their effective and comprehensive implementation, are essential for increasing consumer confidence. On this basis, I support the rapporteur's suggestions that the European Commission should observe closely the adoption and implementation of EU consumer rights in the Member States and help them with this in every way. I think that the European Union should consider the idea of creating a European consumer protection office which could function as a coordinating central office dealing specifically with the resolution of cross-border incidents, in order to support and complement the relevant consumer protection offices in the Member States in implementing and enforcing EU consumer protection

regulations. I think that the EU consumer protection regulations will not be of much benefit if they are not properly adopted, implemented and enforced at a national level.

5. Movement of persons with a long-stay visa (debate)

President. – The next item is the report by Carlos Coelho, 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 amending the Convention implementing the Schengen Agreement and Regulation (EC) No 562/2006 as regards movement of persons with a long-stay visa (COM(2009)0091 – C6-0076/2009 – 2009/0028(COD)) (A7-0015/2010).

Carlos Coelho, rapporteur. – (PT) Mr President, Commissioner, ladies and gentlemen, today we are speaking about absurd situations such as that of a student who obtains a visa in order to take a course in Belgium. Not falling within the remit of Directive 2004/114/EC, he may not go to the Netherlands to gather information from a specialised library for the purposes of writing his thesis nor benefit from a weekend getting to know Barcelona because he will be arrested in the country which issued the visa.

The Schengen Convention stipulates that holders of a long-stay visa may only reside in the territory of the Member State which provided the visa. They may not travel to other Member States nor pass through other Member States on their return to their country of origin.

Schengen stands for freedom of movement. Any person who legally resides in a Member State should be able to move freely within an area where there are not internal borders. The ideal solution would be for the Member States to comply with their obligation to provide a residence permit to nationals of third countries who are holders of this type of visa. However, this does not happen in the vast majority of Member States.

Member States have temporarily got around this situation by issuing type D + C visas, which allow the holders of a long-stay visa to move freely within the Schengen area for the first three months. This type of visa will be abolished from April 2010 with the entry into force of the Community Visa Code which will make it even more urgent to find a solution to this problem.

The amendments which I have proposed and which have the support of the majority of the members of the Committee on Civil Liberties, Justice and Home Affairs contribute towards the resolution of this problem without reducing security in the Schengen area.

The obligation to consult the Schengen Information Service during the processing of requests for long-stay visas is the same procedure as the one which already exists for nationals of third countries who are holders of residence permits. In this way, we have responded to any fears of decreased security.

The truth is that various Member States have been providing long-stay visas and, subsequently, residence permits, without first consulting the SIS, in particular, with respect to the requirements of Article 96 on the effects of a refusal of admission.

This practice weakens the security of the Schengen area and creates problems on its external borders in cases where individuals with a valid visa are recorded in the SIS. This creates complicated and unnecessary situations for individuals and border guards who have to attempt to discover whether visas have been falsified, whether a reference on the SIS system is incorrect and should be removed, or whether the visas should never have been granted.

The initiative on which we are going to vote will allow the holders of long-stay visas to move freely for a period of three out of every six months. This is the same period as holders of residence permits are allowed and, at the same time, it also ties the Member States to their obligation to provide residence permits in cases where stays of more than one year are authorised.

It also recognises the need to strengthen the level of data protection which exists under the Schengen Agreement and recommends that the Commission should present the necessary initiatives if SIS II does not enter into operation before 2012.

With the entry into force of the Treaty of Lisbon, the two initial proposals were merged together and a new legal basis was provided. The text upon which we are going to vote in this plenary session is the result of the negotiations which continued under the Swedish and Spanish presidencies. This resulted in an agreement at first reading, hence allowing this regulation to be adopted before the entry into force of the Visa Code.

Mr President, I would have liked to invite the Spanish Presidency, which is absent from this debate, to guarantee to Parliament that the regulation can enter into force before 5 April 2010. It is essential for this to occur in order to avoid an omission in the law.

I congratulate the European Commission for this timely initiative. I am grateful for the faithful collaboration of the Council, particularly that of the Swedish and Spanish presidencies, and the cooperation of the shadow rapporteurs, which has allowed a broad consensus in the Committee on Civil Liberties, Justice and Home Affairs. With this measure, we can resolve a troublesome problem faced by thousands of citizens of third countries and do it well, strengthening both freedom and security along the way.

Cecilia Malmström, Member of the Commission. – Mr President, as the rapporteur pointed out, the aim of this proposal is to facilitate movement within the Schengen area for third-country nationals who are legally residing in one of the Member States on the basis of a long-stay or 'D' visa. According to the current Schengen *acquis*, third-country nationals who hold a residence permit can travel freely within the Schengen Area because the residence permit is equivalent to a visa.

However, there has been a recent trend in Member States not to convert long-stay visas into residence permits upon arrival. That is why we are having this discussion here today; obviously, the Commission, the Council and the Parliament had to find a solution to the problem. The legal and practical situation has considerable negative consequences for third-country nationals legally staying in our Member States on the basis of a D visa. These persons can neither legally travel to another country nor can they transit through the territory of another country when they want to return to their country of origin. The absurdity of this situation was illustrated by the example that the rapporteur, Mr Coelho, raised.

The best solution would, of course, be that all Member States issue the necessary residence permits and that they do this in time. Unfortunately, this is not the situation today, and therefore we have the present proposal which aims at extending the principle of equivalence between a residence permit and short-stay visas to long-stay D visas. A third-country national holding a long-stay D visa issued by a Member State will thereby be able to travel to the other Member States for three months in any half year under the same conditions as the holder of a residence permit. This would restore the basic philosophy underlying the creation of an area without internal borders, namely that the person can travel around in the Schengen area for short stays with the documents based on which he or she is legally present in a Member State.

I was very pleased to learn that Mr Carlos Coelho had expressed his support for this proposal from the very beginning and the rapporteur, together with the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Legal Affairs, has understood that action needs to be taken in order to facilitate the life of third-country nationals, because we want to encourage people legally residing in our area. I want to thank the rapporteur for his constructive approach to this.

I do not need to remind you that we have to find a solution quickly, especially due to the Visa Code which will be applicable from 5 April this year and will abolish the so-called D+C visas which were intended to partly remedy the situation of D visa holders. I believe that the final text on the draft regulation satisfied all the parties since the compromise text was agreed between all the institutions. In order to tackle some of the concerns expressed by the European Parliament and the Member States – for instance, concerning security – several amendments have been made to the initial text.

To give a few examples, the proposal shortens the period of validity for long-stay visas. They should have a period of validity of no more than one year. After this one year period, the proposal established the obligation for Member States to issue a residence permit.

The requirement of systematic checks in the Schengen Information System (SIS) is also reinforced. Where a Member State considers issuing a residence permit or a D visa, the responsible authority should systematically carry out a search in the Schengen Information System in order to avoid a situation where we have an alert at the same time as a long-stay visa.

In order to give a response to the security concerns regarding biometrics – and this is, of course, a major issue for many Member States – a political declaration has, as you know, been attached to the draft regulation in which the Commission is invited to study the possibility of the use of biometric identifiers with respect to long-stay visas and to present the results in the study to this plenary and the Council by 21 July 2011. The Commission also accepts that a reporting obligation has been included in the draft regulation on the application.

To conclude, in order to find a compromise response to the major concern of the European Parliament concerning the guarantee for high-level data protection in cases where an alert has been issued in the SIS, a joint declaration has been agreed. The Commission is invited by the Council and the European Parliament to present the necessary legislative proposals amending the relevant data protection provision for the Schengen Convention if there are further substantial delays in implementing the SIS II that go beyond 2012. I believe that, with these changes, we have reached a reasonable, well-balanced solution that will considerably facilitate the lives of the third-country nationals that are residing legally in our countries. It will also very much correspond to the philosophy of a Europe without internal borders.

I want to thank once again the LIBE Committee, the JURI Committee and the rapporteur for their very constructive approach to this.

Cecilia Wikström, *rapporteur for the opinion of the Committee on Legal Affairs*. – (SV) Mr President, EU cooperation is based on values, and the most fundamental of these values is freedom. The subject of our discussion today is people's ability to move about freely. In my EU, there are no restrictions on this. It is here that I believe the EU's greatness lies. All of us who live here enjoy freedom of movement, but it should also apply to all those who come to reside here for a lengthy period.

Under the Schengen Convention, the holder of a long-stay visa is not currently entitled to freedom of movement; instead, as Mr Coelho has pointed out, he or she may only stay in the Member State that issued the visa. As a result, for example, a visiting professor from India who lives and works in my home city of Uppsala in Sweden cannot travel to Paris to attend a conference without applying for a visa to visit France, and a student from China cannot travel to Germany to visit a friend for the weekend without first applying for a visa to go there.

This type of barrier to freedom of movement must not exist within the EU. We are now changing this. The purpose of the present proposal is to secure freedom of movement throughout the Schengen area for third-country nationals who are resident in a Member State for a lengthy period.

I would like to thank Mr Coelho, who has done an extremely fine job as rapporteur, and who has taken account of the views that I put forward in my opinion on behalf of the Committee on Legal Affairs as well as the views of other shadow rapporteurs. We have the result before us now: it is a positive proposal that forms another link in ensuring freedom of movement within the EU, including for third-country nationals. It develops things further, and that is the EU that I am proud to live in and work for.

Kinga Gál, *on behalf of the PPE Group*. – (HU) Mr President, Commissioner, ladies and gentlemen, I welcome the opportunity to pass a resolution in Parliament to facilitate travel for third-country nationals legally residing within the territory of the European Union, and I congratulate my fellow Member, Mr Coelho, for the excellent job he did in Parliament regarding this issue. This proposal facilitates in a tangible way travel within the European Union for third-country nationals holding long-stay D visas issued by a Member State. This is to provide a solution for situations when, for one reason or another, some Member States are unable or unwilling to issue a residence permit in time for third-country nationals residing in their territory. That is to say, they do not use the framework provided by the Schengen regulations properly. And I am glad that we are able to make a step forward regarding this issue.

Our aim is to avoid third-country nationals arriving in the European Union having the impression of entering an impregnable fortress. The integrated border management and the visa policy should serve these purposes. As a Hungarian Member, I urge that the borders of the European Union are made permeable to persons travelling in good faith. Contact between citizens living on the two sides of the border should not be restricted. It is in the interest of third-country nationals living in neighbouring countries to the EU – including the members of the Hungarian minority – to be able to reside legally within the area of the European Union without any bureaucratic or administrative burdens. This requires appropriate laws, both at Community and Member State level, which do not counteract each other but rather reinforce the objectives of one another.

I hope that instead of remaining a high-sounding idea, the new Community legislation will indeed provide practical support particularly to young people, students wishing to study in Member States. They should be the most important beneficiaries of this regulation. On this point I can only agree that the Commission should submit a report on the enforcement of this regulation by April 2012 at the latest and, if necessary, a proposal for the amendment of the regulation in order to accomplish the objectives.

Vilija Blinkevičiūtė, *on behalf of the S&D Group*. – (LT) I congratulate the rapporteur, Mr Coelho, for the preparation of this report and also agree that it is important to ensure the free movement within the Schengen

area of third-country nationals in possession of a long-stay visa who are lawfully present in a Member State as soon as possible. According to the current practice of Member States, for various reasons, it takes rather a long time for third-country nationals to replace a long-stay visa with a residence permit. I could quote many examples from European Union Member States, including my own country, Lithuania, where, for instance, a long distance lorry driver who has received a D visa cannot carry out his principal job. The practice that has evolved in this area undermines the legitimate expectations of third-country nationals who have come to the European Union to work or study. The Member States should also take appropriate measures to simplify the procedures for issuing visas. A long-stay visa should have the same impact on a person's movement within the Schengen area without internal borders as a residence permit. The most important aspect here is not the length of time a holder of a D category visa visits another Member State but the opportunity itself to better meet his needs within the Schengen area. Therefore, I agree with the proposal that a third-country national, holding a long-stay visa issued by a Member State, should be able to stay in another Member State for three months within any six-month period under the same conditions as a holder of a residence permit. At the same time, it is very important to ensure that the simplified movement of third-country nationals within the Schengen area does not pose additional threats to the security of the Member States. Therefore, I call on you to adopt this partly amended regulation immediately.

Nathalie Griesbeck, *on behalf of the ALDE Group*. – (FR) Mr President, Commissioner, ladies and gentlemen, in a sea of difficulties, stages take shape. This is the case with this text, which has just been explained very well by all my fellow Members, on all sides, and which concerns all third-country nationals living legally – I would emphasise – in Europe.

It is, in fact, high time that this text was adopted; it is high time that freedom of movement for third-country nationals was established within the EU, and I am glad we have reached the point at which we lay another brick in the construction of a Europe of freedoms, in an area that we want to be made increasingly secure.

It represents both an obvious fact and a step forward. An obvious fact, as people have mentioned: there is basically no major controversy surrounding this text, and the few amendments show that we all want to build a Europe where no one is stuck in a Member State without being able to explore the rest of the European area. Then, it is a great step forward because it represents rights for third-country nationals, students, researchers or others who live on EU territory.

Finally, to conclude, this will clearly encourage people outside Europe to think of Europe as a single area, a united Europe, a common area, and it will forge European culture and identity beyond our borders.

Rui Tavares, *on behalf of the GUE/NGL Group*. – (PT) Mr President, I firstly wish to thank the rapporteur, Mr Coelho, whose proposal I, like the other shadow rapporteurs of the Committee on Civil Liberties, Justice and Home Affairs, support.

I have already had the opportunity to say here that Mr Coelho has given good service to the principle of freedom of movement within the European Union, to the rights of citizens, be they European citizens or citizens of foreign countries, and to European democracy itself. This does not only mean its own citizens, but also its reliance on the contribution of thousands and thousands or even millions of citizens of third countries who pass through the European territory, who reside here, and who come here for long or short periods in order to work and to study.

Mr Coelho, with the input of the shadow rapporteurs, has worked in an excellent atmosphere of cooperation and willingness to provide information. Above all, he has done so on time and in this matter time is crucial, given that we are dealing with the lives of individuals.

Like other speakers before me, I could give examples of students, researchers and scientists who arrive in Europe because of the recognised quality of their work but who subsequently cannot cross our borders, which are, as a matter of fact, very closed indeed in the cases of some people from other continents. In two hours, a researcher can leave Portugal and enter Spain, making for the border of another Member State, or rather, he cannot leave if he has, as happens in some cases, a visa to study for a two year Masters degree which does not allow him to leave the country to share his work or to undertake research in another Member State.

We ourselves have even had to deal with such cases on some occasions when, for example, we wish to hear someone's input in a debate in Brussels, for example.

We should note that this is not only an unnecessary and unjust burden for the citizen of the third country in question. It is a waste for those of us who were relying on their contribution. It is a waste in terms of our

competitiveness when we compare, for example, the mobility of this type of foreign citizen in the United States, for example, or in China, India or Brazil, and then see the obstacles to their mobility within the European Union. It is a waste in terms of the mobility of our workforce, of our scientific community when we recognise that this growing mobility is very important in periods of crisis such as the one we are undergoing at present, and it is also a waste for the knowledge society.

It is therefore time that the Council implements these proposals before the Visa Code comes into force in April and causes more unnecessary obstacles to the mobility of such individuals. It remains for me to say therefore that, on behalf of our group, we support the proposal of the rapporteur and we shall vote in favour.

Gerard Batten, *on behalf of the EFD Group*. – Mr President, the report proposes that Member States may issue long-stay visas for up to 12 months for third-country nationals which will be recognised by other states within the Schengen group.

Britain is not a member of the Schengen group, so would not appear to be directly affected. However, the proposals would make it easier for the citizens of non-EU countries who enter one Member State to travel to other EU states.

Britain has a massive problem with illegal immigration. There are at least one million illegal immigrants in Britain. Under these proposals, people who wish to migrate to Britain illegally may come to another EU state perfectly legally, obtain a long-stay visa that gets them to France, for example, from where they may gain illegal entry into Britain.

The UK Independence Party MEPs will therefore vote against this report in the interests of protecting our borders against further illegal immigration.

Frank Vanhecke (NI). – (NL) Mr President, in this report, I came across what is indeed a most bizarre example of why we absolutely must relax the rules in this way, namely that of a foreign student who has been granted a visa to study in Belgium and, as a result of the new arrangement, can now look up information in a Dutch library and then travel on to Barcelona. That is nice for him!

Yet that is not what this is about, of course. In practice, Schengen, and European visa policy as a whole, means something quite different from freedom to travel for students. It means the complete demolition of our borders, giving free rein to organised crime and illegal immigration without there being any watertight external borders – which were supposed to be the cornerstone of the whole system – to keep this in check. One of the direct results of Schengen, for example, is that the masses of regularised Spanish illegal immigrants are free to move to the other Member States.

In my opinion, this Parliament would do better to reflect on the impact of such decisions on ordinary Europeans for once instead of thinking about the day-to-day practical worries of foreign students.

Agustín Díaz de Mera García Consuegra (PPE). – (ES) Mr President, I would like to start by congratulating Mr Coelho on his excellent work and, in particular, on the high level of consensus achieved between the Council, the Commission and the different political groups in Parliament. Thanks to his work, I think there is going to be very little disagreement here.

The European Union constitutes the greatest space of freedom that has ever been established. We should eliminate all of the obstacles that prevent free movement, both of European citizens and of third-country nationals legally residing in a Member State. We should put a definitive end to the absurd situations so often faced by holders of long-stay D visas.

As you know, a long-stay visa allows the holder to reside in the Member State that has issued it. However, the holders of such visas cannot move freely within the European Union except to travel to the Member State that issued the visa. Paradoxically, situations such as the ones already described arise very frequently. I will give one further example: a student preparing his PhD thesis in Lisbon on the history of the Americas is unable to consult the files and documents housed in the General Archive of the Indies in Seville, which is one hour away by plane.

Ultimately, the aim of the proposal is for long-stay visas to provide the same rights as those provided by a residence permit. Ladies and gentlemen, we need to improve the principle of mobility: mobility that is essentially for work, scientific and academic purposes.

Although it would appear completely unnecessary from what I can see, I shall finish by asking all of you to support Mr Coelho's report, not only because of its extremely high quality but also because it constitutes a further guarantee of the great space of free movement that we defend. I also support Mr Coelho's proposed timetable.

Iliana Malinova Iotova (S&D). – (FR) Mr President, I should first like to thank the rapporteur, Mr Coelho, for his work, and to pay tribute to the cooperation there has been between Parliament, the Council and the Commission during the consolidation of the two reports, and the first reading, which should also be the last.

It was crucial for this report to be adopted before the end of April 2010 so that it could be implemented at the same time as the Visa Code. It is extremely important for all residents of the European Union to be able to travel throughout all the Member States. That way, we can solve the twin problem of the application of the 'D+C' visas and the rules for residence permits.

Thanks to this report, all third-country nationals who hold a long-stay visa will have the right to travel anywhere in Europe for six months a year. All persons concerned should receive all necessary information when they receive their visas and, above all, should be informed that this visa will automatically become a residence permit before the expiry of its one-year period of validity.

Finally, it is important to emphasise that, for security reasons, each individual who applies for a D visa will have to be subject to investigation but will not have to be registered in the SIS. The contracting party must take due account of any information already included in the SIS by another contracting party.

Furthermore, if SIS II is not implemented from the end of 2012, we urge the Commission and the Council to present the legislation required to provide the same level of data protection as that afforded by SIS II.

Mario Borghezio (EFD). – (IT) Mr President, ladies and gentlemen, these proposals seek to make it easier for third-country nationals legally residing in a Member State to move in the Schengen area on the basis of a D long-stay visa.

Essentially it wants to extend – and this concerns us – the existing principle of equivalence between a residence permit and short-stay C visas to long-stay visas. A long-stay visa will thus have the same effects as a residence permit as regards circulation in the Schengen area. In other words, it wants to make it possible for anyone in possession of a document showing that he is legally resident in a Member State to move freely in the Schengen area for short periods of no more than three months in any half year.

We would point out to the Commission and the Council the security problems that may arise from this free movement. It is already very difficult to perform checks in one Member State: let us be mindful of the risks we run by abruptly implementing this principle.

Franz Obermayr (NI). – (DE) Mr President, a few months ago, there was not only a festive atmosphere in this Chamber but also a feeling of joy for most people here because the visa regulations were being eased for many countries in Europe.

So, what is the reality? With the lifting of the visa obligation for citizens from Montenegro, Macedonia and Serbia in December 2009, there was a wave of people travelling from the Balkans, via Austria, to Central Europe and up as far as Scandinavia. A real migration of peoples! In just seven weeks, around 150 000 Macedonians have taken advantage of this new freedom to travel, according to the Ministry of the Interior. Two thirds of these people are not making the homeward journey. In many villages, particularly Albanian-Macedonian villages, five buses start out every day towards Central or Western Europe, equipped with a tourist visa, which expressly prohibits gainful employment. This means, therefore, that, after 90 days, these people go underground and the supposed tourists then find themselves once again on the cheap labour market earning 'dumping' wages. That is the difference between the reality of the situation and the European Parliament's pipe dream.

The consequences of this will have to be borne by our home countries. They have to suffer the consequences of what is decided by the majority in this Chamber. They will have to put up with scarcely controllable illegal immigration and illegality and the associated undeclared employment.

Simon Busuttil (PPE). – (MT) I would also like to congratulate my fellow Member, Carlos Coelho, for his report on this initiative which is granting third-country citizens the possibility of greater freedom of movement within the European free zone. However, Mr President, I must point out an irony which has surfaced in this debate, namely: whereas we are granting greater rights to third-country citizens, at this very moment, the

European Union and its citizens are facing serious problems with travel to a country such as Libya, for instance. This is due to the ongoing problem between Switzerland and Libya, which has resulted in Libya blocking travelling for all European Union citizens and not just for the Swiss. So while we are granting more rights to third-country citizens, our own citizens are being given fewer rights to travel to third countries such as Libya. What are the consequences? The consequences are very serious. There are workers who are unable to go and work in Libya, companies who have invested in Libya are being prevented from sending over their workers, while other workers are currently in Libya and must remain there until their replacements are granted entry. This is a precarious situation and I appeal to Commissioner Malmström to intervene in this issue with urgency. I understand that this is a diplomatic issue between two countries who are not even European Union members, but it has serious repercussions on European Union citizens whose interests lie in travelling to Libya in order to earn their living.

Monika Flašíková Beňová (S&D). – (SK) The report from my fellow Member, Mr Coelho, and also the draft regulation, concern the free movement of people, which is an essential element of democracy in the European Union, and it is therefore unacceptable to have persons holding long-stay visas in one Member State of the European Union not able to travel across the European Union.

There are several reasons to support the above initiatives. The first is respect and the upholding of fundamental human rights which, without doubt, includes the freedom of movement. If a Member State legalises the stay of a national from a third country, there is no reason why that person could not move freely within the Schengen area. Naturally, the details relating to not downgrading the level of security within the Schengen area should be elaborated.

There has also been talk here about students and scientists who were unable to travel to another Member State. I would like this group to be expanded further to include businesspeople, because if we do not allow them this, we will be reducing the European Union's competitiveness. And therefore, I believe this proposal will find support and I congratulate the rapporteur.

Piotr Borys (PPE). – (PL) Mr President, I would like to thank Mr Coelho very much. My opinion has been incorporated into the regulation. I have also had the opportunity to work on the regulation itself. I would like to say that the nature of Mr Coelho's report is not only urgent and important, but it is also symbolic. Today, as a representative of one of the new Member States, I can say with pride that we can change the rules enabling free movement around the Schengen area, where, until recently, some of the present countries of the European Union were encountering similar difficulties. I think the symbolic nature of these changes is, today, something which cannot be overvalued, and I hope the consensus which has been reached in this House will be a huge success for all of us.

Secondly, I would like to say that doing away with the 'D + C visas' and the fact that Member States cannot issue residence permits force us to take very urgent action. I will give only a few examples of matters which have been mentioned in this Chamber today. Two Ukrainian students, who were travelling from Wrocław to Berlin last year, were detained just as they were crossing the border, mainly because the young people were not aware of the rules, and they only wanted to make use of our intellectual resources. I think the voting today will be very significant and important for us.

I would just like to draw attention to the last matter – the question of security. We should, today, have a good system for exchange of information collected in Schengen, we should most certainly work on the second generation Schengen Information System and the Visa Information System, and, above all, perhaps have even more frequent reviews and reports. I would like to appeal strongly here to Mrs Malmström to ensure that coordination between Member States on security will be equally as good as it has been until now, and once again, I would like to thank Mr Coelho very much for a splendid report.

Kinga Gőncz (S&D). – (HU) Mr President, I would like to say that I quite agree with and support the rapporteur and also Commissioner Malmström in finding a solution for this issue that is in line with the rule of law, respect for human rights, data protection and, of course, safety considerations, too. A lot of concerns were voiced. I would like to point out a few issues. In order to make this regulation work, first of all we need to study and learn more about the practices of each Member State. We are aware that some Member States are able to issue the residence permits in good time. These best practices can mean a lot to us. We need to coordinate Member State practices in order to increase trust. All Member States should use the SIS system – we know that not all of them do so today – and introducing SIS II and operating the VIS systems are extremely urgent tasks because these systems will provide guarantees in the long term. It is in Europe's interest

that third-country nationals residing here – students, businessmen, researchers – should be able to move freely indeed.

Georgios Papanikolaou (PPE). – (EL) Mr President, I, too, should like to start by thanking Mr Coelho for his excellent work on this report and to state the following:

First of all, the Schengen acquis is exactly that: freedom of movement within the borders of the Schengen area. Therefore, in this debate, we need to draw the first basic and simple conclusion: that it is vital for this regulation to move forward. The example of the student is illustrative; anyone with a long-stay visa should have the right of freedom of movement.

The problem arises – and this is what I should like to highlight – of whether this will facilitate illegal immigration, albeit indirectly, if there will be security problems, and if a person who exercises this right will, at the same time, not have the means to move, which is something the Member States need to take into account.

Obviously, each Member State will have to be very careful when issuing visas. At this point, as stated in the report, a very important parameter arises, the most decisive parameter of all: that processing of data prior to long-stay visas will now be mandatory in the Schengen Information System. Thus, in the final analysis, we are not only safeguarding the Schengen acquis, but also strengthening security in connection with precisely that.

As such, we should all be positive about these prospects and the SIS II system, which is a necessity, must, come what may, proceed quickly. Finally, we must, in cooperation with the Member States and the services of the Member States, not only facilitate the Schengen acquis and strengthen it, but also simultaneously strengthen security, which is the necessary element for every Member State, for all of us, and for the Schengen acquis.

(Applause)

Tanja Fajon (S&D). – (SL) Freedom of movement and the abolition of internal borders are two of the most important factors of European integration. We have to facilitate movement in the Schengen area for citizens of third countries who are legally resident in a Member State. It is unacceptable that, because of red tape, we should restrict the movement in Europe of students, researchers and companies.

Similarly, we have to enable freedom of movement as soon as possible for the citizens of Bosnia and Herzegovina and Albania, and the people of Kosovo, who paradoxically have fewer rights to free travel today than they did years ago. Obviously, conditions have to be right for that to happen and we should not allow ourselves to be misled by data on mass illegal immigration.

The people of the Western Balkans have been isolated by the visa regime for far too long. They need to strengthen contacts with the citizens of the Union but, more often than not, rejection of their visa applications prevents them from doing this. Let us not risk engendering an even stronger sense of isolation and discrimination, particularly amongst young people, who may never have had a chance to discover the Union. Let us therefore waste no time once either Bosnia and Herzegovina or Albania comply with the visa liberalisation criteria.

Any action we take to facilitate travel in the Schengen area will be a step forward and will be in the interests of the European Union.

Zbigniew Ziobro (ECR). – (PL) Mr President, the proposal under discussion concerns one of the fundamental principles of the function of the European Union – the removal of internal borders and the free flow of people. For this reason, it deserves special attention. It is incomprehensible and, as a consequence, unacceptable, that the holders of long-stay visas have less freedom of movement within the Schengen area than people who have short-term visas. For this reason, I am sympathetic to the European Commission's proposal. I think, however, that we should make amendments to the proposal to guarantee security. Therefore, I support the proposal of the Committee on Civil Liberties, Justice and Home Affairs that, as part of the Schengen Information System, there should be a flow of information between Member States about undesirable persons. The European Commission should also be required to present a report on application of the regulation not later than 5 April 2012. The amendments which have been prepared merit serious reflection and – in most cases – support.

Elżbieta Katarzyna Łukacijewska (PPE). – (PL) Mr President, it is not only the citizens of third countries who would like it to be easier for people from these countries to move around within the Schengen area, for we, the residents of the European Union, are also waiting for this. It is paradoxical that the holder of a short-term visa today has greater freedom of movement than the holder of a long-stay visa, and a person from a third country who holds a legal permit for a long-term stay, for example, in Poland, cannot travel to Germany or France. Freedom of movement should not apply only to residents of the European Union. Researchers, students, school children and business people from third countries should be able to move freely, visit friends and learn the traditions, customs and culture of other countries. They will be good ambassadors for the idea of the European Union, and we, the residents of the European Union, will take a step towards realisation of the idea of a Union without borders.

Andreas Mölzer (NI). – (DE) Mr President, the visa system of the Schengen countries is apparently so complicated that the consulate employees no longer know what they are doing and are allowing honest visa travellers to fall into the visa trap. The fact that consular staff are not aware of the visa categories 'D' and 'C' seems rather strange. It is downright negligent if someone omits a Schengen Information System check to make the work easier. It is clear that this will create numerous, unnecessary problems at the external borders and this situation urgently needs to be changed. In this connection, it makes little sense to discuss national visa alert lists if the EU alert system and the EU alert regulations are not even applied consistently.

The liberalisation of visas for the Balkan countries goes hand in hand with an increase in futile asylum applications from these countries. It is especially important now, when, since the relaxation of the visa regulations for the Balkans, there is a real threat of a wave of immigration, when, within seven weeks, almost 150 000 people from Macedonia have made use of their new freedom to travel and, according to estimates, almost two thirds of them will probably not make the homeward journey, to whip the enforcement of the visa regulations into shape.

Krisztina Morvai (NI). – (HU) As Hungarian Members of Parliament, we are in a special position when we are to vote and decide whether to make it possible for third-country nationals to move more freely within the European Union or, on the contrary, try to impede it. Due to the tragedy of Trianon, Hungary lost a great part of its territory, and we have a large number of Hungarian compatriots living outside the borders of present-day Hungary, and thus outside the current borders of the European Union, in the former Southern Region and Subcarpathia. Our compatriots are in a very humiliating position when they study or work in research or other areas in their own truncated country, and are not allowed to leave the territory of Hungary. This is an extremely poor and intolerable situation we need to take action against. This is why we, Hungarian Members of Parliament of Hungarian sentiment, will vote for this proposal in order to bring an end to this ridiculous position.

Andrew Henry William Brons (NI). – Mr President, this proposal is based on the assumption that all persons from third countries entering the EU are persons of good faith and that, if they say they are coming here to study, they really are. The EU is rich in bogus colleges, and even genuine colleges frequently have students on their books who never appear in a lecture room. If their movement to other states is facilitated, it will be much more difficult to check the genuineness of their status and more difficult to locate them when their status is found not to be true.

Although the UK is not in the Schengen area, the EU has a track record of regularising illegal immigrants. Today's holder of a long-stay visa or a residence permit might be tomorrow's illegal migrant, and the day after, an EU citizen with complete freedom of movement.

Cecilia Malmström, Member of the Commission. – Mr President, two questions were raised, not particularly related to this issue, but I would like to take the opportunity to briefly touch upon them anyway.

Mr Busuttil raised the issue of Libya. I can assure him that it is a very complicated issue, but we are involved actively in dialogue with Libya, with Switzerland, with the Member States, in order to find a solution to this very complicated problem before it escalates even further. So I hope to be able to come back to you soon on developments on this.

To Ms Fajon, I want to tell you that, of course the situation of Albania and Bosnia and Herzegovina is another track and we are right now finalising a mission there to evaluate how these two countries are doing according to the criteria. The Commission will very soon, after consultation with Member States and experts, make a report on that and the assessment of that report will be shared with members of the Committee on Civil Liberties, Justice and Home Affairs before we put a possible proposal on the agenda.

On this proposal, I can assure Members and the rapporteur that the Commission is extremely dedicated to making this work, and we will do our utmost to make sure that the regulation is implemented. It might sound like a technical problem, but it is not. It concerns individual citizens and we want to encourage people to come here legally with all their papers in order, whether students, researchers, experts or scientists. It is good for them and it is good for us. It is also within the philosophy of the European Union to have an area of no internal borders. Therefore, we should avoid making life unnecessarily complicated for these people.

I think, within this proposal, we have found a good balance. We have been able to take the security considerations into consideration in a satisfactory manner and we can congratulate ourselves. This is the Union working at its best with three institutions trying to identify a problem and trying to find a concrete solution to the benefit of the citizen.

So, thank you very much for your work, Mr Coelho, and thank you for a good debate in this plenary.

Carlos Coelho, rapporteur. – (PT) Mr President, four final points. The first is that it is regrettable that the Council's chair is empty during this debate. The second is to thank Commissioner Malmström for her kind remarks and also to ask her, together with the Council, to guarantee the entry into force of this regulation on 5 April. Otherwise we shall have a legal loophole, with consequences for real people.

The third point is that it is regrettable that the Members who have participated here in the debate and who have raised the issue of security problems have not been able to recognise the improvements which Parliament has introduced by means of this regulation, in particular, the obligation to consult the Schengen Information System in advance.

As I emphasised in my initial statement, I believe that Parliament has performed its task well because it has strengthened both freedom of movement and security. Not to recognise this means looking at it in a one-sided way, and not seeing the whole picture.

My final point, Mr President, is to thank all those who have worked together towards this aim, namely those who allowed us to have an agreement on first reading, particularly the Commission and the Council, but also all those political groups within the Committee on Civil Liberties, Justice and Home Affairs and the Justice Committee who made this broad consensus possible. I believe that when we participate in finding a solution in this manner, we are performing our work in the best possible way.

President. – The debate is closed.

The vote will take place shortly.

Written statements (Rule 149)

Petru Constantin Luhan (PPE), in writing. – (RO) I support the efforts made as part of this report to successfully extend the freedom of movement for holders of long-stay visas in the same way as that for holders of permits and short-stay visas. The agreements currently in force have entailed numerous disadvantages for third-country nationals who are legally resident in one of the Member States and who wish to travel for various reasons throughout the European Union. There are discrepancies between Member States with regard to the time required, method and criteria used for granting visas. What has been observed in practice is that visa applicants who are rejected by one state try their 'luck' in other Member States. This is down to the fact that some states are more demanding, while others are more lax when it comes to granting visas and residence permits. To avoid creating an influx of visa applications via certain states which adopt a more liberal policy for granting visas, I propose standardising the checks and method for approving visa applications between all Member States. This procedure will ensure a standard approach to all applications, thereby eliminating the risk of any 'gateways' to the Schengen area appearing.

(The sitting was suspended at 11.50 and resumed at 12.00)

IN THE CHAIR: MRS WALLIS

Vice-President

6. Voting time

President. – The next item is the vote.

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

6.1. Allocation of FISIM for the establishment of GNI (A7-0022/2010, Jean-Luc Dehaene) (vote)

6.2. Mobilisation of the European Globalisation Adjustment Fund: Germany - redundancies (A7-0020/2010, Reimer Böge) (vote)

6.3. Mobilisation of the European Globalisation Adjustment Fund: Lithuania - redundancies (A7-0021/2010, Reimer Böge) (vote)

6.4. Mobilisation of the European Globalisation Adjustment Fund: Lithuania - construction of buildings (A7-0019/2010, Reimer Böge) (vote)

6.5. Additional Protocol to the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution (A7-0009/2010) (vote)

- Before the vote:

Anna Rosbach, *rapporteur*. – (DA) Madam President, I asked to have the floor because the timeframe for this important additional protocol did not allow for debate – either in committee or in plenary. The subject of this additional protocol will allow EU Member States to fight collectively to combat pollution in the Atlantic. The agreement forms part of a network of regional marine agreements that the EU has concluded with a number of individual Member States and neighbouring third countries. Each of these agreements covers various parts of the sea surrounding the EU Member States and aims at individual and/or collective intervention on the part of the parties to the agreement in the event of pollution or the threat of pollution of the waters or coasts. I make no secret of the fact that it is my great hope that this additional protocol will make it possible to combat a great many forms of pollution of the Atlantic. It is, after all, a protocol that has been far too long in the making. It has taken twenty years because of differences between Morocco and Spain concerning the Western Sahara. Those are twenty lost years. The marine environment cannot get those years back, but that only emphasises the importance of not prolonging the process further in this House. I therefore hope that, just as when we dealt with this matter in committee, there will be broad support among the Members of this Chamber and I am most grateful to you for your support.

6.6. Consumer protection (A7-0024/2010, Anna Hedh) (vote)

6.7. SOLVIT (A7-0027/2010, Cristian Silviu Buşoi) (vote)

6.8. Animal health requirements applicable to the non-commercial movement of pet animals (A7-0082/2009, Bairbre de Brún) (vote)

6.9. Movement of persons with a long-stay visa (A7-0015/2010, Carlos Coelho) (vote)

- Before the vote:

Carlos Coelho, *rapporteur*. – (PT) Mr President, this is a short statement to remind you that the Community Visa Code enters into force on 5 April – that is, next month – and, therefore, it is essential that this new regulation enters into force before that date.

In the absence of the Council, let the record reflect that these are the wishes of Parliament if, as I hope, it will make the implementation of my report possible.

President. – The absence of the Council is noted and is unfortunate.

6.10. Report on Competition Policy 2008 (A7-0025/2010, Sophia in 't Veld) (vote)

6.11. Internal Market Scoreboard (A7-0084/2009, Róza Gräfin von Thun Und Hohenstein) (vote)

7. Explanations of vote

Oral explanations of vote

Report: Anna Hedh (A7-0024/2010)

Siiri Oviir (ALDE). – (ET) Over the years, the scope of European Union consumer protection policy has developed very much to reflect changes in people's needs and expectations. Above all, owing to the rapid development of e-commerce, the cross-border dimension of consumer markets in the European Union has grown significantly, making it even more important to have consumer protection and, specifically, high-level consumer protection.

In my opinion, stronger supervision of the market and mechanisms of enforcement, and their effective and comprehensive implementation, are essential for increasing consumer confidence. Therefore, I supported the adoption of the report, and I supported its proposals for change.

Zigmantas Balčytis (S&D). – Madam President, I supported this report. Effective consumer enforcement policy is central to the functioning of the single market.

We need to have a real and well-functioning internal market with a high level of consumer protection, which, unfortunately, is not the case today. We have the legislation in place, but it is not enforced properly in the Member States. Most importantly, our consumers do not feel safe because they do not know the rules and, in many cases, the compensation mechanisms are not working in the way they should.

The Commission should increase its efforts, ensuring that Member States apply directives correctly and that citizens are informed about their rights and, most importantly, that they are able to exercise those rights in practice.

Report: Cristian Silviu Buşoi (A7-0027/2010)

Viktor Uspaskich (ALDE). – (LT) Rapporteur, ladies and gentlemen, I definitely agree with this initiative. In particular, I agree with the strengthening of the SOLVIT network and the broadening of its activities. No expense should be spared in having information about this European structure's activities and opportunities spread in the national media, on the Internet or on television programmes. However, I can tell you all that there are double standards, the legislation is not applied in a uniform manner and there are even different penalties for the same activities. Thank you, that is exactly what I wanted to underline.

Alfredo Antoniazzi (PPE). – (IT) Mr President, ladies and gentlemen, I voted in favour of the Buşoi report because I believe that the service provided by SOLVIT is of fundamental importance in terms of a clear and transparent link between the institutions, citizens and businesses, which is one of the cornerstones of the European Union.

SOLVIT has proven to be an important tool for resolving the problems of citizens and businesses that want to make full use of the possibilities offered by the internal market. Many countries in the European Union still have barriers in their national legislation, which must be removed. I therefore feel that we should support the allocation of further funds, the recruitment of further specialised staff and improvement of the visibility of this service, including at local authority level, where it could be very useful.

Zuzana Roithová (PPE). – (CS) As the shadow rapporteur, I would like to thank all Members for the fact that our report on the SOLVIT network has been passed by Parliament with such an absolute majority. It gives a clear signal to the Council and the Commission to take our recommendations seriously, which should ensure that this useful instrument for citizens and entrepreneurs is better exploited. All that is required is for entrepreneurs and citizens actually to know about this instrument. I would like to believe that next year, the Commission will present Parliament with a fully-fledged annual report where the public will learn about complaints concerning the denial of rights that are otherwise supposed to be guaranteed by European legislation.

Report: Bairbre de Brún (A7-0082/2009)

Jarosław Kalinowski (PPE). – (PL) Madam President, I would like to give reasons for the way I voted on Mrs de Brún's report. Thank you very much for drawing up this document. Having requirements for the transport of animals means that we are not only protecting animals but, above all, that we are caring for the safety and health of people. I would like to express support for measures intended to prolong the transitional regime and, as a result, to end the problem of rabies in the European Union. Of course, we should be careful and reasonable on the question of the free flow of pets in the Union, and should also take into account the opinions of experts from research institutes.

Zuzana Roithová (PPE). – (CS) I voted for an extension of the transitional period during which some states can apply exemptions, because these states have undertaken not to apply in the future for a further extension of exemptions in relation to veterinary conditions. I understand the concerns of Ireland, Malta, Sweden and the United Kingdom, because they have stricter requirements regarding documentation for pets travelling with their owners to their home countries. The main risks are rabies, echinococcosis and diseases transmitted by ticks. It must be said, of course, that the inconsistency of allowing some states to have a transitional period is something we must eliminate in the future and that it is essential for us to act jointly and to have harmonised legislation.

Peter Jahr (PPE). – (DE) Madam President, on the one hand, I can understand it being in the interests of the individual Member States to insist on an extension of the special arrangements in connection with the import of pets. On the other, however, we must always be careful to ensure that the expenditure is proportional to the benefits. In this case, we have not managed to do that to a satisfactory extent. This is why I have abstained from voting. What we particularly need is, on the one hand, suitably effective external protection with regard to imports within the European Union, but also, increasingly, on the other hand, harmonisation within the European Union, because that is also in the interests of consumers who, after a certain point, can get rather lost if different conditions apply to importing into country A than to importing into country B.

Nicole Sinclair (NI). – Madam President, I voted against the proposal, mainly because I come from the United Kingdom. I think we have good laws in place to deal with this already and we do not want the threat of rabies hitting our island.

I am also rather perplexed as to why this proposal only refers to dogs, cats and ferrets, and I would also make the observation that a certain Screaming Lord Sutch proposed this 25 years ago and he must be looking down very pleased today.

But then, many of my electors in the West Midlands of the United Kingdom will think that many of the policies coming from this House are Monster Raving Loony policies.

Daniel Hannan (ECR). – Madam President, it is a pleasure to see you back in the chair.

We occasionally get these messages coming out of the Commission that the EU is doing enough. It should do less, but do it better, concentrate on the really big things.

And then we have all these motions on things like what pets we are allowed to take where. I think there is an issue of proportionality here is there not? Countries have different national conditions. Our country is an island without land borders and we are perfectly capable of reaching sensible proportionate bilateral or multilateral agreements with each other.

Do we really think that we would be better off creating a new administrative bureaucracy in the hands of the same geniuses who brought us the common agricultural policy, the common fisheries policy, the unaudited budgets and all of the rest of the apparatus of acquired EU law? Surely this is something that could be left to the Member States.

Report: Carlos Coelho (A7-0015/2010)

Siiri Oviir (ALDE). – (ET) The objective of the Schengen area is freedom of movement. It is illogical that many holders of long-stay visas have considerably less freedom of movement in the Schengen area than those who have short-term visas. The Union's Visa Code should take effect in a month's time, although, as the analysis of the actions taken by Member States on long-stay visas and the awarding of residence permits shows, various versions and implementations are in place, with the consequence that citizens' fundamental rights have been violated.

With the help of the Commission's proposals, practical problems and delays with the awarding of residency permits would be avoided, which – as I have mentioned – have thus far been observed in many Member States. This is a very pressing matter: the Visa Code should be coming into effect very soon, and I supported the proposals in the report.

Zuzana Roithová (PPE). – (CS) I have supported this regulation, which will facilitate the movement of persons with long-stay visas in the Schengen area. It is logical that students, research workers and entrepreneurs from third countries should have the right to move around the entire Union if they have acquired a visa in any Member State.

However, I would like to appeal again to other countries to show solidarity with the Czech Republic, which is fighting in vain against the introduction of visa requirements by Canada. This amounts to an unprecedented disparity between citizens of the European Union. Canada is now considering the introduction of visas for other countries, for example, Hungary, and we cannot take this lying down. It is the over-generous and therefore tempting conditions for asylum seekers that are to blame for this. They literally provoke abuse of the system. Canada has promised to amend them, but is doing nothing. I would like to apologise for again taking the opportunity to draw attention to this issue.

Kinga Gál (PPE). – (HU) As we heard during the debate, the proposal is to facilitate travel within the European Union for third-country nationals holding a long-stay D visa issued by a Member State. This is to provide a solution to situations when, for one reason or another, some Member States are unable or unwilling to issue a residence permit for third-country nationals in time, or they do not apply the framework provided by the Schengen regulations properly. The Hungarian Fidesz delegation abstained from final voting on this law because so far, Hungary has been able to transpose legislation correctly, there were no problems, and by using the opportunities provided by Schengen, we were able to provide this more efficiently. At the same time, we would like to emphasise that it is in the interest of Hungarian minorities living as third-country nationals in the neighbourhood of the European Union to be able to reside legally in EU Member State territories without any excessive administrative burdens. This requires laws both at Community and Member State level which do not counteract each other but reinforce our objectives.

Report: Sophia in 't Veld (A7-0025/2010)

Marian Harkin (ALDE). – Madam President, there are a lot of good things in this report but I simply cannot support paragraph 35 which calls for the introduction of a common consolidated corporate tax base (CCCTB).

One of the things we are told about CCCTB is that it will be more efficient and that it will simplify matters. But, given that, as it now stands, companies can opt in or opt out, we would end up with 28 tax bases instead of the current 27, and that is hardly simplification.

Also, as it is currently proposed, CCCTB would mean the redistribution of European profits across the EU, so a country like my own, Ireland, which exports a lot of what it produces, would be penalised because the profits, of course, would be at the point of sale. It does seem a little bit strange since at the core of the EU, we have the free movement of goods, so therefore we would end up, if we use CCCTB, by penalising exporting countries.

Finally, I also believe that its introduction would damage Europe's capacity to attract foreign direct investment, because the rules as such would not apply to the Member State in which it was located but would be by some reference to a complicated formula which can only be calculated in retrospect, so I believe that would certainly damage our capacity to attract foreign direct investment.

Report: Róza Gräfin von Thun Und Hohenstein (A7-0084/2009)

Jarosław Kalinowski (PPE). – (PL) Madam President, at the outset, I would like to thank my colleague for preparing this report, a report which is significant for economic growth. I fully endorse the author's observations and remarks about introducing and enforcing Community law in the Member States. An efficiently functioning single internal market is an indispensable element of a stable economy, something which is very much needed in times of crisis. Effective use of the potential of this market depends on effective cooperation between the institutions at national and European level. Reducing the administrative burden, efficient communication between the appropriate offices, simplification of procedures and harmonisation of legislation will result in the rapid and effective transposition of directives in the Member States. Furthermore, publication of current data and effectively informing citizens and business people about their rights and the

situation in the market will help improve the market's function and will improve transparency of its principles, ensuring equal conditions for competition.

Viktor Uspaskich (ALDE). – (IT) Madam President, rapporteur, ladies and gentlemen, I agree with the initiative and trust that it can help people and companies at national level. However, without clear and strictly regulated monitoring of the situation of the internal market and legal system, I doubt whether it will be possible to effectively save these market players, regardless of their size and the services used. Strict penalties must be laid down if, following an analysis, obvious violations are found. Practices absolutely must be observed when investigating complaints at international level and to lay down criteria. Unfortunately, the sad statistics in my state show that in eight out of ten international cases currently being investigated, State institutions or courts are found to have acted improperly. Therefore, I think that without the clear regulation of penalties, it will be impossible to achieve the desired result. I would like attention to be drawn to this.

Siiri Oviir (ALDE). – (ET) In order to create a stable and innovative economic environment, it is absolutely necessary to have a properly working internal market. The internal market will not work properly, however, unless the provisions of the Union affecting its operation are adopted by all its Member States. Their adoption can, in turn, only be successful if the parliaments of the Member States are involved in the process of adopting the legislation. Their adoption is also essential from the point of view of parliamentary supervision. Since these positions were also reflected in the report, I wholeheartedly supported the adoption of the report.

Zuzana Roithová (PPE). – (CS) Parliament has, as expected, approved all three reports on the functioning of the internal market. In the case of the report of Countess von Thun Und Hohenstein, however, the Socialists and the Greens have taken exception to the proposal for the performance of regular checks into the functioning of the internal market. They argue that it would damage the agreed social and environmental standards. We all know, however, that these standards come at a price, and we also know that they make possible a higher quality of life in the European Union. The left have not explained in today's debate why they are so afraid of this value being quantified. I have voted in favour of everything.

Written explanations of vote

Report: Jean-Luc Dehaene (A7-0022/2010)

José Manuel Fernandes (PPE), in writing. – (PT) The Commission's proposal relates to the allocation of the financial intermediation services indirectly measured (FISIM) for the establishment of the gross national income (GNI) of the Member States used for the purposes of the European Union's budget and its own resources.

The FISIM represent a part of the product of financial institutions which does not come from direct sales of services at a fixed price, but rather by charging an interest rate on the loans which is higher than that applied to deposits.

The Commission proposes to proceed to the allocation of FISIM for the establishment of GNI and considers that this should be effected retroactively from 1 January 2005, the date of the entry into force of Regulation (EC) No 1889/2002. However, the proposed retroactive implementation from 1 January 2005 poses problems for the precise extent of this retroactivity.

Therefore, we agree with the rapporteur's position, advocating that the allocation of the FISIM for establishing the GNI should not begin until 1 January 2010. This ensures that the allocation of the FISIM is properly carried out from 2010, resulting in a more accurate calculation of the GNI.

Nuno Melo (PPE), in writing. – (PT) The allocation of financial intermediation services indirectly measured (FISIM) for the establishment of the gross national income (GNI) of Member States used for the purposes of the European Union's budget and its own resources is an old issue, and one that should have been implemented in 2005. However, the need to test this method in order to assess its accuracy and gauge whether it has actually been providing reliable results for the correct assessment of the economic activity in question has delayed its implementation. I agree that the implementation of this method should not have any retroactive effect, so as to avoid conflict between Member States and possible legal action.

Report: Reimer Böge (A7-0020/2010)

Alfredo Antoniozzi (PPE), in writing. – (IT) Using the Globalisation Adjustment Fund as a useful instrument to tackle the consequences of the economic and financial crisis is a very worthy initiative that makes a practical

response in terms of financial aid. It is important to point out that mobilisation of this fund should be an incentive for redeploying redundant workers.

I hope that the requests of other countries, such as Italy, which need to ask for intervention of this special fund to support employees of those companies that are paying the price of the crisis and which are forced to make cuts, are also upheld. In this regard, I would nevertheless like to ask the Commission for more flexibility in assessing admissibility criteria for the fund, which should also be activated in the case of structural problems in small and medium-sized local industrial zones.

Carlos Coelho (PPE), in writing. – (PT) The European Globalisation Adjustment Fund (EGF) was set up to provide additional assistance to workers affected by the consequences of major changes in the structure of international trade. The remit of the EGF was increased for potential recipients nominated from 1 May 2009, so that it now includes, and correctly so, assistance to workers made redundant as a direct result of the global financial and economic crisis.

I support the present proposal to mobilise the sum of EUR 6 199 341 to assist Germany, in response to the German request made on 13 August 2009, with the intention of providing assistance to workers made redundant within the Karmann Group, an automotive firm.

In 2008, the three institutions confirmed the importance of guaranteeing that there would be a quick procedure to approve decisions to mobilise the fund, with the aim of being able to help people within a useful time period. Seven months were required to adopt this decision. I hope that the procedure to activate the Solidarity Fund will be undertaken more quickly, in order to make it possible to confront calamitous situations which require an immediate response, such as the recent tragic case of Madeira.

Diogo Feio (PPE), in writing. – (PT) The German Karmann Group, once a prosperous and competitive firm, has been grappling with the crisis in the automotive sector and has filed for bankruptcy, having recently undergone a partial purchase by Volkswagen. The mobilisation of EUR 6 199 341 from the European Globalisation Adjustment Fund is needed to support and assist 1 793 redundant workers from that group.

According to the Commission, the eligibility criteria for the mobilisation of this fund have been met, which means that the European Union is fully justified in quickly assisting workers who are experiencing difficulties.

I hope that this difficult period in the lives of the redundant workers will allow them to improve their abilities and qualifications, and that these improvements will allow them to be reintegrated into the labour market swiftly.

José Manuel Fernandes (PPE), in writing. – (PT) The European Globalisation Adjustment Fund (EGF) was set up to provide additional assistance to workers made redundant as a consequence of significant changes in the structure of international trade. In this way, solutions are being sought for their reintegration into the labour market.

The interinstitutional agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million. The present proposal relates to the mobilisation of a total sum of EUR 6 199 341 from the EGF to assist Germany, with the intention of providing assistance to workers made redundant within the Karmann Group, an automotive firm.

According to Article 6 of the EGF regulations, we must ensure that this fund supports the individual reintegration of workers made redundant in new firms. The EGF is not a replacement for actions that are the responsibility of firms under national legislation or collective agreements, nor does it finance the restructuring of firms or sectors.

It needs to be emphasised again that, within the context of mobilising the EGF, the Commission must not systematically transfer subsidies for payments from the European Social Fund, as the EGF was created as a specifically separate instrument, with its own objectives and prerogatives.

João Ferreira (GUE/NGL), in writing. – (PT) The requests for action by this fund have been successful. This instance involved responding to a request for assistance by Germany as a result of redundancies in the car industry, within the Karmann Group.

Before saying anything else, it is important to note that this fund can only partially alleviate some of the consequences of the serious economic and financial crisis, in view of the imposed budgetary restrictions (which limit it to EUR 500 million per year) and the restrictive eligibility criteria with which it operates. It

has already been some time since the number of workers made redundant as a result of the so-called 'restructurings' significantly exceeded the initial estimates of the Commission regarding the number of workers who would come to benefit from the fund.

What is needed is a clear break with the neoliberal policies that are causing an economic and social disaster within the countries of the European Union before our very eyes. Obviously, responses to this disaster also need to be more than merely palliative. Neither can we omit to point out the injustice of a regulation which benefits countries with higher incomes to a greater extent, particularly those with higher levels of salaries and unemployment support.

We emphasise the urgent need for a real plan to support the production and creation of jobs with rights in the countries of the European Union.

Peter Jahr (PPE), *in writing*. – (DE) I am very pleased that the European Parliament has today decided to grant EUR 6.2 million in assistance to workers made redundant from the automotive supplier Karmann. The European Union is thus contributing 65% of the EUR 9 million available in total. These funds are to be used to offer around 1 800 people additional re-education and training measures to enable them to find work again as quickly as possible. This is a tangible contribution by the European Union to assisting people during the crisis. By doing this, the EU is showing very clearly that it is willing and able to provide support even to individuals in crisis situations. It is important now that the money is made available smoothly and immediately to enable these people to return to the labour market quickly. However, in addition to this individual assistance for the workers affected, the European Union also needs to take additional measures to deal with the effects of the financial crisis. Globalisation in the sense of the division of labour at international level (sharing of prosperity) is appropriate and important. However, the Commission, the European Parliament and the Member States must work harder to promote fair competitive conditions in their international economic relations in order to avoid disadvantaging individual countries or sectors.

Alan Kelly (S&D), *in writing*. – This proposal on behalf of the mobilisation of EGAF for German workers – as well as the proposal from the Lithuanian refrigeration sector – was to be among the first beneficiaries of the fund in 2010. Both are worthy applications. I welcome the new Commission's commitment to continuing this fund which provides people with a 'hand up' as opposed to a 'hand out' following redundancy. My own constituency has benefited from this fund and I hope it continues to do so in future. The global downturn has severely reduced the demand for luxury items and even though this makes the current troubles of the motor car industry understandable, it makes it no less saddening. The situation in Germany is particularly difficult due to sheer numbers; 2 476 redundancies are concentrated in the same area, around the same industry. It is my hope that the EUR 6.199 million will help produce a successful way out of the crisis for the workers, their families and the area.

Nuno Melo (PPE), *in writing*. – (PT) The EU is an area of solidarity, and the European Globalisation Adjustment Fund (EGF) is a part of that.

This support is essential for helping the unemployed and victims of relocations that occur in a globalised context. An increasing number of companies are relocating, taking advantage of reduced labour costs in various countries, particularly China and India, often to the detriment of countries that respect workers' rights.

The EGF is aimed at helping workers who are victims of the relocation of companies, and it is fundamental in helping them have access to new employment in the future. The EGF has already been used in the past by other EU countries, particularly Portugal and Spain, so we should now grant this aid to Germany.

Andreas Mölzer (NI), *in writing*. – (DE) I voted in favour of the report on the mobilisation of the European Globalisation Adjustment Fund. In this instance, Germany requested support in connection with redundancies in the automotive industry – specifically in the Karmann Group. In this connection, it is important to mention that the money from the fund is used for the reintegration into the labour market of individual workers who have been made redundant and not to compensate for any necessary restructuring measures for companies or sectors. Out of solidarity with our neighbouring country and with the workers, the money that is, unfortunately, made necessary by continuing globalisation and the economic and financial crisis caused by speculators on both sides of the Atlantic, should, in my opinion, be made available immediately.

Silvia-Adriana Țicău (S&D), *in writing*. – (RO) I voted in favour of the European Parliament resolution on the mobilisation of the EGF to support the 2 476 people made redundant in Germany's automotive industry. The period of unemployment will be used by the German authorities for a broad upgrading of skills levels,

not only with regard to vocational training and higher education, but also to allow migrant and low-skilled workers to achieve basic skills to help them become reintegrated into the labour market.

At European level, we are facing in the automotive manufacturing industry similar situations in Sweden, where 2 258 workers have been made redundant, in Austria, where 774 redundancies have been made in companies manufacturing motor vehicles, trailers and semi-trailers, and in Belgium, where the industry has made more than 2 500 employees redundant. Throughout Europe, more than 8 000 jobs will be lost due to restructuring of the automotive manufacturing industry.

The financial assistance offered to redundant workers should be made available as quickly and efficiently as possible. However, this is a short-term measure which will not resolve the problem of disappearing jobs. The EU needs a strong industrial policy in the automotive manufacturing industry in order to keep existing jobs and even create new ones.

Report: Reimer Böge (A7-0021/2010)

Zigmantas Balčytis (S&D), *in writing*. – (LT) Today, we voted on three applications for assistance from the European Globalisation Adjustment Fund. I supported all three applications, since I believe that the assistance provided by this fund is particularly needed by our people at this time. In May 2009, the European Commission allowed deviation from the provisions of the regulation in exceptional circumstances and taking into account the situation that has come about during the economic and financial crisis allowed assistance to be targeted at the unemployed.

I am very sorry that some Member States where unemployment is particularly high, and the level of poverty is very high, were unable to apply for assistance on time and benefit from the opportunities provided by this fund and to offer assistance to the unemployed. I think that the European Commission should also explain whether the assistance provided from this fund is being used effectively and whether this assistance is bringing real added value to the people for whom it is intended.

Vilija Blinkevičiūtė (S&D), *in writing*. – (LT) I voted for this report since financial aid from the European Globalisation Adjustment Fund (EGF) will help redundant workers to return to and integrate into the labour market. During the financial and economic crisis, the level of unemployment in Lithuania grew significantly over 12 months, and it is therefore necessary to adapt to the effects of the crisis and ensure at least temporary financial assistance in order to provide jobs for the redundant workers of the company Snaigė. In this case, we are not talking about a few workers made redundant by the company, but about a huge number of people, around 651 workers, in the 25-54 age group. I am pleased that the long awaited vote on the allocation of temporary financial assistance took place today, as this sensitive matter concerning the Lithuanian company and its redundant workers was delayed and some of the workers of the company in question lost their jobs as far back as November 2008. I hope that the funds approved by today's vote will be allocated purposefully and effectively.

Diogo Feio (PPE), *in writing*. – (PT) One of the characteristics of the European Globalisation Adjustment Fund is that it seeks to promote the entrepreneurial spirit. This promotion must be understood by the European institutions and national governments as a crucial element in confronting the challenges facing the European productive sector.

I recognise that public action should take place not only through this form of promotion but also, and crucially, by removing artificial and bureaucratic obstacles to entrepreneurial activity. There is still much to be done in this respect.

It is right that there should be measures seeking to test, reallocate and retrain those who have become unemployed as a result of globalisation, for example, the workers in the Lithuanian refrigeration sector, particularly in the company AB Snaigė and two of its suppliers. However, it is no less right that there should be measures that, by preserving justice and healthy competition, seek to strengthen companies and their workforces in the context of an economy that is open and increasingly competitive.

Nuno Melo (PPE), *in writing*. – (PT) The EU is an area of solidarity, and the European Globalisation Adjustment Fund (EGF) is a part of that.

This support is essential for helping the unemployed and victims of relocations that occur in a globalised context. An increasing number of companies are relocating, taking advantage of reduced labour costs in

various countries, particularly China and India, often to the detriment of countries that respect workers' rights.

The EGF is aimed at helping workers who are victims of the relocation of companies, and it is fundamental in helping them have access to new employment in the future. The EGF has already been used in the past by other EU countries, particularly Portugal and Spain, so we should now grant this aid to Lithuania.

Vilja Savisaar (ALDE), in writing. – (ET) Today's resolution that the European Union supports the use of the European Globalisation Adjustment Fund with three reports, of which two deal with Lithuania and one with Germany, is to be welcomed in every way, and shows concretely that the European Union can directly alleviate the situation of people who have been made redundant, and that it can help with their retraining. In Estonia, over 30 000 people in the building sector have lost their jobs in the last eighteen months, and I would therefore call on the Estonian Government and the Ministry of Social Affairs to ask boldly for help from European Union funds, which were envisaged for this type of situation. It is worth noting that although today, Germany and Lithuania received support, according to Eurostat data, unemployment is highest in Spain, Latvia and Estonia, which might also think about how the European Union could give them direct help.

Viktor Uspaskich (ALDE), in writing. – (LT) Rapporteur, ladies and gentlemen, I welcome this initiative to support company workers who have suffered from the globalisation process. I support it wholeheartedly and am pleased that in this instance, people in Lithuania will receive aid. In general, I believe that this fund's total should be increased several times over, by reducing allocations elsewhere. I am convinced that such a fund must also cover company owners. Often, they suffer so much that later, they are unable to get back on their feet and start a new business. In many cases, company owners suffer more than their workers: to take risks while doing business, to create jobs and to pay taxes, they put up not only their shares, but their personal property as well. Therefore, it would be beneficial if – taking each case individually – we were to examine the possibility of also providing assistance to company owners, who have suffered from globalisation and the global economic crisis.

Report: Reimer Böge (A7-0019/2010)

Vilija Blinkevičiūtė (S&D), in writing. – (LT) I am pleased that today, we had a vote on the allocation of funds from the European Globalisation Adjustment Fund (EGF), with the aim of earmarking EUR 1 118 893 in financial assistance for workers made redundant from 128 companies in the construction sector in Lithuania. The construction sector in Lithuania is going through tough times, since there has been a huge decline in construction demand due to the financial and economic crisis, and in the recession, it is very difficult for Lithuanian citizens to obtain loans to build or purchase a home. I voted for this report, since this EU financial assistance will help people who have become victims of globalisation to find work and return to the labour market and will help them to escape the grip of the recession. Therefore, in this situation, we must show solidarity with the workers who have been made redundant precisely because of changes in the global economy and the reduction in jobs in certain sectors caused by the financial crisis.

Diogo Feio (PPE), in writing. – (PT) The fact that more and more European countries have sought the mobilisation of the European Globalisation Adjustment Fund (EGF) makes it clear that the effects of this phenomenon have been felt by all sides, justifying in itself the name which has been given to the fund.

Whilst globalisation has been shown to be beneficial at a global level, it is nevertheless necessary to pay attention to the occasions where, due to its effects, the less competitive sectors are affected. One such case is that of the Lithuanian construction sector.

The fact that the fund is a prompt, specific and time-limited form of assistance requires all political decision makers, business leaders and workers to develop new ways of restoring lost competitiveness and accessing new markets. Otherwise, assistance such as that of the EGF will be merely palliative and will end up being shown to be insufficient.

José Manuel Fernandes (PPE), in writing. – (PT) The European Globalisation Adjustment Fund (EGF) was set up to provide additional assistance to workers made redundant as a consequence of significant changes in the structure of international trade. In this way, solutions are being sought for their reintegration into the labour market.

The European Union must use all measures at its disposal to react to the consequences of the global economic and financial crisis, and within this context, the EGF can play a crucial role in aiding the reintegration of workers who have been made redundant.

The interinstitutional agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million. The present proposal relates to the mobilisation of a total sum of EUR 1 118 893 from the EGF to assist Lithuania, with the aim of supporting the workers made redundant in the 128 firms operating in the civil construction sector.

It needs to be emphasised again that, within the context of mobilising the EGF, the Commission must not systematically transfer subsidies for payments from the European Social Fund, as the EGF was created as a specifically separate instrument, with its own objectives and prerogatives.

João Ferreira (GUE/NGL), in writing. – (PT) The requests for action by this Fund have been successful. This instance involved responding to a request for assistance by Lithuania as a result of the redundancies that have occurred at 128 firms active in the civil construction sector.

Before saying anything else, it is important to note that this fund can only partially alleviate some of the consequences of the serious economic and financial crisis, in view of the budgetary restrictions imposed (which limit it to EUR 500 million per year) and the restrictive eligibility criteria with which it operates. It has already been some time since the number of workers made redundant as a result of the so-called 'restructurings' significantly exceeded the initial estimates of the Commission regarding the number of workers who would come to benefit from the fund.

What is needed is a clear break with the neoliberal policies that are causing an economic and social disaster within the countries of the European Union before our very eyes. Responses to this disaster also need to be more than mere palliatives. Neither can we omit to point out the injustice of a regulation which benefits countries with higher incomes to a greater extent, particularly those with higher levels of salaries and unemployment support.

We emphasise the urgent need for a real plan to support the production and creation of jobs with rights in the countries of the European Union.

Nuno Melo (PPE), in writing. – (PT) The EU is an area of solidarity, and the European Globalisation Adjustment Fund (EGF) is a part of that.

This support is essential for helping the unemployed and victims of relocations that occur in a globalised context. In this particular case, the aim is to help those made redundant by more than 120 companies in the civil construction sector that were forced to close their doors due to the great crisis affecting the sector.

The European Globalisation Adjustment Fund (EGF) is aimed at helping all those affected by the consequences of major structural changes in the patterns of global trade and to assist in their reintegration into the labour market. The EGF has already been used in the past by other EU countries, particularly Portugal and Spain, so we should now grant this aid to Lithuania.

Silvia-Adriana Țicău (S&D), in writing. – (RO) In September 2009, Lithuania submitted a request for assistance to use the European Globalisation Adjustment Fund (EGF) in connection with the redundancies which were made in 128 firms in the civil construction sector. I voted for the European Parliament Resolution on the mobilisation of the EGF for building construction in Lithuania.

I believe that an eco-efficient economy and construction of energy-efficient buildings can help bring about economic recovery in the EU. It is estimated that these sectors can create around 2 million jobs across Europe by 2020.

In 2006, there were approximately 2.9 million firms operating in the construction sector, generating EUR 510 billion and providing jobs for 14.1 million people at EU-27 level. As a result of the economic and financial crisis, during the first and second quarters of 2009, the volume of activity in the construction sector in Lithuania fell by 42.81% and 48.04% respectively, compared with the early part of 2008. This is having an adverse impact on Lithuania at a time when it has one of highest unemployment rates in the EU. The construction sector has been particularly affected, accounting for the loss of nearly 10% of jobs in Lithuania in 2008 alone.

Viktor Uspaskich (ALDE), *in writing*. – (LT) I wholeheartedly support this initiative and am voting in favour of the assistance for construction company workers, who have suffered from the current global crisis and the globalisation process. I am sure that all of us are more than a little guilty in being unable to stop the bubble inflated by estate agents and construction organisations. It was clear that it would lead to a crisis. The duty of politicians is to serve the people and prevent misfortune. Therefore, in voting for this project, I propose and ask for the financial assistance to be increased, since EUR 1 one million is only a drop in the ocean for the hundreds of companies that have suffered and which employ tens of thousands of workers. Speaking to people who work in precisely such companies, I have heard that people no longer believe in either their own state or the European Union. Thus, by increasing this type of assistance, we would improve the image of the European Union itself and strengthen faith in the national states.

Reports: Reimer Böge (A7-0021/2010), (A7-0019/2010)

Laima Liucija Andrikiienė (PPE), *in writing*. – I fully support the two reports by Reimer Böge that have been adopted by Parliament on financial support for redundant workers in Lithuania from the European Globalisation Adjustment Fund, and I am grateful to other colleagues who supported them. Unfortunately, I was late for this vote because on my way to the plenary chamber, the lift was not working.

Both reports – on the situation in the construction sector and on the company Snaigė – represent the most acute unemployment cases in Lithuania. The EU financial support will alleviate the hardships Lithuanian workers are facing.

The construction sector is one of the hardest hit in Lithuania. Now more than a hundred companies have been forced into bankruptcy. The EUR 1.1 million will target almost 1 000 workers in this highly sensitive and hard-hit sector.

The situation is very similar with Snaigė – the support of EUR 258 000 from the EGF would target 650 redundancies in a city that has one of the highest unemployment rates – nearing 20% now.

Even though this might be only the tip of the iceberg of the unemployment problem in Lithuania, the financial support will help those in most need.

Reports: Reimer Böge (A7-0020/2010), (A7-0021/2010), (A7-0019/2010)

Regina Bastos (PPE), *in writing*. – (PT) The European Globalisation Adjustment Fund (EGF) was created in 2006 in order to provide additional assistance to workers affected by the consequences of significant changes in the structure of international trade and to assist in their reintegration into the labour market.

From 1 May 2009, the remit of the EGF has been expanded and it now includes assistance to workers made redundant as a direct consequence of the economic and financial crisis. At this time when we are facing this severe economic and financial crisis, one of the principal consequences is an increase in unemployment. The EU must use all the means at its disposal to respond to the consequences of the crisis, particularly in terms of the assistance to be provided to those who are facing the reality of unemployment on a daily basis.

For these reasons, I voted in favour of the present proposal on the mobilisation of the EGF to assist Lithuania, with the objective of supporting the workers made redundant in the 128 firms operating in the civil construction sector.

Andrew Henry William Brons (NI), *in writing*. – Whilst we are opposed to EU membership and therefore EU funding, the money in this fund has already been allocated and is not therefore 'new' money.

We would prefer help for redundant workers to be funded by national governments. However, for as long as the EU is the competent authority, help for redundant workers must, apparently, come from this fund.

There will be critics in the UK of this money being paid to German and Lithuanian workers. However, if it were to be proposed to provide funds for (say) our steelworkers from Corus, we could not oppose such a contribution. Therefore, we cannot logically oppose these contributions.

Bruno Gollnisch (NI), *in writing*. – (FR) Mr President, ladies and gentlemen, we voted in favour of Mr Böge's reports on mobilisation of the European Globalisation Adjustment Fund, thinking, above all, of those workers being made redundant. However, in doing so, we also felt a degree of unease. For in truth, this fund is as much good as a sticking plaster on a wooden leg in view of the wideranging social consequences of your irresponsible, excessively free market policy.

At times, it gives the impression, despite your denials, of using European taxpayers' money to fund policies designed to relocate and restructure large companies, while simultaneously giving the Europe of Brussels the cheap option of declaring itself 'in solidarity with' the unemployed it is creating. Another reason for our unease: the thresholds required to qualify for these funds, especially in terms of the numbers of redundancies. For it is primarily and, once again, except in exceptional cases, the very large companies which benefit from them. It would appear that the workers of medium-sized, small and very small enterprises, the small businessmen and women who are shutting up shop, have been passed over yet again where economic and social policy is concerned.

Report: Anna Rosbach (A7-0009/2010)

Luís Paulo Alves (S&D), in writing. – (PT) We voted in favour of this resolution so as to ensure the environmental sustainability of the Atlantic regions, particularly the islands of the European Union. These constitute an essential part of its maritime area and are facing problems and specific needs, such as environmental problems.

The case of the Azores is worth noting, as it has the largest Exclusive Economic Zone in the European Union. Under the scope of the present discussion, it is necessary to ensure environmental surveillance of the waters of the Atlantic, as the people of these islands depend on the good environmental condition of their marine waters. It is therefore important to clearly define minimum objectives for environmental quality along with monitoring programmes that can ensure this sound environmental condition.

There is also a need to address the cases mentioned by the rapporteur, such as navigation accidents or plastic bags, which can have devastating consequences for economic, social and environmental sustainability in the Atlantic regions. This calls for the implementation of specific measures appropriate to the environmental and socio-economic reality of the marine ecosystems within the Atlantic.

This is why the signing of such agreements is important for the sustainable development of populations that depend on the Atlantic.

Maria Da Graça Carvalho (PPE), in writing. – (PT) I welcome the signing of this additional protocol to resolve a political conflict which has prevented Spain and Morocco from ratifying the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution (Lisbon Agreement). The protection of coasts and waters is strategically important for the socio-economic well-being of coastal communities, local development, employment, and the preservation and creation of economic activity. It needs to be ensured that all the European Union's marine waters are kept in a good environmental condition in order to guarantee sustainable development. The present protocol is directly linked to issues such as environmental protection, climate change, safety, public health, regional development, relations with third countries and development cooperation. This protocol, which will allow a variety of forms of pollution in the Atlantic to be combated, is crucial for ensuring the fight against contamination or the risk of pollution in seas or on coasts, through a mechanism that is aimed at ensuring cooperation between the contracting parties in case of a pollution-causing accident, and which will oblige them to establish and implement their own emergency structures and plans.

Diane Dodds (NI), in writing. – I voted no to this report and in doing so, was mindful of a good news story in respect of our marine environment. The rapporteur mentions the 'plastic soup', the drifting mass of plastic and rubber in the Pacific Ocean, and notes what is described as an increasing problem in the Atlantic Ocean of lost fishing nets. In this respect, it is worth mentioning the work of KIMO International and their 'Fishing for Litter' Project. Originally started in March 2000 by the Dutch Government and Dutch fishermen, the project was aimed at clearing the North Sea of litter, using fishing nets. KIMO International has since expanded this project to harbours in the UK, Sweden and Denmark, with EU financial assistance.

Since 2001, EU fishermen have removed hundreds of tonnes of rubbish from our seas and returned it to land where it is collected and disposed of responsibly. All of the EU fishermen involved in this project need to be applauded for their dedication, which removes waste permanently from the sea, benefiting the fishing industry, wildlife and the environment.

Robert Dušek (S&D), in writing. – (CS) The EU has signed a group of agreements with individual Member States and neighbouring third countries relating to the sea, including the Helsinki Convention, the Bonn Agreement, the Barcelona Convention and the so-called Lisbon Agreement. The aim of these agreements is to secure individual and collective measures in case of the risk of pollution, or pollution that is already happening at sea or in coastal areas. Although the Lisbon Agreement was signed in 1990, it never entered

into effect, due to a territorial dispute between Spain and Morocco. A supplementary protocol resolving this dispute was signed by all the signatories in 2008 and therefore nothing should prevent the adoption of the Lisbon Agreement. The rapporteur mentions in the report two persistent and growing problems relating to pollution of the sea and the coastal areas, the first of which is the vast floating mass of plastic and rubber items in the Pacific Ocean, covering an area 34 times greater than a medium-sized Member State such as the Netherlands. The second persistent problem which Anna Rosbach mentions, and for which she seeks a solution, is the quantity of old, discarded and lost fishing nets. This report is an example of constructive work aimed at solving the main problems in the area of marine and coastal pollution, and I am therefore supporting it with my vote.

Diogo Feio (PPE), *in writing*. – (PT) Twenty years after it was signed, the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution, agreed between Portugal, Spain, France, Morocco and the EU, is now ready to enter into force, following ratification by all the contracting parties. The Council now proposes to conclude, on behalf of the European Union, an additional protocol which will finally allow the agreement to enter into force.

This agreement is of supreme importance to Portugal, bearing in mind the length of its coastline and the importance of the sea for its national economy, and not forgetting the *Erika* and *Prestige* disasters. I therefore congratulate the Council and the Member States on the conclusion of this additional protocol and I hope for the swift and effective entry into force of the agreement as this will provide our coastlines with greater protection against environmental disasters such as those which, unfortunately, have blighted our coasts in the recent past.

José Manuel Fernandes (PPE), *in writing*. – (PT) I am delighted at the adoption of this report as it will allow the entry into force of a network of regional agreements on marine pollution which have been signed between the EU and certain Member States and neighbouring third countries.

In this case, we have the Lisbon Agreement, which was signed in October 1990 but which has never entered into force due to a territorial dispute between Spain and Morocco, two of the contracting parties, over the southern boundary (Western Sahara) endorsed in subheading c) of Article 3 of the agreement.

The additional protocol, which found a solution to the conflict and an acceptable wording for subheading c) of Article 3, was only signed in May 2008 by Portugal, Spain, France and Morocco.

With the conclusion of this additional protocol, the Lisbon Agreement can enter into force, 20 years after it was signed. As well as its security aspects, this protocol covers environmental protection. We are all aware of the ecological disasters which have threatened the coasts of our countries in recent years. It is hoped that these rules will help to avoid accidents like the *Erika* and the *Prestige*, as the sea does not have any physical or political boundaries and requires sharing of efforts and concerted action.

Nuno Melo (PPE), *in writing*. – (PT) The European Community has participated in different regional agreements on maritime pollution which facilitate mutual assistance and cooperation between Member States. This network of agreements appears in the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution (Lisbon Agreement), promoted by Portugal, which has not entered into force due to a territorial dispute between Spain and Morocco. I believe that, in the name of the environmental rules promoted by the EU, and once an agreement has been reached on the additional protocol, the Lisbon Agreement can finally be put into practice.

Andreas Mölzer (NI), *in writing*. – (DE) The Additional Protocol to the Cooperation Agreement for the Protection of the Coasts and Waters of the North-East Atlantic against Pollution forms part of a network of regional agreements concerning the protection of the marine environment, which the EU has concluded with individual Member States and neighbouring third countries. The protection of our oceans, which function as a source of food for millions of Europeans, is also an important task for the EU, which is why I have unreservedly voted in favour of this report. In this connection, it should be mentioned that, in addition to the Lisbon Agreement dealt with here, there are also the Helsinki Convention, the Bonn Agreement and the Barcelona Convention.

Each of these agreements covers different parts of the seas surrounding the EU Member States and is intended to enable individual or collective intervention by the contracting parties in the event of pollution or the threat of pollution of the seas or coasts as a result of an accident. The Lisbon Agreement was signed in October 1990, but never entered into force on account of a territorial dispute between two contracting parties, Spain and Morocco, in respect of the 'southern borders' (Western Sahara). The additional protocol, in which the

dispute was settled and an appropriate wording was found, was signed as recently as May 2008 by Portugal, Spain, France and Morocco, and finally, on 25 March 2009, it was also signed by the European Union.

Maria do Céu Patrão Neves (PPE), in writing. – (PT) Almost 50% of the population of the European Union lives in coastal regions, and this fact alone demands redoubled attention to the integrated preservation and management of these regions. In view of this, it is crucial that Integrated Coastal Zone Management is ensured within the EU, as recommended by the European Commission in a statement published on this matter.

It is also important to point out that 80% of the rubbish and pollution in the sea originates from the land, which is why there needs to be a concerted strategy which also involves combating this problem on the land.

Apart from environmental issues, oceanic pollution and European coastal degradation present an economic problem. This is because in certain countries, such as Portugal, the practice of tourism which is aimed at maritime activities like whale watching, diving and others, constitutes a significant source of income for some regions, including the Azores, Madeira and the Algarve.

Like what is happening with overfishing, the pollution of the waters has also contributed substantially to the current state of depletion in certain stocks of species that are important fishery resources. Therefore, the Marine Strategy Directive, an environmental pillar of the strategy for integrated maritime policy, needs to be implemented in full.

Oceans and coastal zones must be a strategic priority for Europe, and for this reason, I wholly support this report by Parliament.

Rovana Plumb (S&D), in writing. – (RO) I voted for this report in order to help bring the Additional Protocol to the Lisbon Agreement into force. This agreement creates a mechanism for ensuring cooperation between the contracting parties in the case of accidents causing pollution and obliges them to devise and implement their own emergency structures and plans.

This agreement forms part of a network of regional marine agreements which the EU concluded with some individual Member States and neighbouring third countries. The network consists of the Helsinki Convention, the Bonn Agreement, the Barcelona Convention and, in this case, the Lisbon Agreement, each of which covers different parts of the sea around EU countries, aiming at individual or collective intervention of the contracting parties in case of pollution or a threat of pollution of the seas or coasts, in order to protect the environment and citizens' health.

Report: Anna Hedh (A7-0024/2010)

Regina Bastos (PPE), in writing. – (PT) The policy of consumer protection aims to promote the health, safety, economic and legal interests of consumers, along with their right to information. Consumer protection is an overarching and fundamental policy of the European Union, focusing on the guarantee of healthy markets in which consumers can act with safety and confidence, encouraging innovation and cross-border trade.

I voted in favour of the present report as I consider it essential to strengthen European consumer protection policy and to render it more effective and meaningful for the public. Confident and well-informed consumers who have the capacity to make choices are essential to the efficient functioning of the internal market. This must aim to provide consumers with a significant amount of choice over products and services of a high quality and which are competitively priced whilst, at the same time, offering a high level of protection, thus playing a fundamental role in making the EU competitive, dynamic and innovative at a global level.

Sebastian Valentin Bodu (PPE), in writing. – (RO) The European Union's internal market has expanded considerably in recent years, currently covering nearly 500 million consumers in 27 Member States. Standardising consumer protection principles and rules at European Union level and improving the mechanisms supporting their application is an achievable objective, without any assumption that the products and services offered in all 27 Member States will reach the same level of quality in the short or medium term.

The current difficult economic situation which the whole of Europe is going through is highlighted by a fall in incomes and rise in unemployment, which is reflected across the Community in the real need to manage the daily shopping better. The attitude of European consumers, which is directly affected by the impact of the economic recession, is particularly evident in relation to the goods and services which they buy and want at good quality so that they can consume as many of these items as possible. As a result, consumer protection measures are steadily growing in importance. The consolidation of the structures for monitoring the market

in all Member States to ensure that the products being marketed meet the highest safety standards is a solution to suit how things stand at the moment.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) EU consumers have a vital role in enhancing growth, employment and competitiveness, and their interests are a main priority in forming key policies such as health, business and industry, the environment, and energy and transport, among others. Regarding energy, the internal market cannot function properly and competitively due to the existence of so-called ‘energy islands’ such as the Baltic region, which is isolated from the rest of Europe in terms of energy, and is dependent on a single external supplier. The existence of an electricity grid and gas pipeline covering the whole of the European territory must be a priority, as Europe is highly dependent on energy imports. The electricity market must also adopt a set of measures aimed at total openness, for the benefit of European consumers. Favourable conditions need to be created for genuine and fair competition and the creation of a real single market. Member States must take all measures necessary to carry out clear objectives, particularly the protection of vulnerable consumers, the protection of basic consumer rights, and economic and social cohesion.

Carlos Coelho (PPE), *in writing*. – (PT) The promotion of the rights and well-being of consumers is a fundamental aspect of the European Union. I support all the efforts that have been made in this regard, which are restoring public confidence in the markets. Consumer protection becomes even more important within the context of the economic crisis which has increased the pressure upon the least protected consumers – those with low incomes. It is necessary to institute a coordinated approach which will allow consumers to exercise their rights in a confident manner. In view of this, I emphasise the need: firstly, to promote policies to inform and educate consumers (on the part of the EU and the Member States) through campaigns, information points and increasing the resources of the European Consumer Centres; secondly, to apply the rules that already exist effectively, strengthening monitoring of the market and regulatory mechanisms and applying pressure on the Member States for the correct collection of Community resources.

I reiterate that only in this way will consumers be able to make well informed choices without being subject to all sorts of pressures from producers. This reinforces their confidence in the market, generates increased competition, improves the quality of products and services, and increases consumption (an important factor for economic recovery).

Lara Comi (PPE), *in writing*. – (IT) Consumer protection is closely linked to the capacity of the market to offer a wide choice of high-quality goods and services at competitive prices. It is clear that greater consumer trust, awareness and responsibility call for increasingly high-quality goods and services which, in turn, increases competition between suppliers, which will be encouraged to improve their products, while keeping prices at competitive levels.

I agree with the importance attached by the Commission and the Member States to launching a communication strategy on consumer rights via web portals, awareness-raising campaigns and information points, while also promoting use of the ‘eYouGuide’ website, and, at the same time, ensuring the reliability, credibility and impartiality of the organisations responsible for management and organisation.

Furthermore, the five Consumer Markets Scoreboard indicators identified by the resolution – although not exhaustive – will certainly allow people to obtain useful information for improving, if necessary, the reference regulatory framework, provided that the information provided by Member States is comprehensive and can be compiled on an easily comparable basis. I voted in favour of the report even though I am confused as to the appointment of the Consumer Ombudsman and the means of collective redress.

Vasilica Viorica Dăncilă (S&D), *in writing*. – (RO) I believe that following the entry into force of the Treaty of Lisbon, and during the current economic crisis, the interests and protection of consumers must be robustly guaranteed. Consumers need to be provided with specific instruments to ensure that their interests are integrated effectively into all of the European Union’s policies

Robert Dušek (S&D), *in writing*. – (CS) The rapporteur takes as a starting point the results of the Consumer Markets Scoreboards, which is a logical and pragmatic approach. Both the satisfaction and the problems of consumers can be deduced from the statistical reports which are focusing on the matter. Further development of the confidential database on consumer problems is essential for the identification of markets. However, it is necessary to improve data collection in such a way that it can take account of the differences between the various systems in the Member States which, because of the diversity, are sometimes extreme. In my opinion, the most problematic issue is the enforceability of legislation and of contractual obligations. In the case of trade on cross-border markets in particular, the enforceability of the law is non-existent. Establishing

rules to protect the consumer in the EU will have no effect if these are not properly implemented in national law and applied and also enforced at the Member State level. The rapporteur has taken up the issue of consumer protection on the basis of the scoreboards in an acceptable way. I would, however, welcome more concrete proposals for improving the current situation. Despite this reservation, the report contributes to consumer protection in the EU and I will therefore vote for its adoption.

Diogo Feio (PPE), *in writing*. – (PT) The European Union's consumer policy is a fundamental component in consolidating the internal market. For this reason, this policy must allow European consumers and members of the public to have access to high quality products and services at competitive prices, whilst at the same time benefiting from a high level of protection of their rights.

Increasing education and awareness of both their rights and obligations, as well as a responsible attitude on the part of companies, will contribute to a more dynamic form of cross-border trade and, as a result, to the close integration of the internal market, with an impact on European competitiveness.

The correct balance must also be struck between the rights and obligations of consumers and the impact of relevant adopted legislation regarding the rights and obligations of firms and service suppliers.

José Manuel Fernandes (PPE), *in writing*. – (PT) The Treaty of Lisbon refers to consumer protection as an overarching and fundamental policy of the European Union, which establishes that consumer protection requirements must be taken into account.

In this context, it is essential to strengthen European consumer protection policy and to render it more effective and meaningful for the public. It is crucial to respond to the needs and problems of the European public.

In this sense, instruments for monitoring the market, such as the Consumer Markets Scoreboard, are justified. A good consumer protection policy must ensure healthy markets, and security and confidence, whereby cross-border trade and innovation are encouraged.

I advocate a transparent policy where brand name of origin is obligatory. Consumer protection is important in the face of imported products that are unsafe, and this requires closer cooperation between market monitoring authorities and customs authorities.

The safety of products circulating in the domestic market requires a combination of efforts with the authorities of third countries, and therefore justifies the Commission's initiative to step up international cooperation and sign formal agreements with the relevant authorities of third countries, especially China, the US and Japan.

Ian Hudghton (Verts/ALE), *in writing*. – I voted in favour of the Hedh report. Scotland currently lacks a voice in EU consumer matters: we have no independent representation in the Council and consumer legislation is largely reserved to London. Given our separate legal institutions, it is essential that these powers are returned to the Scottish parliament so that Scotland can play a full role in the ongoing EU debate on these matters.

Nuno Melo (PPE), *in writing*. – (PT) Consumer protection is, and has always been, one of the EU's priorities, and it was consolidated following the adoption of the Treaty of Lisbon. Consumers who are well informed of their rights and obligations contribute to a more transparent and competitive market.

With the present economic crisis, it is vital to protect the most vulnerable consumers and those with lower incomes. The increasing complexity of retail markets, particularly those related to services, is making it more difficult for consumers to make the best choices.

In order to effectively evaluate markets and adopt policies that produce the best possible results for consumers, market monitoring instruments are required. For this reason, the Consumer Markets Scoreboard is very important.

Franz Obermayr (NI), *in writing*. – (DE) In order to ensure that we have effective consumer protection, it is important to improve the information provided to, and the education of, consumers. The aim is to have 'empowered consumers' in the internal market. However, the report does not adequately address the problems associated with a completely unregulated market. European standards are not always met, whether they be quality and safety standards or even environmental and health regulations. I therefore abstained from voting.

Czesław Adam Siekierski (PPE), *in writing*. – (PL) Consumer protection is an extremely important matter for the Commission to tackle. Simply implementing effective measures on this matter will, of course, be insufficient if there is no involvement on the part of consumers. Consumers must be aware of their rights. Making maximum use of the possibilities of the single European market is a tremendous challenge for the Commission. In order to meet this challenge, effective consumer protection must be one of the priorities chosen by the EU. I think using the Consumer Markets Scoreboards, which are a tool for monitoring markets, could not be more beneficial from the point of view of the consumer. The scoreboards clearly show which markets are not sufficiently meeting the needs of consumers. By analysing them, we can ascertain, among other things, that consumers are experiencing particular problems in the market for services, and that Internet trade between particular Member States is being restricted to a large extent by trans-border barriers. I am pleased by the fact that further scoreboards are being planned. In addition, I hope they will supply us with yet more detailed information than before. Thanks to such tools, it is significantly easier to understand the problems of consumers and to respond to their needs. There is no doubt that introducing EU regulations on consumer protection in individual EU countries is beneficial to our citizens.

Bart Staes (Verts/ALE), *in writing*. – (NL) I voted in favour of the report by Mrs Hedh on consumer protection. This own-initiative report rightly recognises the crucial role of consumer organisations, which are the ideal organisations for alerting public authorities to the problems consumers experience in their daily lives. Naturally, I also support the requirement for Member States to adequately consult consumer organisations at all stages of the decision-making process and of the transposition and implementation of consumer law. Very important as well is the matter of also including in the Consumer Markets Scoreboard long-term indicators such as those relating to market shares, quality, advertising, transparency and comparability of offers, indicators relating to enforcement and consumer empowerment, social, environmental and ethical indicators, and also indicators to measure redress and consumer detriment.

The only two drawbacks of this report, as I see it, are the failure to adopt the amendment tabled by the Group of the Greens/European Free Alliance to learn from the market failure in the energy sector, and our amendment requesting a revision of the Toys Directive. The fact that this amendment did not prevail remains regrettable. Nevertheless, I wish to congratulate the rapporteur and her colleagues in the Committee on the Internal Market and Consumer Protection on this sound report.

Catherine Stihler (S&D), *in writing*. – I welcome this contribution to the consumer scoreboard from Parliament. The consumer scoreboard is an important indicator of how effective and efficient Member States are at implementing legislation from the EU. I welcome the rapporteur's calls for greater transparency and visibility of the surveillance measures and support her call for improved collective redress mechanisms in the EU.

Alf Svensson (PPE), *in writing*. – (SV) The free market within the EU makes the Union a strong player, but also means that consumers must be given good, clear information about the range available on the market. The position of consumers needs to be strengthened. I therefore voted in favour of the report on consumer protection today. However, the report contains certain wording that is problematic. There is a risk that consulting consumer organisations at all stages of the decision-making process will make this process rather drawn out. Civil society plays an important part in achieving relevant consumer protection, but this may take different forms in different countries without this having a detrimental effect on the result. The principle of subsidiarity must apply in the matter of the establishment of consumer protection authorities and consumer ombudsmen, as well as in the wording concerning the curriculum in schools. The EU must set minimum levels and objectives for common consumer policy, but should not decide in every detail exactly how the Member States are to achieve these objectives. The report calls on all Member States to collect and record information on accidents and injuries in a common database. Such a database must not give rise to the need for excessive administrative work. Its administration must be reasonable and proportionate to the benefit to individuals. However, consumer rights and consumer protection in the internal market are so important that I voted in favour of the report despite the concerns that I have just outlined.

Viktor Uspaskich (ALDE), *in writing*. – (LT) Rapporteur, ladies and gentlemen, I am pleased that we are seriously trying to take care of the protection of consumer rights. However, this has been going on for several years now and we are still unable to create an ideal mechanism and tighten the compulsory conditions by fulfilling these tasks at national level. Sometimes, this almost seems like a game or hypocrisy. Until we strictly regulate the activities of monopolies, in whatever area, so that their profits are clearly limited, and the operating costs, salaries and bonuses are strictly controlled – i.e., the provision of raw materials, manufacturing, product provision – then it is hard to imagine consumers receiving cheap and high quality goods or services. As I have considerable experience in this area, I am ready to collaborate in this matter.

Derek Vaughan (S&D), *in writing*. – I welcome the adoption of this report. I feel it is important to protect consumers and to put a greater focus on strengthening market surveillance, so that products destined for citizens meet the highest standards possible. I welcome the move to step up international cooperation on safety products and to pursue formal agreements with enforcement authorities in third countries. I support calls to set up a special Consumer Ombudsman for the extra-judicial settlement of disputes and believe that more effective cross-border cooperation mechanisms will help to improve protection for consumers across the EU.

Anna Záborská (PPE), *in writing*. – (FR) Article 12 of the Treaty on the Functioning of the European Union reaffirms that consumer protection requirements shall be taken into account in defining and executing other Union policies and activities. The Commission must ensure that consumers' interests are genuinely integrated in all policies and must examine in its impact studies the potential effects of any new legislative act and of policies that directly or indirectly affect consumers. While consumer complaints are an important indicator of market failures, their absence does not always mean that markets are working well, since there are times when consumers tend to complain less, because of different consumer traditions or because of their perception of the likelihood that their complaint will be taken into account. Consumer organisations have a crucial role to play in alerting public authorities to the problems that consumers face. The instruments should be optimised so that they can operate more effectively at all levels. I call on the Member States to ensure that consumer organisations are duly consulted at every stage of the decision-making process and during the transposition and implementation of consumer legislation.

Report: Cristian Silviu Buşoi (A7-0027/2010)

Liam Aylward (ALDE), *in writing*. – (GA) I voted in favour of this report on SOLVIT. European consumers should be fully aware of their rights and this problem-solving network should be easily accessible to everyone.

In the European Union as a whole, the number of people contacting SOLVIT seeking advice and help is increasing, and from this it can be understood that the importance of SOLVIT as a problem-solving tool for European citizens and businesses is growing.

I fully support the demand in the report for better and wider advertising of SOLVIT's services and I agree that information about the rights of citizens and businesses in the internal market should be clarified so that everyone can take advantage of these rights in their everyday lives.

Zigmantas Balčytis (S&D), *in writing*. – To enjoy the benefits of the internal market, consumers must have an effective means of redress following misapplication of internal market law. The SOLVIT network was created to guarantee quick redress without having to use judicial proceedings. I believe that this network could be of great use but at the moment, it is not functioning effectively and is not using its potential to the full. Many of our citizens and small businesses are unaware of such a network. Thus, I believe that Member States should put greater efforts and means into promoting SOLVIT and raising awareness amongst citizens and businesses. Moreover, some SOLVIT centres receive more cases than they are able to resolve because the centres are understaffed. I believe that Member States need to strengthen the role of national SOLVIT centres by ensuring cooperation among national, regional and local authorities and to engage in an active exchange of views and best practices with other Member States in order to fully exploit the potential of the SOLVIT network.

Regina Bastos (PPE), *in writing*. – (PT) In operation since 2002, SOLVIT is an online problem-solving network in which the Member States of the European Union participate, with the aim of providing a pragmatic response to the difficulties which arise as a result of the incorrect application of Community legislation by the public authorities.

Although the internal market presently works relatively well, it is also true that, on occasion, errors or problems of interpretation arise with respect to the rights of members of the public and firms who attempt to make the most of the advantages that the internal market provides.

I voted in favour of the present report since the SOLVIT network has shown itself to be of huge importance to the resolution of all sorts of problems, from the member of the public who is searching for another Member State in which to study, work or be reunited with a partner, etc., through to firms who have encountered problems with the public authorities, problems with VAT refunds or other issues. The SOLVIT network aims to provide members of the public and firms with a high level of service, on the basis of important quality and performance criteria.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) I welcome the Buşoi report on SOLVIT. This informal network for solving problems related to the internal market has been crucial in providing free assistance to both members of the public and businesses in solving specific problems with the public authorities. Its importance is reflected in the growing number of cases brought over the last year. However, given the cross-cutting problems identified at national level, it is vital to consider a series of measures for improving the effectiveness of these centres. I believe, therefore, that Member States must intensify their efforts to provide information to members of the public and businesses on the rights that they enjoy within the internal market by making use of the increase in financial and human resources and the training of employees on the SOLVIT network on internal market rules. It is also important for its employees to have a solid knowledge of English, as well as their native language. I call on the Member States and the Commission to promote greater access to the SOLVIT network for members of the public and businesses, with a view to the effective implementation of the internal market rules.

Carlos Coelho (PPE), *in writing*. – (PT) The internal market is not, nor should it be, a merely bureaucratic structure. To truly benefit from its obvious advantages, firms and the European public must be able to exercise their rights in practice by means of rapid, responsive and efficient mechanisms. On this basis, the SOLVIT network assumes a fundamental importance.

Given the increasing number of cases in which SOLVIT centres have been involved over the last year, I consider it to be vital for the good of consumers that we should move towards a range of reforms and improvements which Parliament has proposed with this in mind. For example, the strengthening of Commission control over the effective application of the rules of the internal market; clear increases to the resources provided to SOLVIT centres (the commissioning of experts on the elements of the internal market, an increase in funds for the national centres, specialised and up-to-date training of existing specialist personnel, coordinated online links between local centres and Commission services); and significant investment in the promotion and advertising of the SOLVIT network by the Member States and Commission through all social communication methods, promoting a high level of connection with the public and firms. For all these reasons, I support the Buşoi report on SOLVIT.

Lara Comi (PPE), *in writing*. – (IT) The SOLVIT network has shown that it is a very useful instrument for solving the problems – without legal proceedings – encountered by citizens and businesses as a result of the misapplication of internal market law by public authorities. It should therefore be supported in several ways, by means of better cooperation between the Commission, Parliament and Member States. Above all, it is necessary to better promote awareness of its existence among citizens and businesses and to strengthen cooperation among national, regional and local authorities. Greater importance should also be given to the training of public officials who work in this area, such as training of the SOLVIT network staff, which, as the Commission's communication stresses, should also be developed by means of the European Social Fund.

I voted in favour of the report because I believe that strengthening the SOLVIT network can really help improve the legal framework of the internal market, which we are trying so hard to build. Promoting transparency of data with an interactive online database increases awareness of standards, enables problems to be resolved faster and increases trust in operators.

Diogo Feio (PPE), *in writing*. – (PT) The SOLVIT network was set up by the Commission and the Member States in order to resolve, via non-judicial means, any problems that members of the public and businesses face as a result of the incorrect application of legislation concerning the internal market.

This network has shown itself to be effective in the resolution of problems, but it is still underutilised by the general public. For this reason, the Commission intends to promote the rapid and complete application of the SOLVIT network, increasing transparency in order to overcome obstacles to freedom of movement and providing the public with information on their rights, so as to fulfil the potential of the internal market.

With this in mind, the Commission is urging the Member States to duly promote the SOLVIT network amongst the public and firms, bearing in mind its capabilities and the added value which it represents.

Given that many of the problems which could be dealt with through the SOLVIT network are currently resolved judicially, increasing the time and money wasted by members of the public and firms, and given that the SOLVIT network could provide an alternative and more rapid and efficient solution to legal disputes, I believe that making the SOLVIT network fully operational will benefit the workings of the internal market as well as the protection of the interests and rights of members of the public and firms.

José Manuel Fernandes (PPE), *in writing*. – (PT) The SOLVIT network became operational in July 2002, having been created by the Commission and the Member States with the aim of resolving the problems that were being experienced by members of the public and businesses as a result of the misapplication of internal market legislation, allowing a swift, free and effective response without recourse to the courts.

All the EU Member States along with Norway, Iceland and Liechtenstein have created SOLVIT centres at national level, mostly integrated with their respective ministries of economy or foreign affairs. These centres cooperate directly through an electronic database in order to find rapid and pragmatic solutions to the problems submitted by members of the public and businesses.

The Member States must intensify their efforts to provide information to members of the public and businesses on the rights that they enjoy within the internal market, thus allowing them to exercise these rights. The services provided by SOLVIT must be made known to members of the public and businesses in an effective way.

Nuno Melo (PPE), *in writing*. – (PT) The SOLVIT network, which aims to be an effective solution to the problems of the internal market, has been very successful in solving these problems. This SOLVIT network was set up in 2002 in order to address problems that members of the public and businesses face as a result of the incorrect application of European legislation relating to the internal market.

The SOLVIT network replaces the courts in a more effective and less bureaucratic manner, finding solutions within 10 weeks. However, the increased flow of SOLVIT cases has resulted in several deficiencies with its response. This means that it is very important for there to be an effort towards an increase in human and financial resources, along with adequate training of the SOLVIT network officials, so that they can improve their effectiveness in addressing the increasing number of cases submitted to them.

Rovana Plumb (S&D), *in writing*. – (RO) The internal market offers citizens and companies a host of opportunities. The internal market operates well, on the whole. However, sometimes mistakes can be made too.

SOLVIT is a network for resolving problems where EU Member States work together to resolve, without resorting to legal proceedings, problems which have arisen due to the inappropriate application of internal market legislation by the public authorities. There is a SOLVIT centre in every Member State of the European Union (as well as in Norway, Iceland and Liechtenstein).

I voted for this report to give SOLVIT centres a boost in resolving the complaints submitted by both citizens and companies.

Robert Rochefort (ALDE), *in writing*. – (FR) The internal market, with more than 1 500 frequently complex documents, seems to Europeans to be a pretty incomprehensible 'big contraption', which, to boot, is not always correctly implemented in the Member States (I am thinking, in particular, of the recognition of professional qualifications). Consequently, SOLVIT is proving to be an invaluable tool: a genuine support service for consumers and businesses in matters relating to the single market, this cooperative network has, for several years, worked to solve, informally, problems linked to the misapplication of internal market law by the public authorities. I voted in favour of the report on SOLVIT.

Nonetheless, despite its excellent success rates (more than 80% of cases are successfully resolved), and despite the fact that it represents a rapid, extrajudicial and free solution to the problem of obtaining redress, SOLVIT is still relatively unknown among the general public. We must do more to raise its profile. Finally, I regret that in certain Member States, including my own, the SOLVIT centre is so poorly provided for in terms of budget and personnel. The time has come, I believe, for Member States to appreciate how useful these centres are and to provide them with the means to function properly.

Bart Staes (Verts/ALE), *in writing*. – (NL) The report by Mr Buşoi on SOLVIT is very important. In the performance of my parliamentary duties, I am contacted many times a week by citizens asking me what are often very personal and very specific questions on the operation of Community law. I am often able to help them promptly by directing them to SOLVIT.

The report we adopted today clearly describes the benefits of this instrument. It is an extremely balanced piece of work in that it states very clearly what action must be taken to improve the instrument. A good media strategy is certainly needed in order to raise awareness of SOLVIT. Making a unique Internet address available can contribute to this.

It is clear that SOLVIT's efficiency needs to be further increased. This can indeed be done by enhancing cooperation between civil servants with a sufficiently high level of knowledge. Also crucial is the recommendation for Member States to increase the staffing of SOLVIT centres in order to build up administrative capacity in the various ministries at national level. The objective must be for all SOLVIT centres to answer the questions quickly and come up with genuine solutions; the very purpose for which SOLVIT was created.

Viktor Uspaskich (ALDE), *in writing*. – (LT) Rapporteur, ladies and gentlemen, I support this initiative and agree entirely with the strengthening of the SOLVIT network and the broadening of its activities. No expense should be spared in having information about this European structure's activities and opportunities spread in the national media, on the Internet or on television programmes. However, I can tell you all that there are double standards: the legislation is not applied in a uniform manner and there are even different penalties for the same activities.

Anna Záborská (PPE), *in writing*. – (FR) SOLVIT was created in order to resolve the problems faced by citizens and businesses as a result of the poor application of legislation on the internal market. All the Member States, as well as Norway, Iceland and Liechtenstein, have established a national SOLVIT centre. They cooperate directly in order to devise rapid and pragmatic solutions to the problems submitted by citizens and businesses. The centres need sound legal advice on the legal merits of the problems submitted and the solutions proposed. They have access to legal advice both within their centre and within the competent administration. Where there are differences of legal opinion on cases being handled jointly, complex legal issues or simply no proper access to legal advice in their country, SOLVIT centres often turn to the Commission for advice. Member States should ensure that the centres have proper access to legal expertise within their administration. The Commission should speed up the provision of informal legal assessments to the centres on request. I welcome the Member States' commitment to monitoring European legislation and its application. It is not good enough that the European legislators should implement laws that create more problems than they solve.

Report: Bairbre de Brún (A7-0082/2009)

Liam Aylward (ALDE), *in writing*. – (GA) We have very high standards of animal health requirements in Ireland and, as a result, I voted in favour of this important report, which will protect the health status of Irish animals. The report's recommendation with regard to extending the transitional system for the movement of animals until the end of December 2011 is necessary and timely.

These rules establish a general system for identifying pets (cats, dogs and ferrets) travelling between Member States and all animals will have to have passports with them showing that they have been vaccinated against rabies.

These protective measures are necessary as the health standards in Ireland are extremely high at present and, as a result, the country is free from rabies, from certain ticks and from tapeworms which could endanger the health of both humans and animals.

Jan Březina (PPE), *in writing*. – (CS) Madam President, I voted in favour of the report on the proposed resolution of the European Parliament and the Council concerning veterinary conditions for the non-commercial movement of pets, even though I do not agree with the entire text of the proposal. I am particularly concerned that it provides for an extension of the transitional period during which the importation of dogs and cats into Ireland, Malta, Finland, Sweden and the United Kingdom is subject to stricter requirements. For example, Malta, Ireland and the United Kingdom are requesting that pet dogs and cats be subject to additional examinations for ticks, which must also be certified in their animal passports. This is already the second consecutive extension of the transitional period, which I consider to be highly irregular from the perspective of EU legislative practice. The Commission should, as soon as possible, assess the possibility of expanding the general regime to the Member States which currently fall under the transitional regime, for the purposes of which it should order the drafting of a consultative opinion by the European Food Safety Authority. I firmly believe that repeated extensions of the transitional period are not in the interests of European citizens. The existing differences in the protective measures of the previously mentioned Member States, such as different time limits for inoculations and serological examinations and different deadlines for anti-parasite examinations, make it more difficult and more costly to travel with pets in the EU.

Robert Dušek (S&D), *in writing*. – (CS) Community laws regulate the non-commercial movement of pets into the Community, within the framework of which they establish a so-called general regime, under which

pet dogs, cats and ferrets, which are being moved between Member States in the EU, must be accompanied by identification documents and information on their mandatory inoculations against rabies and on the diseases they have had. Regulation (EC) No 998/2003 also establishes a so-called transitional regime allowing Member States to apply stricter requirements for the entry and movement of these animals on their territory. Great Britain, in particular, is making considerable use of this derogation. The Commission proposes to extend the designated transitional regime up to 31 December 2011, and the rapporteur Mrs de Brún supports this move. In view of the fact that a compromise has been achieved in both the Council and the ENVI committee, of which this report constitutes a part, I have voted for its adoption.

Diogo Feio (PPE), in writing. – (PT) Regulation (EC) 998/2003, which the Commission proposes to amend, establishes harmonised norms on the non-commercial movement of pets inside the European Union, as well as their entry into it. It envisages, however, a temporary system under which some Member States may impose more restrictive conditions in the case of certain illnesses such as rabies, echinococcosis and tick infestation.

The importance of the free movement of pets within the European Union area notwithstanding, I reiterate my conviction that it is fundamental that such pets must comply with all sanitary criteria so that they do not present a risk to human or animal health.

José Manuel Fernandes (PPE), in writing. – (PT) This report provides rules for the movement of pets within the European area and how this should be done in accordance with the objectives of preventing the spread of diseases, particularly rabies.

Freedom of movement is one of the key pillars of the European Single Market. This issue is particularly pertinent for citizens of a Europe without borders, where we have witnessed an increased movement of pets between Member States.

We all agree that it must be possible to travel with pets, but we also all agree that this must be done in accordance with the set public health criteria in order to ensure a greater level of protection for human and animal health.

I therefore welcome the general passport system, which will harmonise hygiene measures, and the controls which facilitate the free movement of pets.

The report also provides a transitional arrangement until the end of 2011, so that some countries can prepare to put the necessary infrastructure in place.

Ian Hughton (Verts/ALE), in writing. – I voted in favour of Mrs de Brún's report. The freedom of movement which lies at the heart of the single market means that this is an issue of importance to a great many citizens across Europe. Public and animal health matters are also of vital importance and I consider that the rapporteur has done a good job in striking a balance.

Nuno Melo (PPE), in writing. – (PT) The animal health conditions that must be placed on the cross-border movement of domestic animals which are not intended for sale are aimed at ensuring both a greater degree of protection for human and animal health and greater ease of movement for pets accompanied by their respective owners. In this way, if the relevant rules are followed and a certificate of vaccination against rabies and an analysis of the immune system reaction to this vaccine performed by an authorised veterinarian is carried during journeys within the Community area, this will facilitate the non-commercial movement of pets.

Raül Romeva i Rueda (Verts/ALE), in writing. – (ES) I have voted in favour of this important report because in doing so, we are supporting the Commission proposal on the extension of the transitional regime as regards rabies, meaning that the end of the regime coincides better with the period when the European Commission expects to terminate EU funding of vaccination programmes to eradicate sylvatic rabies in some Member States, which is the main rabies problem in the EU. In addition, the Commission has opted for a careful precautionary approach, giving priority to prevention and to additional health considerations related to the internal market and free movement of pets. The different policy options have been compared and considered by the Commission, taking into account the various opinions of the European Food Safety Authority (EFSA). The proposed date for ending the transitional regimes will allow the infrastructure to be converted and the staff in place to be retrained gradually and adapt to the new situation.

Daciana Octavia Sârbu (S&D), in writing. – I welcome this report, which will allow Member States to continue with measures to protect against the spread of rabies but which will also lead to the free, safe movement of pets throughout Europe after 2011. The extension of the derogation for certain countries until 2011 will allow them to continue with tests and health checks for diseases such as rabies. This transitional period is an important step towards the eventual free, safe movement of pets in the European Union.

I would like to congratulate all those who worked to secure the agreement on the new comitology procedure. It is a good compromise which will allow an effective response if Member States have justified concerns over the spread of other diseases. It also ensures that, when using delegated powers, the Commission will consult a variety of experts – Commission experts, Member State experts, non-governmental experts and Parliament's experts. We must ensure that this commitment is upheld. In the wider context, we have received written assurances that this report will not set a precedent for the future use of delegated powers. This takes into account Parliament's concerns about setting a precedent for the new comitology procedure under the Lisbon Treaty.

Report: Carlos Coelho (A7-0015/2010)

Zigmantas Balčytis (S&D), in writing. – (LT) The EU 2020 strategy is a document that offers much hope. In recent times, there has been much talk about the recovery of the EU economy, but the majority of Member States have yet to see the end of the crisis. In public, discussion of the crisis is limited to the state of public finances, although the rapidly increasing unemployment in some Member States has already reached a critical level. It is strange to hear EU high officials praising some governments for their excellent work, when each month, the number of unemployed in those countries is growing at a catastrophic rate, social guarantees are being reduced and the number of people living below the poverty level is increasing. It is becoming very difficult for the people in such countries to understand whether the European Union is implementing a policy of poverty reduction or actually increasing poverty in the social area. In my opinion, governments that have been unable to even solve unemployment stabilisation problems should not receive undeserved praise. The European Commission should take greater responsibility and responsibly supervise the implementation of national government crisis management plans, while assessing very clearly the effects of such reforms on the people.

Regina Bastos (PPE), in writing. – (PT) The Schengen Agreement is a treaty between European countries on the policy of freedom of movement of individuals within the Schengen area. Any person who is in possession of a document which proves that he legally resides in a Member State should be able to move freely within an area where there are no internal borders.

However, not all countries are yet in compliance with their obligation to provide a residence permit to the nationals of third countries who are holders of this form of long-stay visa. For this reason, it is inconsistent that a student who has obtained a visa to take a course in Portugal should not have the option to go, for example, to Belgium to gather information from a specialised library for the writing of his thesis.

For this reason, I voted in favour of the present report, bearing in mind that it is important to facilitate the freedom of movement within the Schengen area of nationals of third countries who legally reside in one of the Member States on the basis of a long-term type D visa provided by that Member State. I congratulate the rapporteur, Mr Coelho, for once more managing to achieve an agreement at first reading, which will allow this situation to be resolved before the Visa Code enters into force next month.

Vilija Blinkevičiūtė (S&D), in writing. – (LT) I voted for the new amendments to this regulation given that hitherto, third-country nationals holding long-stay visas have encountered problems with the restriction on free movement. They have been unable to travel freely from one European Union Member State to another and even had difficulties returning to their native country. This regulation extends the principle of equivalence between residence permits and short-stay visas issued by the Member States fully implementing the Schengen acquis to long-stay visas. It must be underlined that a long-stay visa should have the same effects as a residence permit as regards free movement in the Schengen area without internal borders. I would like to draw attention to the fact that it is very important that once the movement of third-country nationals in the Schengen area has been simplified, security guarantees in the Member States are not infringed. The implementation of this regulation should not reduce security, since it provides for the duty of states to check a person's data in the Schengen Information System before issuing a long-stay visa and, if necessary, asking other EU Member States about that person. Hitherto, this was only done when issuing residence permits.

Marielle De Sarnez (ALDE), *in writing*. – (FR) I welcome the adoption of this regulation by a very large majority – by 562 votes to 29, with 51 abstentions. From now on, any third-country national holding a long-stay visa issued by a Member State will be able to travel to the other Member States for three months in any six-month period, under the same conditions as the holder of a residence permit. This was a measure which many students and researchers, such as those participating in European exchange programmes (Erasmus Mundus), have been waiting for. It is a step forward in terms of making the Union a more attractive destination for students, academics and researchers from third countries. Moreover, it can be seen as a reminder of the European Parliament's request for the Member States to take steps towards the future introduction of a visa intended specifically for students participating in exchange programmes. I do have one regret, however: the United Kingdom, Ireland and Denmark have not adopted this regulation and will not be subject to its application, even though these countries attract a large number of foreign students and researchers present in the Schengen area.

Diogo Feio (PPE), *in writing*. – (PT) The creation through the Schengen Agreement of a European area without border controls was an important step in constructing an open internal market with free movement of people and goods.

For this same reason, the crucial aim upon which the agreement is based is to allow the free movement of individuals within an area where there are no internal borders. As a result, it seems to us absurd that citizens who are from outside the EU but who possess long-stay visas provided by one of the States which are party to the Schengen Agreement may not move freely within this area.

The examples given by the rapporteur seem to us to be evidence of the absurdity which this system represents in practice. For this reason, I agree with the Commission's proposal, in the wording suggested by Parliament, to treat long-stay visas as residence permits, thus ensuring freedom of movement for their holders.

José Manuel Fernandes (PPE), *in writing*. – (PT) Firstly, I welcome the excellent quality of this report. In accordance with the Community legislation in place, nationals of third countries who hold a long-stay visa (a visa for a stay in excess of three months) are not authorised to travel to other Member States during their stay or to travel through other Member States when they return to their country of origin, since there is no provision for this in the Schengen Convention.

The new rules proposed mean that a long-stay visa will have the same effect as a residence permit in terms of free movement within the Schengen area, without internal borders, or that a person who holds a long-stay visa issued by a Member State will be authorised to travel to other Member States for three months within a period of six months, and under the same conditions as the holder of a residence permit.

For this system to work, there should be controls that are equivalent to those that are currently in place in other areas, so as to ensure good communication between Member States and coherence between the issuing of long-stay visas, residence permits and Schengen Information System alerts.

Ilda Figueiredo (GUE/NGL), *in writing*. – (PT) It is a good thing that a foreigner who holds a long-stay visa granted by a Member State is able to travel to other Member States for at least three months within a period of six months, and on the basis of the same conditions as the holder of a residence permit. As this is the main matter covered by the regulation to which this report relates, we voted in favour.

As we know, at present and in accordance with Community legislation which is in force, nationals of third countries who hold long-stay visas who might be, for example, students who wish to make a study trip to another Member State, scientists, academics, relatives of nationals of third countries and EU citizens, are not allowed to travel to other Member States during their stay or to pass through other Member States when returning to their country of origin, a situation which is not envisaged in the Schengen Agreement.

The new rules which have now been approved will mean that a person who holds a long-stay visa (a visa for a stay of more than three months, or a type D visa) will have the same rights as the holder of a residence permit in terms of freedom of movement within the Schengen area.

Bruno Gollnisch (NI), *in writing*. – (FR) Mr President, ladies and gentlemen, we voted against Mr Coelho's report. Indeed, to allow holders of a long-stay visa, that is to say, one lasting more than six months, to benefit automatically from freedom of movement throughout all the States of the Schengen area, as though they were holders of a residence permit, is irresponsible. Your examples are misleading. It does not matter whether we are talking about students wishing to visit the capitals of Europe (with the exception of London, Dublin and Copenhagen, which are outside the Schengen area), researchers whose research is due to last less than

a year, or expatriates without the appropriate residence and work permits – it is all of marginal importance and merely a pretext.

In point of fact, this measure is yet another negation of the sovereign right of States to decide who may or may not, under which conditions and for how long, enter their territory. By standardising rights, it ultimately makes long-stay visas completely meaningless, for the sake of promoting a sort of automatic resident's status, one that is granted from the moment a person wishes to come to Europe for more than three months and for a purpose other than that of tourism. This is unacceptable.

Sylvie Guillaume (S&D), *in writing*. – (FR) I supported the Coelho report on the freedom of movement of persons with a long-stay visa because, behind issues relating to administrative formalities, I believe it is important, for example, for young foreigners who come to study in our countries not to be confined to living in one country, but to be able to have the freedom to travel from one country to another, whether to study or to discover the diversity and wealth of European culture. Unlike those who are raising the spectre of security and the fight against illegal immigration, we must defend here the need to develop a knowledge-based society in Europe, as elsewhere.

Ian Hudghton (Verts/ALE), *in writing*. – I abstained on the Coelho report as it deals with aspects of Schengen which are not applicable in Scotland.

Véronique Mathieu (PPE), *in writing*. – (FR) Firstly, I should like to thank Mr Coelho for the quality of his report and for the true expertise that he brings to all his work on visa policy. Adoption of this regulation is a necessity and a matter of urgency. It is a necessity because, due to an extremely contentious practice carried out by Member States, which no longer convert long-stay visas into residence permits, we have ended up with absurd situations in which any third-country national who is legally resident on EU territory by virtue of a D visa is prevented from travelling within the other Member States of the Schengen area. This practice creates unnecessary obstacles to movement within the Schengen area and runs counter to the very philosophy of the Schengen *acquis*. Adoption of this text is also urgent in view of the forthcoming entry into force of the Community Code on Visas, which abolishes D + C visas. As well as maintaining a high level of security within the Schengen area, thanks to the obligation to consult the Schengen Information System when processing D visa applications, this report provides a fair and balanced solution to situations that must no longer arise in the future.

Nuno Melo (PPE), *in writing*. – (PT) The previous legislation, which did not allow a citizen of a third country with a long-stay visa granted by a Member State to travel to other Member States, did not meet the mobility needs of the majority of those citizens. We are talking about students, scientists, academics and others who, as part of their professional and/or academic work, need to travel between several Member States, and would not be able to do so under the existing legislation.

In this way, these changes are rectifying this anomalous situation while still continuing to safeguard all security rules on the movement of citizens of third countries within the EU.

Rareș-Lucian Niculescu (PPE), *in writing*. – (RO) I voted for this regulation because I consider that it is a welcome improvement to a previous measure which restricted the rights of long-stay visa holders in a Member State. Just as society is in a state of flux, European legislation must not remain standing still either because we are facing new problems and challenges. At the same time, we are being given new instruments for managing issues related, for instance, to free movement.

Franz Obermayr (NI), *in writing*. – (DE) This report aims to make it considerably easier for third-country nationals with a long-stay 'D' visa to move freely throughout the Community. In doing so, it completely disregards the fact that it ought to be within the competence of the Member States to decide whether and which third-country nationals are permitted to enter the country and who should be refused entry. It is for that reason that I voted against the report.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – I voted, together with my group, in favour of this report because it points out that the proposals made in this framework seek to make it easier for third-country nationals legally residing in a Member State to move in the Schengen area on the basis of a D long-stay visa issued by that Member State. They are intended to provide a response to situations where Member States are unable, for various reasons, to issue residence permits in time to third-country nationals residing in their territory, by extending the existing principle of equivalence between a residence permit and short-stay C visas to long-stay D visas.

A long-stay visa will thus have the same effect as a residence permit as regards circulation in the Schengen area. This will make it possible for anyone in possession of a document showing that he is legally resident in a Member State to move freely in the Schengen area for short periods of no more than three months in any half year.

Nuno Teixeira (PPE), *in writing*. – (PT) The free movement of individuals is one of the fundamental principles of the European Union, and the Schengen area was created in order to put this objective into practice effectively. The Group of the European People's Party, to which I belong, has always defended the principle of the freedom of movement of individuals, following the principle that rules and common procedures regarding visas, residence permits and the control of borders must form part of the full Schengen concept.

In this context, I support the new measures which have been adopted, taking into account the fact that the free movement of nationals of third countries, that is, residents of a Member State on the basis of a type D long-stay visa travelling to other Member States within the Schengen area, is sometimes rendered difficult as a result of a delay in the conversion of their visa into a residence permit.

In accordance with the document, the principle of equivalence between residence permits and short-stay visas will now be applied to long-stay visas. For these reasons, and given that the adopted measures not only leave matters relating to the granting of visas unaffected, including those relating to security issues, but also constitute a natural and necessary development of the Schengen concept, I voted in favour of the document.

Report: Sophia in 't Veld (A7-0025/2010)

Liam Aylward and Pat the Cope Gallagher (ALDE), *in writing*. – (GA) The Fianna Fáil members of the European Parliament, Pat the Cope Gallagher and Liam Aylward, strongly oppose what is proposed in this report regarding the introduction of a Common Consolidated Corporate Tax Base (CCCTB in English).

The European Centre for Economic Studies carried out a study recently on how practical it would be to introduce the Common Consolidated Corporate Tax Base in Europe, and it was clear from that study's conclusions that such a tax system would not be workable, practical or desirable from the political point of view.

A Common Consolidated Corporate Tax Base in Europe would not improve the competitiveness of the European Union or the operation of the single market, and on top of that, the CCCTB could interfere with small open economies like that of Ireland. The question of taxation is within the competence of the individual Member States and the Irish Government has the right to use its power of veto in relation to any tax measures, including CCCTB. This right is enshrined in the treaties, including the Treaty of Lisbon.

Maria Da Graça Carvalho (PPE), *in writing*. – (PT) Effective competition in the supply of goods and services reduces prices, improves quality and allows greater choice for consumers. It also allows technological innovation to progress. Research in the energy sector is crucial, along with investment in infrastructure, particularly in the interconnection of gas and electricity networks, in order to promote competition. The security of supply and real competition in the energy market depend on the interconnection and the smooth operation of energy infrastructures. Strong competitiveness is also important within the telecommunications sector with measures to promote competitiveness through preferential tariffs. In order to achieve this, it is important to analyse the relevant market. I would even stress the importance of monitoring the competitive behaviour of fuel markets within the European Union. I would emphasise that support mechanisms like State aid must not be used to protect national industries at the expense of the internal market and European consumers, and that these mechanisms should be used with the aim of re-establishing a sustainable knowledge economy.

Lara Comi (PPE), *in writing*. – (IT) The report on competition policy shows how to enhance the functioning of the markets to the benefit of European consumers and businesses. Particular attention is paid to issues concerning cartels and consumers. Fighting cartels is vital to ensure that the benefits of a competitive system reach the end consumer. Indeed, they represent one of the most serious violations of competition law: operators are allowed to increase prices, limit production and divide the market up between themselves. The Commission has a sanctionative role, thus preventing anti-competitive behaviour, and imposes fines on cartel members, discouraging any business from indulging in or continuing anti-competitive behaviour.

During an economic crisis there is a risk of increasing the level of protectionism. It is therefore necessary to avoid public intervention that would change the conditions of competition on the internal market but, at the same time, to acknowledge that State aid is sometimes essential in order to tackle the crisis. I voted in

favour, since anti-competitive conditions encourage abuses of dominant positions to the detriment of SMEs and it is therefore vital that Europe does its best to provide greater guarantees and protection for goods.

Derk Jan Eppink, *on behalf of the ECR Group, in writing.* – The ECR Group is a firm supporter of strong and effective competition policy as a tool both for protecting the consumer and encouraging fair access to markets. We are happy to support the actions taken by the Commission in recent years in pursuit of these aims, and, in particular, their actions against unfair State aid.

Thus, it is to our dismay that the report, which was initially well drafted, has been made less effective by the irrelevant and unwelcome additions of paragraphs pre-empting the outcome of the negotiations on the financial supervisory architecture, calling for a common consolidated corporate tax base and attacking the right of enterprises to employ contract staff.

Members of our group have, in the past, voted in favour of reports on the Commission's competition policy and our hope is that such reports will, in future, emerge from the Economic and Monetary Affairs Committee in better shape. Our abstention reflects this concern, and we reiterate in this explanation of vote our support for the continued good work of the Commission in the field of competition.

Diogo Feio (PPE), *in writing.* – (PT) Greater competition means more choice for the European public and a more competitive environment for firms. As such, there should be no separation between EU policies on competition and those relating to consumers. Thus, action from the Committee to guarantee an effective competitive environment at the heart of the internal market are vital if we are to ensure the achievement of those objectives, although it may call into question the absolute powers conferred upon that institution.

During the crisis of the past few months, the authorisation of the State aid justified by recent events has been fundamental for the recovery of the economy. Furthermore, the fight against cartels and the abuse of a dominant position by firms is fundamental if we are to guarantee that a climate of fair competition will survive within the internal market, allowing the various economic agents to benefit from conditions which are conducive to the pursuit of their activities.

José Manuel Fernandes (PPE), *in writing.* – (PT) The economic crisis, the effects of which we are still experiencing, requires exceptional measures, such as State aid. However, it needs to be ensured that this does not unduly distort competition or increase the budgetary deficit and public debt. In view of this, its application should be a matter of sober consideration.

The level of public debt, which is rapidly on the rise, will be a burden for future generations and an obstacle to economic recovery and growth. Excessive debt and budgetary deficits not only compromise the stability of the euro, but also place severe restrictions on public spending in priority sectors such as education, health, innovation and the environment.

Within this context, it is necessary to proceed to a rigorous assessment of the rescue and recovery package and the effectiveness of State aid. Protectionism and fragmentation of the single market must be avoided, as they weaken Europe's position within the global economy.

A single market that functions properly is the key to a healthy economy and, in all certainty, economic recovery. Ultimately, economic policies must gain more legitimacy through greater intervention by Parliament under the codecision process.

Nuno Melo (PPE), *in writing.* – (PT) Policies and effective rules relating to competition have always been crucial for the healthy coexistence of all economic operators in the euro area. Although the EU has been greatly affected by the recent global economic crisis, the truth is that a strong currency, a consistent single market, sound public finances and a good system of social protection have contributed greatly to helping us survive the effects of the crisis.

However, the State aid distributed by various Member States without any concern for the good of the European Union as a whole could lead to significant distortions in competition. It is therefore crucial that there is an assessment of all the measures taken by each Member State to combat the crisis, so that in the future, the EU will have the capacity to react jointly and harmoniously in order to avoid protectionism and fragmentation of the single market. Such situations do nothing but harm Europe, which wants to be strong within the global economy.

Ślawomir Witold Nitras (PPE), *in writing.* – (PL) Policy on competition is one of the most important policies of the Community and was one of the first to be agreed. The legitimacy and necessity of its introduction

relate directly to one of the main objectives of the European Communities, which was the establishment of a common market in the Member States. Competition policy is intended to give a guarantee that barriers to internal trade, which have been lifted as part of the common market, will not be replaced by other measures on the part of businesses or governments, because this would lead to the distortion of competition. Competition policy is principally concerned with the interests of consumers, and tries to ensure them easy access to goods and services offered on the single market at prices which are as close as possible throughout the Union. I would like just to draw your attention to the serious crisis which has hit Europe, and to say that an internal market which functions well is the key to a healthy economy, and is now certainly the key to the work of rebuilding which awaits us in the near future.

Franz Obermayr (NI), *in writing*. – (DE) This report contains some sensible proposals, such as the different treatment, within competition law, of multinational concerns, on the one hand, and small and medium-sized enterprises on the other. However, I do not believe that it is right to deregulate, or not to regulate, retail prices in the telecoms sector. In general, I consider the tenor of the report, which assumes the absolute efficiency of the free market, to be misguided. It is for that reason that I have voted against this report.

Robert Rochefort (ALDE), *in writing*. – (FR) I voted in favour of the report by Mrs in 't Veld, which welcomes the Commission's 2008 report on competition policy. Indeed, I share this positive view: this change in the Commission's approach should be noted.

In fact, in this report, the Commission explains that it is putting the concerns of consumers at the centre of its activities in relation to competition, and that it considers that the main objective of competition policy is the optimisation of the wellbeing of consumers. I welcome this. Can it be that the Commission is finally acting fully in accordance with Article 12 of the Treaty of Lisbon, which stipulates that consumer protection must be taken into consideration in the definition and implementation of the other policies of the Union?

I also encourage the Commission to continue to engage in the regular dialogue which it has decided to create between its services, consumers and the associations which represent them. In this respect, it is a good thing that, in 2008, a unit was created to deal with consumer relations within the Directorate General for Competition. We are now requesting a full report on the activities of this unit so that we may have a better idea of how useful it is.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – I, together with my group, the Greens/EFA, voted in favour of the in 't Veld report on the annual Report on Competition Policy (2008) because it provides an opportunity for Parliament to set out its priorities and its assessment of the way the Commission conducts its competition policy. I am glad that, in line with the vote in the ECON Committee, the in 't Veld report was adopted (as expected) by a large majority (Greens in favour, as in the case of major political groups).

Czesław Adam Siekierski (PPE), *in writing*. – (PL) Europe, hit by the economic crisis, was able to react quickly and mitigate the effects of the crisis thanks to its common currency, strong internal market and stable system of social protection. This does not mean there are now no perceptible repercussions, but signs of an improvement in the situation are visible. Unfortunately, consumers are still struggling with problems relating to making use of the benefits of competition. Their rights must be protected, but they need to be more aware and have greater knowledge. The proper functioning and competitiveness of the European market means the consumer is able to make use of the system of competition by choosing products, services and lower prices. Insufficient competition is, however, something which is currently being seen, especially in the pharmaceutical and telecommunications sectors. Absence of competition is directly detrimental to consumers, as it also is to the economy. There is also a need for monitoring of competitive behaviours in EU fuel markets. Penalties should be applied for breaking the law on the protection of competition which are commensurate to the violation, and stronger deterrents should be made use of in the case of repeated violations of the law. Above all, however, the crisis has shown up the weakness of the European economy and has indicated those areas which should be strengthened. All strategies of economic policy must still be subject to democratic control, and must be realised with care for the common good and with respect for the rights of the citizens of Europe.

Report: Róza Gräfin von Thun Und Hohenstein (A7-0084/2009)

Zigmantas Balčytis (S&D), *in writing*. – I voted for this report. An effectively working internal market is essential for the creation of a stable and innovative economic environment. However, the internal market cannot function effectively without correctly transposed, applied and enforced Community rules. Unfortunately, the number of infringement proceedings remains too high in the Member States.

Such a situation distorts the internal market and leaves customers without adequate protection. The European Parliament in 2008 called on the Commission to provide more detailed information on the directives which have not been implemented in the Member States, and I very much hope that the Commission will be able to present such information in the nearest future.

Regina Bastos (PPE), *in writing.* – (PT) In 1997, the Commission published the work of the first Internal Market Scoreboard, which focused on the implementation of the rules of the internal market by the Member States, given that substantial delays were preventing members of the public and businesses from making the most of the internal market.

Through the assessment and publication of developments regarding implementation, the Evaluation Panel has contributed to a reduction in the level of non-implementation of directives by the Member States. I voted in favour of the present report as I consider it imperative that the Member States incorporate internal market legislation into their national legislation in a timely way, because the internal market can only operate properly if EU regulations relating to its operation are correctly implemented and applied, and if checks on compliance are made.

Carlos Coelho (PPE), *in writing.* – (PT) Notwithstanding the fact that the Member States have achieved the highest standards in terms of time taken to incorporate internal market regulations into national legislation, I do not believe the data provided by the most recent Internal Market Scoreboard to be satisfactory. The creation of a stable and innovative internal market which caters for the needs of consumers and in which firms can maximise the creation of new jobs cannot coexist with systematic delays in the implementation of Community legislation and failure to apply directives.

It is individuals and business that suffer most from the delay in implementation of policies relating to the internal market through the costs that result from reduced choice, less competition and less open markets. With this in mind, I believe it is important for Parliament to apply pressure regarding the application of internal market regulations. It was the Member States who set the implementation periods for these directives. They must at least be required to respect the objectives which they themselves set. This is a fundamental goal for an internal market in a period of economic crisis.

Lara Comi (PPE), *in writing.* – (IT) Having improved the directive transposition deficit, which stands at 1%, it remains vital to focus on improving the actual implementation of internal market legislation in national legal systems. The Commission, Parliament and the Member States must make greater efforts in this regard and collaborate with one another.

For its part, the Commission should do more to support the Member States throughout the transposition period, by means of dialogue and the exchange of information to resolve problems before the end of the deadline for transposition. It should also organise an annual internal market forum and look into new ways to eliminate the barriers remaining to completing the internal market, including the simplification of legislation.

We Members of the European Parliament, as representatives of citizens, must exploit any possible opportunity to inform them of European legislation, by promoting studies, workshops, conventions and hearings. National parliaments, on the other hand, must be closely involved in European legislative processes to be aware of proposed measures in time, and improve cooperation between national, regional and local authorities. In this respect, the Treaty of Lisbon gives elected assemblies a more incisive role that they must make the most of. For all the above reasons, which are clearly explained in the report, I voted in favour.

Diogo Feio (PPE), *in writing.* – (PT) After the most recent publication (March 2010) of results by the Internal Market Scoreboard, it has been shown that the percentage of directives on the internal market which have not been incorporated into national legislation is 0.7%, a lower result than that presented in July 2009 which was, as noted by the rapporteur, 1.0%.

The timely and appropriate implementation of Community legislation is vital to a greater integration of the internal market in view of its direct impact on legal certainty and the confidence of the European public. For this reason, Member States must adopt a responsible attitude in the application of this legislation so that in future, there will not be a lack of implementation, but rather greater legal certainty and the opportunity for the public to benefit from equitable conditions within the internal market.

José Manuel Fernandes (PPE), *in writing.* – (PT) The internal market cannot function properly if the Community rules relating to its operation are not properly transposed and implemented and compliance

with them is not verified. It is therefore imperative that Member States transpose internal market legislation into national law in a timely manner.

There are 22 directives whose deadline for transposition expired more than two years ago. Furthermore, 6% of the directives were not transposed by all Member States, meaning that 100 directives on the internal market were not as effective as they could have been within the EU.

The Member States and the Commission must act decisively in response to this situation. I endorse the view that the Commission should publish the directives that were not implemented in each Member State on its website, so that this situation becomes public knowledge. It appears that the number of cases of infringement is still too high; some Member States have a number of cases well above the EU average of 47.

The Member States are also called on to ensure the operation of cross-border networks of electronic information systems created by the Commission.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) Contrary to what the report claims, it is clear today that the process of liberalising markets and privatising public services, which is still ongoing, has not brought any appreciable gains in terms of prices, quality of service or reduction in public spending. On the contrary, consumer protection organisations and users of public services report increases in prices, reductions in service quality and increases in the cost of service provision. Liberalisation has, in fact, contributed to the loss of jobs and to the creation of private monopolies, jeopardising the rights of workers, users of public services and consumers, as has clearly happened in telecommunications, transport, electricity and with post offices. This situation has, for its part, served to worsen the economic and social crisis.

For these reasons, persisting with such a policy is arguing for a continued worsening of the socio-economic situation for millions of people. It means arguing for squandering public services, which are a public resource, as well as transferring them to private groups. It means arguing for insecurity, unemployment and poverty. It means arguing for widening the gap between the richest and poorest. It means arguing for a more unjust society. That is why we have not voted in favour.

Bruno Gollnisch (NI), in writing. – (FR) Mr President, ladies and gentlemen, we voted against Mrs Thun Und Hohenstein's report. This Parliament is fixated on the number of transposed directives, the famous Internal Market Scoreboard. Nobody ever questions the intrinsic quality of this legislation, or even the real need for or relevance of the 90 000 pages of text which represent what you call the '*acquis communautaire*', or of the approximately 1 700 directives concerning the internal market. No more so, by the way, than they are concerned about finding out whether the objectives headlined when these texts were adopted have been achieved, whether the impact analyses have proved accurate, and whether the principles of subsidiarity and proportionality have been respected.

All the shortcomings are said to be the responsibility of the Member States, which nonetheless have less and less room for manoeuvre in adapting these documents to national circumstances, given that the most minute detail is fixed, while the treaties indicate an obligation to produce results but not resources. A little selfanalysis and selfcriticism would do the European institutions a power of good.

Małgorzata Handzlik (PPE), in writing. – (PL) The Internal Market Scoreboard is a very important tool which gives information on the state of transposition of European legislation by the Member States. Despite their obligations, Member States are delaying transposition and are also carrying out transposition incorrectly. The scoreboard shows that Member States are managing increasingly well with the implementation of legislation, although a considerable number of them are still outside the target set. We need a clear obligation for Member States to improve these indicators. Recently, we have said a lot in the European Parliament about the necessity of strengthening the internal market. The internal market will not, however, function properly if the legislation which is the foundation of a correctly functioning internal market is not transposed properly and on time.

The internal market must also gain the support of our citizens. Therefore, I endorse the rapporteur's suggestion to hold an annual internal market forum, as well as the suggestion of an 'internal market test', which is a suggestion to check legislation from the point of view of the four freedoms of the internal market: free flow of capital, goods, services and people.

Ian Hudghton (Verts/ALE), in writing. – The Internal Market Scoreboard provides a useful overview of the application of Community rules in areas of vital importance to European consumers and businesses. Unfortunately, Scotland does not as yet feature as an independent country on the scoreboard. I consider it

essential that the Scottish parliament gains full powers in those areas currently reserved to London; when that happens, I am confident that Scotland will feature amongst the Member States implementing measures for the benefit of consumers and businesses.

Alan Kelly (S&D), *in writing*. – I fully support the concept of the Internal Market Scoreboard as a tool for measuring the success of the single market. This is an essential tool for communicating how Member States treat European law. It also shows that the burden of over-regulation, which often tarnishes the image of the EU, is often not the fault of any EU institution but of the Member State itself. There is a lesson to be learned here and greater transparency is needed in future.

Eija-Riitta Korhola (PPE), *in writing*. – (FI) Mr President, an effectively working internal market is reliant on satisfied consumers who have confidence in it. European consumers are vitally important as we move from recession into growth. The reports we have adopted raise important issues regarding how to improve consumer protection and the functioning of the internal market, which I supported during the Committee's deliberations and in today's vote. I will mention three of these. Firstly, the Internal Market Scoreboard is a welcome tool. Its five main indicators are surely crucial in evaluating how the internal market is functioning generally and from the point of view of consumers. I think we should support the idea that in future, the scoreboard should incorporate information on the implementation of internal market legislation in Member States that are still found wanting. We need to dispense with the 'cherry picking' mentality. Secondly, I am surprised at the very negative attitude of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament to the proposed internal market test. This is probably due to a mistaken conclusion, for the test could also act to promote specifically social and environmental objectives. That is surely what the entire integration process is about: the economy and a viable internal market are made to serve more general goals. History has shown the wisdom of the Schuman Declaration. Thirdly, I would like to express my support for the development of remedies to ensure the legal protection of consumers. In Finland, our system for the outofcourt settlement of consumer disputes and the consumer ombudsman institution work very well. The Commission needs to conduct an intensive dialogue with the Member State authorities to ensure the spread of good practices. Nevertheless, we need to remember that if consumer protection and the internal market are to be strengthened, aware and active consumers are more important than official monitoring and legal protection.

Nuno Melo (PPE), *in writing*. – (PT) A healthy internal market is crucial if there is to be sound competition and the economic development that comes with it. However, if this is to become a reality, Community directives need to be adopted by all Member States in the same way, without exceptions.

The Internal Market Scoreboard and the Consumer Panel have a crucial role in improving the functioning of the internal market. Although we are on the right track, we are still a long way from achieving all the objectives outlined for a more efficient internal market. Everyone therefore needs to make an effort, including national parliaments, which have a very important and decisive role.

Raül Romeva i Rueda (Verts/ALE), *in writing*. – I finally decided to vote against the report because we failed in eliminating Article 10 from the text. The maintenance of this article is crucial because it calls for establishing systematic 'internal market tests' in order to verify ex ante whether EU legislative proposals comply with all internal market rules.

Reports: Jean-Luc Dehaene (A7-0022/2010), Reimer Böge (A7-0020/2010), (A7-0021/2010), (A7-0019/2010), Anna Rosbach (A7-0009/2010), Anna Hedh (A7-0024/2010), Cristian Silviu Buşoi (A7-0027/2010), Bairbre de Brún (A7-0082/2009), Carlos Coelho (A7-0015/2010), Sophia in 't Veld (A7-0025/2010), Róza Gräfin von Thun Und Hohenstein (A7-0084/2009)

Luis Manuel Capoulas Santos (S&D), *in writing*. – (PT) As a result of a problem with the voting machine, my intended vote was not recorded.

I therefore declare that I voted in favour of all the points on which voting took place in the present session.

8. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 12.35 and resumed at 15.00)

IN THE CHAIR: MR BUZEK*President***9. Approval of the minutes of the previous sitting: see Minutes****10. Question Hour with the President of the Commission**

President. – The next item is the Question Hour with the President of the Commission.

Joseph Daul, *on behalf of the PPE Group.* – (FR) Mr President, President Barroso, if my group and most of those present here have worked relentlessly for years in the interests of the Treaty of Lisbon, and if it has come into force – and been in force for more than three months now – it was all done so that Europe could have a policy worthy of the name on the international stage.

Are we on the right track in this respect? I put this question to you, Mr President. How can we ensure that the voices of 500 million Europeans are heard loud and clear? They have been asking for this for years and it is high time for Europe to assert its ideals and its values at the highest level.

Finally, the External Action Service provided for by the Treaty of Lisbon should come into being in the coming weeks and months, and this Parliament intends to be closely involved in its creation.

As the budgetary authority with the same rights as the Council, the European Parliament will, in any case, have joint decision-making power concerning both the modification of the Staff Regulations of the officials concerned and the financial regulation.

Mr President, my group attaches particular importance to the requirement that this European External Action Service should have full political and budgetary responsibility. I would welcome your opinion on this matter.

José Manuel Barroso, *President of the Commission.* – (FR) Mr Daul, as you know, the creation of the European External Action Service is a very important innovation in the Treaty of Lisbon. This service will play an essential role in supporting the High Representative in her task of ensuring the consistency of our Common Foreign and Security Policy (CFSP). The aim is to strengthen the Union by allowing the Member States to have a greater involvement and increasingly to pool their currently separate efforts in relation to the CFSP. It is therefore not a question of placing European powers in an intergovernmental framework, quite the contrary.

As you know, the Commission must consent to the Council's decision on the creation of the service. We are holding a special meeting of the College on this issue on Thursday. For my part, I am in favour of a strong service, of a real European service that will represent an instrument of strategic coordination and a valuable interface between the Member States and the European institutions in the field of external policy.

To fulfil its mission, the service has to find its rightful place in the architecture of the European Union, under the leadership of the High Representative who, as Vice-President of the Commission, is fully accountable to this Parliament and who is responsible for coordinating the other aspects of the Union's external action within the Commission.

Martin Schulz, *on behalf of the S&D Group.* – (DE) Mr President, Mr Barroso, the euro crisis was triggered by incorrect figures provided by Greece. I would like to ask you whether you can confirm that neither you nor the Commission departments were at any time already aware of the actual figures before the Greek Government submitted the most recent figures concerning its budgetary deficit.

Secondly, can you confirm that the Director General of Eurostat, Mr Rademacher, expressed serious doubts about the data coming from Athens as long ago as 2004 and 2005? What have you done to help Eurostat collect the data?

Thirdly, is it true that the Eurostat auditors informed you that they had serious doubts about the data provided by Athens?

José Manuel Barroso, *President of the Commission.* – Mr Schulz, it is precisely because we had doubts regarding the Greek figures – Commissioner Almunia handled this file over the last five years with great competence, great impartiality and great objectivity – that we not only raised the point several times with the Greek authorities, but we did in fact put forward a regulation in the Council to propose that Eurostat be given audit

powers. Unfortunately, this was rejected by the Member States. They did not want to give Eurostat and the European Commission more powers to examine in depth the Greek national accounts.

I am very pleased to tell you that the first decision of the new Commission was to put that regulation forward again, and my information is that at least some of the countries that voted against that regulation have already told me that they will vote this time for more transparency.

Martin Schulz, *on behalf of the S&D Group*. – (DE) I understand. Mr Almunia was the competent Commissioner. However, I was asking about interventions on your part, so could you just tell us once again what you did yourself?

Have I understood you correctly, Mr Barroso, that the blame for the Greek crisis lies with the Member States, because they refused to follow your proposals? Could you please tell us which Heads of Government of which Member States we are talking about?

José Manuel Barroso, *President of the Commission*. – First of all, if you ask me about blame – I do not use that word – it lies first of all with the Greek authorities who did not respect the Stability and Growth Pact. It is because of this that we have a huge problem.

Regarding the Commission, Commissioner Almunia, with my full support and the support of the College, performed his job in an exceptionally competent way. This issue of the Greek accounts was addressed several times in euro area meetings.

Regarding the list of Member States that voted against this matter, I cannot tell you off the top of my head exactly which, but I know, for instance, that Germany voted against and it was also Germany that told me they are going to vote in favour this time.

Guy Verhofstadt, *on behalf of the ALDE Group*. – (FR) Mr President, there exists today a broad consensus on the need for strong economic governance within the European Union. That in itself is an enormous change from recent years.

Last Sunday, Mr Schäuble said that, in this context, he was in favour of a European Monetary Fund and also of other proposals and options, such as the creation of a European debt agency, Eurobonds and even a European rating agency.

According to a Commission spokesperson, Mr Barroso, things are currently moving quickly. I have three very specific questions. First, is it true that the Commission is currently working on a proposal to create this European Monetary Fund? Secondly, is it true, as Mrs Merkel says – and I have my doubts about this – that this requires modification to the treaty? Thirdly, would you also agree that this fund could be nothing other than a first step towards a real European treasury, which we need with economic and monetary union?

José Manuel Barroso, *President of the Commission*. – First of all, regarding the proposal to have an EMF, this idea was put forward by the German Finance Minister without giving any details of such an institution. It seems, however, an interesting contribution to the current debate about the euro area. The EMF is, however, a longer term proposal which may well require a change in the treaty.

What we are working on is preparing some initiatives on reinforcing economic policy coordination and country surveillance. We cannot at this stage tell you what exactly will be the format of this.

Of course, generally speaking, as you said, we support everything that moves towards increased economic governance, but we have to see the exact details and make the proposal at the right time.

That said, the question of the EMF could not solve the urgent issue of Greece. It is a separate issue that requires more analysis, and that is for a longer term.

Guy Verhofstadt, *on behalf of the ALDE Group*. – (FR) I would first like to thank the President of the Commission for his answer. I agree with him when he says that the fund as such cannot solve all of the problems straight away. This is why I am asking that the various options be put on the table during the Commission's deliberations.

There is the European Monetary Fund, which is a longer term project; there are the Eurobonds, another idea which may of course help with the Greek problem; there is the rating agency from the President of the Eurogroup, which is absolutely essential if we are not to be forever dependent on foreign rating agencies; and then there is the idea of a European debt agency.

My request then is that we pool all of these ideas in order to arrive at one coherent idea that comes from the Commission rather than from one or other of the Member States.

José Manuel Barroso, President of the Commission. – (FR) The reason we do not wish to rush is precisely to avoid what is currently happening – where everyone is proposing a different idea, where sometimes there are two different ideas within the same government. We want to prepare ourselves and, as Commissioner Rehn has already stated publicly, we are in the process of preparing a communication on strengthened economic policy coordination and monitoring by country at the euro area level and possibly even at a general European Union level.

This is what we are in the process of preparing and we are unable to present a new proposal every day. We are working objectively and responsibly on this issue and in this way, the best results can be achieved.

Rebecca Harms, on behalf of the Verts/ALE Group. – (DE) In view of the fact that there is currently no real market in the European Union and no need for the cultivation of genetically modified starch potatoes – there are alternatives available for this – I would like to ask you why you have exerted so much pressure to get the genetically modified potato Amflora approved in a very brief and rapid procedure. As there is no need for this, I would like an explanation as to why you encouraged the new Commissioner for Health to simply ignore the concerns of the World Health Organisation with regard to the feeding trials and why you did not wait until the European Food Safety Authority (EFSA) had submitted the new guidelines that it has produced precisely for the purpose of assessing the overall risks to biodiversity and the biosphere posed by GMOs, and why, *en passant*, you also increased the contamination limit for feed and food potatoes to 0.9%. I consider this to be a risky strategy that our citizens will not find at all acceptable.

President. – I, too, would like to thank our fellow Members. We have seen your protest. Thank you very much.

José Manuel Barroso, President of the Commission. – The Commission decided unanimously to move ahead with the authorisation of this GMO in accordance with the provisions of European law. We have an institutional setting that we have to respect and we had to take a position: ‘yes’ or ‘no’.

A considerable period of time has elapsed since their application was lodged and this is because this authorisation was subject to intense scrutiny by the European Food Safety Authority (EFSA), our independent agency in terms of food security. We wanted all concerns regarding the possible presence of an antibiotic resistance marker gene to be thoroughly assessed.

After an extensive and complete review of these pending files, it was clear that there were no new scientific issues that merited further assessments, based on the opinion of our competent agency – that is independent from the Commission.

Therefore, we believe that all scientific issues have been fully addressed.

In fact, I was expecting a word of congratulations from you ...

(Protests)

... because I have announced that the Commission has the intention to propose to give Member States the choice as to whether or not they want to cultivate GMOs.

This is, I think, a reasonable position considering that there are deep differences among our Member States – some very much in favour, and some very much against.

Rebecca Harms, on behalf of the Verts/ALE Group. – (DE) Firstly, Mr Barroso, I have still not received an answer to the question about the need for these genetically-modified potatoes, which are simply intended to provide industrial starch. There are alternatives available, so why take the risk?

Secondly, there is the contamination limit. Why suddenly change it to 0.9%? Up to now, we have talked about the detection limit in this regard, and for feed and food in particular, and in the case of an antibiotic-resistant potato, I consider that to be a high-risk approach. You have not said anything about this.

I would also like to know whether, in the foreseeable future, you plan to issue further approvals without the availability of the guidelines and recommendations of the EFSA – for imported rice or maize, for example.

(Applause)

José Manuel Barroso, *President of the Commission*. – Seeing the enthusiasm of your group – and I want to congratulate you on that manifestation – you have a strong position against any GMO. That is clear. You have that right. I do not have any position in favour or against. It depends on the opinion that is given to me by experts of the EFSA. I do not have any prejudice in favour or against GMOs.

The Commission has a position that is to follow in those matters. I do not see the Commission having ideological discussions about each GMO and what it should do regarding each one. The Commission takes a position based on the independent assessment given to us, not because a GMO is necessary, but if there is no evidence that it poses a risk to public health or the environment, we feel obliged to accept it, also in accordance with the obligations we have under the WTO, if there is nothing that prevents us – scientifically – from doing so.

(Protests)

That said, we respect very much the subsidiarity principle in the European Union.

(The President cut off the speaker)

Ivo Strejček, *on behalf of the ECR Group*. – (CS) Mr President, I would like to assure you that I will be introducing a simpler topic than genetically modified organisms. In my opinion, it is right and proper for the current economic crisis to be discussed in the European Parliament, and I am quite sure that citizens of the European Union and the Member States are definitely far more interested in employment and work than in genetically modified potatoes.

On the one hand, speakers standing up in this Chamber defend the existence of a large, central, strong government, and on the other hand – and I speak here as a European conservative – we believe that strong governments do not create job opportunities. It is companies that create job opportunities.

I would like to ask you three specific questions: firstly, what level of independence does the European Commission leave to the individual Member States for solving economic problems? Secondly, can you promise a significant reduction in European legislation, which is slowing down economic growth considerably? Thirdly, do you agree with us that less regulation, less centralised control and less harmonisation is currently the best approach to solving the economic problems of the European Union?

José Manuel Barroso, *President of the Commission*. – First of all, we fully respect the diversity of our Member States. That is why we make that point very clearly in the EU 2020 strategy and why we address this issue of diversity very precisely with instruments like the social and economic cohesion policies.

The fact is that our Member States are not all the same. At the same time, we need – as was said earlier – stronger economic governance, because failing to coordinate in the euro area and in the European Union as a whole makes no sense. If the Member States tackle these policies on their own, they will certainly not have the leverage for discussions on an equal footing on, for instance, the great challenges we now have globally with the United States or with China. So we need to have a common approach but then, at the same time, to design specific measures for different Member States.

Regarding the issue of reducing the administrative burden, that has been a very important point in my programme. We believe we should continue considering pragmatically where some European legislation is needed and avoid legislation when it is simply not needed.

Lothar Bisky, *on behalf of the GUE/NGL Group*. – (DE) Mr Barroso, last week you presented your proposal for an economic strategy. It contains important objectives. The Council has now imposed an austerity programme on Greece, which, in my opinion, makes the achievement of these goals impossible, with one State having 3% of the gross domestic product of the EU. However, you continue to persist with the failed Stability and Growth Pact. At the same time, several Member States are calling for a European monetary fund or even economic governance.

My questions are as follows. Are you going to review your EU 2020 proposal again in order to integrate the idea of the monetary fund and economic governance so as to initiate a move away from tax and wage dumping and from the prevailing competitive ideology? Are you going to take measures immediately, together with the Member States, to prohibit speculation against the euro by the very banks that have just been bailed out using taxpayers' money?

José Manuel Barroso, *President of the Commission*. – Regarding the situation of Greece, we believe that Greece has taken the necessary steps to reduce the government deficit this year. These measures show the determination of the Greek Government to tackle their structural problems.

At the same time, we are doing what is required to secure the financial stability of the euro area as a whole. The Commission has been actively working with euro area Member States to design a mechanism which Greece could use in case of need. Such a mechanism would conform with the current Lisbon Treaty, in particular, with the ‘no bail-out’ clause. It would include stringent conditionality.

The Commission is ready to propose a European framework for coordinated assistance which would require the support of euro area Member States. This is what I can tell you about Greece and about our response for euro area stability.

Regarding the EU 2020 proposals, we do not see any need to change them. We have put those proposals forward. They are now going to be discussed by the European Council and Parliament, and we hope this will be a very fruitful discussion.

Lothar Bisky, *on behalf of the GUE/NGL Group*. – (DE) I am not entirely satisfied. The issue is that taxpayers’ money is being used to speculate against the Greek State. Some of this taxpayers’ money comes from German banks and it has also been lent out by German banks. Yet, while we are repeatedly told that some sort of measures will be taken, nothing actually happens. I am therefore rather disappointed that so little has been done to simply prohibit certain things in the EU so as to put a stop to such speculation once and for all and allow us to genuinely concentrate on growth and employment.

José Manuel Barroso, *President of the Commission*. – As regards speculation, let us be clear that the current problems in Greece were not caused by speculation. They were mainly caused by overspending and not respecting the European framework in terms of the Stability and Growth Pact, namely the excessive debt, but it may happen afterwards that speculators act against the sovereign debt of that country.

This also shows the importance of a fundamental reform in the derivatives market and the relevance of the action already undertaken by the Commission. On 20 October 2009, the Commission began a programme of action in favour of efficient, solid derivative markets. The legislative proposals that Commissioner Barnier will present before the summer, and also those concerning the market abuse directive that Commissioner Barnier will present before the end of the year, will increase market transparency and limit risks.

Beyond this systemic response, a new ad hoc reflection is needed on credit default swaps regarding sovereign debt, and the problem of ‘naked’ practices needs particular attention in this context. It is not justified to buy insurance and buy unseen interventions on a risk on a purely speculative basis. In the short term, we must achieve the necessary coordination to ensure that Member States act in a coordinated fashion, but most particularly for naked practices. In this context, the Commission will examine closely the relevance of banning purely speculative naked sales of credit default swaps for sovereign debt.

At the same time, we will push for international coordination. Because these markets are opaque, we are going to bring this issue to the G20 and we also have to raise some of these issues in our bilateral contacts, particularly with the United States.

Niki Tzavela, *on behalf of the EFD Group*. – (EL) Mr President, how fortunate that you anticipated my question. First of all, allow me, as a Greek MEP, to tell you that Greece will make it. The testing times we are experiencing at present, and for which we are accountable, is a very good test of resistance and discipline for Greece.

I was delighted that you referred to the G20 as a group with which you will raise the question of swaps. Apart from its own errors, Greece was hard hit by market speculation.

Do you intend, and I should like you to raise this at the G20, to introduce initiatives to adopt clear rules governing open, naked sales and credit default swaps?

José Manuel Barroso, *President of the Commission*. – As I said earlier, the basic problem regarding Greece – and it is important to say this – comes from excessive debt. It is true that probably there were also speculative attacks, but that is because they saw an opportunity there.

Now we have to support Greece, and Greece has now announced very important measures. We fully support those measures. At the same time, we have to look to the broader issue. I already said that we will examine closely the relevance of banning purely speculative ‘naked’ sales on credit default swaps on sovereign debt.

The question of transparency between regulators – particularly on access to information on these practices – should also be raised in the G20 and in other fora and bilaterally.

Last Friday, Commissioner Barnier organised a meeting in Brussels with the national regulators precisely to find out what we know about the action of some of these speculators against sovereign debt. We need to proceed with an in-depth analysis of credit default swaps markets so as to determine better how these markets function and if they are the subject of questionable practices. If needed, the Commission will also use its competition powers in that matter.

Niki Tzavela, *on behalf of the EFD Group*. – (EL) Mr President, is there a timetable for all this, for the mechanism to combat speculation? Tell us if there is some sort of timetable so that I know, when we go out to borrow on the international market, if we will have some support from this mechanism.

José Manuel Barroso, *President of the Commission*. – I already said this, but I can repeat it.

Commissioner Barnier will present some legislative proposals regarding the directive on derivatives before the summer and will also present a legislative proposal before the end of the year concerning the market abuse directive. We believe these proposals will increase market transparency and limit the risks.

We intend to put the issue of credit default swaps to the G20 in June.

Daniël van der Stoep (NI). – (NL) Mr President, Commission President Barroso, openness and transparency are fundamental values in any self-respecting democracy. If citizens have no means of monitoring expenditure by administrators, an atmosphere of greed and self-enrichment can result. We saw an example of this last year in the United Kingdom. According to reports in the Dutch press, President Barroso declared a sum of EUR 730 000 for 2009. This is not only a ridiculously large amount but also another remarkable feat: managing to declare EUR 2 000 every day. Hats off to President Barroso.

On a more serious note, democratic scrutiny of these declarations is, of course, pitiful. One internal audit and a few pre-approved people can give their seal of approval. I insist that this Commission, and President Barroso in particular, abandon this conspiracy of silence and publish their declarations openly and transparently on the Internet for all European citizens to see. I should appreciate your response to this.

José Manuel Barroso, *President of the Commission*. – I am somewhat surprised by this kind of comment.

In fact, the so-called representation expenses are expenses incurred in the service of the European Union, namely travel by myself and the other members of the Commission.

In fact, if you compare these amounts with what is spent by governments or Heads of State or Government, you will find that these amounts are very small in comparison.

The budget for the College is fixed annually by the budgetary authority. You are part of that, and this budget has remained the same for five years, only adapted for inflation.

Regarding this expenditure, we believe that it is reasonable and proportionate to the public good it tries to serve. We are, of course, using full transparency. We give the budgetary authority and the Court of Auditors all the information they request from us.

Daniël van der Stoep (NI). – (NL) President Barroso claims that Parliament has access to the declarations, but of course that is nonsense. Everything takes place behind closed doors here; everything is swept under the carpet. If President Barroso genuinely wants to be accountable, he will simply publish these receipts; and if he does not want to, he should just be honest and say so. President Barroso, if you have simply followed all the rules, I am at a loss to understand your failure to publish your receipts on the Internet, unless you are afraid of how the public will react. Just make them public.

José Manuel Barroso, *President of the Commission*. – In a system of law, we respect the rule of law, and to analyse the intentions of people is, at the least, unfair. You cannot attribute to me or to the Commission any intention behind respecting the rule of law. Once again, I think we have to make a distinction between the obligations of the European Commission – or any public body – regarding the rule of law, and giving in to demagogic attacks on the European institutions.

The European Commission, the European Parliament and the European institutions in general have the highest standards in terms of transparency. So I do not accept this kind of easy criticism that is populist and demagogical.

President. – We have completed the first round of questions, which were free questions on a variety of subjects. Now we will concentrate on the subject of implementation of the new treaty and fundamental rights.

Alf Svensson (PPE). – (SV) Mr President, I hope that I am not departing from the questions to be put now. I am absolutely convinced that Mr Barroso and I agree that respect for civil liberties and human rights is the most important thing within the EU and in contacts between the EU and other countries. The fact is that the EU provides aid to Eritrea, and a total of EUR 122 million has been budgeted for Eritrea for the period 2009-2013.

I am not asking the President of the Commission to know what these funds were used for, but it would be worthwhile hearing Mr Barroso's attitude to the state of Eritrea. Very often, when there is talk of countries under totalitarian rule, there is no mention of Eritrea; instead, a number of other countries are mentioned. It might therefore be useful to hear Mr Barroso's view on the state of Eritrea in particular.

José Manuel Barroso, President of the Commission. – Thank you for recognising that the Commission defends fundamental rights. Of course we defend them, not only in the European Union, but also in our external relations.

This does not mean that we can only have relations with countries that respect fundamental rights. Unfortunately, there are many countries in the world that do not respect fundamental rights and we have to keep relations with those countries.

The case of Eritrea raises concerns in terms of respect for fundamental rights in that country and also because of the extremely difficult situation in which that state exists. According to some commentators, it can be considered a failed state – a state where there is no rule of law, because of civilian conflict and widespread violence. There are many areas of that country where even the authorities cannot exercise legitimate democratic power.

We are, in fact, following the situation very closely in all countries that can pose a problem for the respect of fundamental rights.

Artur Zasada (PPE). – (PL) In the context of today's debate, I would like to draw attention to the question of scanners at European airports.

One of the most obvious roles of European policy is to protect the life, health and fundamental freedoms of European Union citizens. Therefore, it must not be the case that, in exchange for an illusory sense of security, we so easily relinquish respect for dignity, the right to privacy and protection of the personal data of the Community's residents.

I have the impression that the situation with scanners is very similar to the situation we had during the swine flu epidemic. Acting under pressure, we invested huge sums in vaccines, which, as we now know, was irrational and unjustified. In my opinion, scanners are a rather ineffective medicine, for which attempts are being made to find a suitable disease.

Mr Barroso, I would like to hear clearly what your opinion is on this question. Are you for or against the scanners?

José Manuel Barroso, President of the Commission. – I will be in favour of it if Member States agree, because I think it should be possible to harmonise the security and safety rules at our airports.

What happens now is that some of our Member States are introducing body scanners at their airports. Others are not. As you know, the Commission presented a proposal for body scanners some time ago that was refused.

This does, of course, raise some concerns but we should try to find, if possible, a harmonised position regarding the utilisation of any security device at European airports.

If not, we will have a kind of discrimination in the evaluation of security at our airports.

Derek Vaughan (S&D). – The treaty respects the rights of local authorities and regions across Europe, and this will be an important factor when you start discussions on the future of cohesion policy, for example. I wonder if you could assure us that when you start those discussions – for example, on the fifth Cohesion

Report – that you will have those discussions with local authorities and regions on the future of cohesion policy – and, of course, with this Parliament.

José Manuel Barroso, *President of the Commission*. – This is not a question of fundamental rights, but of course we will discuss these issues with local and regional authorities.

You know how important social and economic and territorial cohesion is for us. This is now recognised also by the Lisbon Treaty as one of the goals of the European Union. In the new 2020 strategy that I presented some time ago, we made it clear that cohesion will remain a central feature of our proposals, and we want cohesion to be considered all the time in future policies. This is part of our dialogue with the regional and policy authorities.

I also mentioned the need to consult the Committee of the Regions, for instance, in the document I have just referred to.

Catherine Stihler (S&D). – I would like to raise a case about fundamental rights. I recently visited Cairneyhill Primary School near Dunfermline in Scotland and I was approached by a boy called Douglas, who wanted to raise the case of an Eritrean girl called Rima Andmariam. This relates to what the first speaker was saying about Eritrea.

Rima's family was persecuted and murdered in Eritrea for being Christian. The persecution of Christians in Eritrea is a subject I know you are familiar with. Rima managed to escape to Italy and then to Glasgow in Scotland where Alison and Robert Swinfin took her in and cared for her and looked after her as their own daughter.

Rima is now 17. She is facing deportation back to Italy where she first sought asylum and we are doing all that we can to raise Rima's case to appeal to all those that can help her. She needs to remain in the loving care of Alison and Robert.

Her case is being raised by civil society, human rights organisations and churches across Scotland. It was even mentioned on 'Thought for the Day' on Radio Scotland yesterday. What can the Commission do to protect Rima's fundamental rights?

José Manuel Barroso, *President of the Commission*. – I am sorry, but I do not know about this specific case in Scotland.

I would like to make a general point. In these political debates, you cannot expect the President of the Commission, even if he is a relatively hardworking person, to know about all the cases – which are extremely sensitive and extremely serious – that happen in Europe.

Of course, I can assure you of our concern and express our solidarity to any person who sees his or her human rights violated but, as regards that specific case, I do not have enough information here. However, I will be more than happy to react in writing to the question that you have just put.

Sonia Alfano (ALDE). – *(IT)* Mr President, ladies and gentlemen, I am speaking on behalf of the Group of the Alliance of Liberals and Democrats for Europe, my political group. On 5 March, the President of the Italian Republic, Giorgio Napolitano, signed an interpretative decree-law, also known as the 'save list' decree-law.

In fact, this decree allows the rules of the game to be changed after the electoral campaign has started. On the website of the Quirinal Palace, Giorgio Napolitano himself states that, unlike the draft decree proposed to him by the government in a tense meeting on Thursday evening, in his view, the text subsequently drafted by the Ministry of the Interior and the Prime Minister did not present obvious defects of an unconstitutional nature.

Article 87(5) of the Italian Constitution lays down that the President of the Italian Republic shall promulgate laws and issue decrees with the force of law, and regulations. The President of the Republic absolutely cannot participate in the drafting of procedures and of decree-laws. The President of the Republic's predecessor, Carlo Azeglio Ciampi, considers it to be an aberrant distortion of our democratic system. It is clear that the government is doing what the constitution prohibits. That decree, Mr President, has changed the rules of the game for an electoral competition that has already begun and allows those who have broken the law to stand, having been readmitted to the electoral competition.

I wonder why Parliament is always ready to take a stand against countries that violate laws but does not acknowledge that there is a country among the 27 Member States that is violating laws.

(The President cut off the speaker)

José Manuel Barroso, *President of the Commission*. – (FR) Mrs Alfano, once again, please do not ask me to discuss domestic policy issues. The Commission has responsibilities for fundamental rights when European law is being implemented, either by the European institutions or by the Member States.

It would appear that in the case that you have mentioned, it is not the application of European Union law that is in question. From what I have understood from your speech, this is a typical problem concerning internal political debate, with perhaps a dimension relating to the law or the rule of law, but the European Commission has no business interfering in the conflicts between the various political forces or political personalities in each of our Member States.

Ulrike Lunacek (Verts/ALE). – (DE) Mr President, Mr Barroso, the Charter of Fundamental Rights is, as yet, the only international document that prohibits discrimination on grounds of sexual orientation. There is even a lot of pride in other parts of the world about the fact that Europe has achieved this and they would like the same thing for themselves.

Within the EU, we have the problem that three states, namely the United Kingdom, Poland and the Czech Republic, do not view the Charter of Fundamental Rights as part of their European legislative system. I would be very interested to know what the Commission is doing – what you intend to do – to enforce the fundamental rights of lesbians, gay men, bisexuals and transgender people in all parts of the EU so as to make it clear that homophobia and discrimination on grounds of sexual orientation are no longer acceptable, not only in the area of employment, where, of course, we already have a directive, but in all areas, and so that people can live and choose their sexual relationships without fear.

José Manuel Barroso, *President of the Commission*. – There are two questions there. I do not know if I can respond to them in one minute.

First of all, regarding discrimination on sexual orientation, you know that the previous Commission has proposed a directive against any form of discrimination, including that based on sexual orientation in areas outside of employment. We are committed to ensuring that European legislation, and Member States' implementation measures, fully respect the prohibition of discrimination on grounds of sexual orientation. These principles of non-discrimination, as you know and said, are enshrined in the European Union Charter of Fundamental Rights.

Regarding Poland and the United Kingdom, the protocol clarifies the application of the charter in relation to the laws and initiative action of Poland and of the United Kingdom and its judiciability within these Member States.

It states, in particular, that the charter does not extend the competence of the EU Court of Justice or any court or tribunal of Poland or of the United Kingdom to find that the laws and regulations or initiative provisions, practices or actions by these Member States are inconsistent with the fundamental rights, freedoms and principles that it reaffirms.

So we still have to see how the European Court of Justice will interpret the protocol of those two Member States.

Ashley Fox (ECR). – President Barroso, many countries around the world have finely worded bills of rights in their constitutions. Rather fewer afford genuine protection to their citizens. Do you agree that what matters is not the structure of protection of rights but rather how that protection is practised?

In the United Kingdom, we face a general election within three months. If elected, the Conservative Party will repeal the Human Rights Act and replace it with our own bill of rights. This would mean that the European Convention on Human Rights would no longer be directly applicable in UK domestic law.

(Interjection from the floor: 'You can't do that!')

President Barroso, will you explain to what extent plans for the EU to sign the European Convention on Human Rights will take into account the differing positions of the Member States?

My party will also seek a treaty change to guarantee that the Charter of Fundamental Rights does not affect the UK. How will you ensure that the EU does not interfere with the UK's right to opt out of those structures we do not wish to participate in?

José Manuel Barroso, *President of the Commission*. – I partly already answered the question while answering the previous question.

The United Kingdom and other countries have a protocol regarding the Charter of Fundamental Rights. It has that right. It was negotiated and we have an intergovernmental treaty that recognises this.

Having said this, I would, of course, prefer all Member States to accept the Charter of Fundamental Rights because I believe this Charter is a basic compass for all European Union policies.

We are also now ready to accede to the European Convention on Human Rights. This will complete the European Union system of protection of fundamental rights.

Certainly, I very much respect the United Kingdom as a democracy and a country of the rule of law. In fact, it is one of the countries that has, over the centuries, made a most important contribution to democracy. That is why I really regret that the United Kingdom does not want to be with all its partners in the front line to have human rights not only at national level but also as a European project.

Ilda Figueiredo (GUE/NGL). – (PT) Mr President, Mr President of the Commission, the rights of women and the right to live in dignity are fundamental human rights which must be promoted by the European Union.

For this reason, in view of the glaring inequalities which are persisting and even worsening, including the pay gap between men and women, poverty and insecure employment – all problems which predominantly affect women – it is not enough to publish a Charter of Women's Rights which is essentially vague and imprecise, and which was not preceded by any discussion with women's organisations or with Parliament itself.

Therefore, I ask whether the European Commission is prepared to prioritise such questions about the protection of women's rights by means of concrete measures, particularly through the development of the new equality strategy which Parliament itself is preparing; a report that I hope will be taken into account.

José Manuel Barroso, *President of the Commission*. – (PT) Last Friday, I presented with Commissioner Reding a Charter of Women's Rights which reaffirms the commitment of the Commission to gender equality and also reaffirms our willingness to work on and make progress in this area.

In September, the Charter which we have now announced will be followed by a new strategy for gender equality. This will provide us with a general and fairly comprehensive framework for action by the Commission regarding progress on equality between men and women in the areas which my fellow Member has just mentioned, from employment through to the other ways in which it is important to ensure and guarantee such equality.

The Charter has not appeared from nowhere. The Charter has also appeared in commemoration of the 15 years since the Beijing Platform for Action, and it has come about after many consultations which I have had, especially with the group of Members of this House that is dedicated to the cause of women. As a matter of fact, I am going to have another such meeting tomorrow morning. Every year, I have had at least one meeting with the Members who have made this one of their most important priorities.

John Bufton (EFD). – President Barroso, the question I would like to raise today concerns the financial situation in Greece. Article 121 of the Lisbon Treaty is, for the first time, being used to push through structural reforms in that country. The good people of Greece now find themselves stuck between a rock and a hard place as it becomes very clear that you are running the show in that country and not their elected government.

Does this mean, as you have sent in your officials to sort out the Greek financial situation, that you can now be addressed not only as President of the Commission but also as the Governor of Greece? If the measures your officials put in Greece do not work, do you have a plan B? If so, is it for Greece to leave the eurozone? Finally, do you intend to send your officials into other countries suffering financial hardship, for example, Portugal, Spain and Italy?

President. – Mr Bufton, our topic is implementation of the new treaty and respect of fundamental rights, so please keep to this topic.

President Barroso, are you prepared to give an answer?

José Manuel Barroso, *President of the Commission*. – Mr President, I try always to be ready for the requests of Members of this Parliament.

Your question, distinguished Member of Parliament, comes from an assumption that is not correct, namely that it is because Greece is in the euro area that it is having some problems. In fact, we have countries outside the euro area that have similar problems – in some cases, even more serious ones – both in the European Union and outside the European Union. May I remind you, for instance, of the grave situation of Iceland, which is now asking to join the European Union precisely because Iceland hopes one day to join the euro as well.

So in fact, it is a complete mistake to think that the problems in Greece are a result of Greece being in the euro. It is precisely because Greece has not respected the rules of the stability and growth pact that it is now facing difficulties. It will, of course, have to pay some costs for the difficult adjustment it has to make.

Andreas Mölzer (NI). – (DE) Mr Barroso, I would like to ask a question relating to the problem of data storage, as the German Federal Constitutional Court declared null and void the general storage of all telecommunications data at the beginning of this month. The extent to which the unrestricted and uncontrolled storage of data or such access to data is compatible with the fundamental rights remains controversial. Here in Parliament, we said a clear 'no' to the SWIFT Agreement. In my opinion, the EU's Data Retention Directive probably also needs to be assessed in the light of the list of fundamental rights contained in the Treaty of Lisbon. Do you, or does the Commission, intend to carry out any sort of review in this regard to see how the list of fundamental rights relates to data storage?

José Manuel Barroso, *President of the Commission*. – The protection of personal data is a fundamental right explicitly recognised by Article 8 of the European Union Charter of Fundamental Rights.

Thanks to the Lisbon Treaty, we can now establish a comprehensive and coherent framework for the protection of personal data. This is essential to protect the privacy of our citizens, to ensure a common approach to all data-processing activities within the European Union, and Parliament will, of course, be fully involved in the reform of the current legal framework since the codecision procedure also applies to the former third-pillar areas.

We must also ensure that the fundamental rights of European citizens continue to be protected when personal data leave the Union. In this context, a European Union-United States agreement on personal data protection for persons could be important and we are working towards this.

Currently we are taking consultations to ensure transparency and collect the views of stakeholders and citizens.

The Commission plans to table a draft recommendation to authorise negotiations with the United States.

Sarah Ludford (ALDE). – During the last decade, international cooperation on counterterrorism has been made more difficult because of human rights concerns, including in the practices of the US Administration.

We had hoped to put that behind us with the Obama Administration. Sadly, we learn that unfair military commissions and indefinite detention without trial will carry on, even if Guantánamo is closed.

These departures from international and domestic legal norms make transatlantic data sharing projects even more problematic than they would otherwise be.

What representations is the Commission making to the US Administration in order to uphold fair trials, and warning that their absence will prejudice cooperation? I hope that nowadays, unlike in the past, there is no danger of the EU or its Member States colluding with gross breaches of fundamental rights in counterterrorism.

José Manuel Barroso, *President of the Commission*. – I am proud of the European Union for being the first, as far as I remember, to raise the issue with a United States President – a former President – of the need to respect fundamental rights and the rule of law, also when dealing with terrorism, namely regarding the issue of Guantánamo. It was myself and the then President of the European Council, Mr Schüssel – then Prime Minister of Austria – who raised the issue. That matter has always been an issue of dialogue with our American partners. You may be sure that this is going to be very high on the agenda.

Regarding data protection, we believe that we should also work with the United States on attaining a framework. I mentioned that in a previous response. At the same time, we need to have a framework to combat terrorism together. So the issue is to find the right way of responding to two important needs: the need for freedom and respect of data protection, but also the need for security, because without security, there is no possibility of freedom.

Lena Kolarska-Bobińska (PPE). – Mr President, one of the key issues in the new Lisbon Treaty is the increased role of the European Union in the world.

With this new strengthened foreign policy, we as a Union must be more active in the promotion and defence of human rights and fundamental rights in third countries.

What are you and Mrs Ashton planning to do to strengthen the EU's policy on the promotion of democracy? Secondly, will you be supporting greater funding for the European Instrument for Democracy and Human Rights in the next budget?

Human rights always seem to take second and third place in our dialogues. I think we need to spend more time and money on the promotion of democracy and build a true European endowment for democracy. I would like to hear your opinion on these issues.

José Manuel Barroso, President of the Commission. – The provisions of the treaty work to promote human rights throughout the world. The European Union has adopted guidelines in human rights on issues ranging from the death penalty to the prevention of torture and support for human rights defenders.

Under these guidelines, the European Union implements a wide range of actions, ranging from public declarations or diplomatic démarches to trial observations. I myself have been raising the issue of human rights in summits with Heads of State or Government from third countries. Just recently, in the summit we had last week with Morocco, we made the point on fundamental rights.

The European Union has established some 40 human rights dialogues with partner countries around the world which serve as dedicated fora for detailed discussions on that issue. Under the European instrument for democracy and human rights, the Commission programmes around EUR 150 million each year to support human rights NGOs across the globe. We try to insert a human rights clause in every framework agreement which we conclude with a third country.

Simon Busuttil (PPE). – (MT) One of the fundamental principles is freedom of movement. In view of the ongoing issue between Libya and Switzerland, Mr President, hundreds of European Union citizens and workers are being prevented from entering Libya to work. My question is: what is the European Commission doing to find a solution for this issue as a matter of urgency? And does the President of the European Commission deem it acceptable that one country, namely Switzerland, takes a unilateral decision which affects all Schengen zone citizens, in particular, workers who need to enter Libya in order to earn their daily living?

José Manuel Barroso, President of the Commission. – We are very concerned with this case. Commissioner Malmström has already said that the suspension by Libya of visas for citizens from the Schengen area is a disproportionate measure. In addition, this situation is not coherent with the positive trend of relations between Libya and the European Union.

Intense diplomatic efforts are ongoing to find a solution to the crisis. Already, one of the two Swiss citizens has left Libya. This is a positive step.

The European Union's Foreign and Justice Ministers discussed the issue on 22 February and 25 February respectively and supported the continuation of diplomatic efforts.

I believe that it is essential to keep dialogue open and make the effort of understanding each party's positions with a view to finding a solution as soon as possible.

Olle Ludvigsson (S&D). – (SV) Mr President, the ratification of the Treaty of Lisbon has strengthened respect for basic human rights and trade union rights. Rulings by the European Court of Justice in recent years, however, show that there is a need to strengthen the protection of fundamental trade union rights further. In the Laval, Rüffert, Viking and Luxembourg cases, the Court of Justice has consistently downgraded the value of trade union rights.

These rulings have made it impossible to ensure the equal treatment of workers regardless of nationality. It is no longer possible for trade unions to guarantee equal pay and equal working conditions for posted workers as for domestic workers. I, too, therefore welcome the promise made by Mr Barroso in this Chamber before his re-election as President of the Commission.

My question now to Mr Barroso is as follows: when can we expect the Commission to table a legislative proposal to deal with the problems that have arisen subsequent to the rulings by the European Court of Justice? Can the President of the Commission provide us with this information already today?

José Manuel Barroso, President of the Commission. – When these rulings were made public, we expressed our position very clearly. I myself, and Commissioner Špidla, who was responsible for employment and social affairs, made it clear that, in our understanding, those rulings could not call into question fundamental rights such as the right to strike, the right to trade unions and the specificities of some labour relations mechanisms in our countries.

We are working on some proposals to address this issue. I am afraid that I cannot give you a concrete date now as I was not expecting this question. However, I can tell you that, as I have said before, with the election of this Commission – and the Commissioner responsible has also said this – this is an issue that we will address shortly.

Bogusław Liberadzki (S&D). – (PL) Mr Barroso, I would like to ask about fundamental rights and the new treaty, including external action. According to research conducted by the Committee on Budgetary Control, 43% of financial transactions were incorrect. Will the new treaty and the new solutions in the context of our work to achieve respect for fundamental rights around the world help to bring about a radical reduction in the level of errors in preparation, execution and reporting of the budget? I should underline the fact that 43% is the estimated level of financial errors.

José Manuel Barroso, President of the Commission. – As you know, we have been working over the years to reduce financial errors in the accounts of the European Union. Many of those errors, as you know, are the responsibility of the Member States in the implementation of many European programmes.

I am encouraged by the recent opinion given by the European Court of Auditors recognising the progress made so far, but I believe that we should not be complacent in this area. We are ready to work to reduce all kinds of errors in the implementation of the European Union budget.

David Casa (PPE). – (MT) The treaty lays down principles for the protection of fundamental human rights, and those countries wishing to become European Union members must ensure compliance with the European Union's requirements, as Malta did, and as did all the other countries who became members at the same time. Concerning Turkey, does not the President think that there is much that Turkey still needs to do in the field of human rights? Moreover, what is the Commission doing to ensure that prior to having the economy in place in Turkey, and before making any other demands, that first and foremost, attention is paid to fundamental human rights? I believe these to be a priority yet, I am sorry to say, they are non-existent in Turkey.

José Manuel Barroso, President of the Commission. – I would not say 'in existence', frankly speaking. Turkey has made progress in terms of rule of law. However, we do not believe that it is yet compatible – in its standard of respect of fundamental rights and the rule of law – with European standards. This is precisely part of the work we have been developing with Turkey over the years.

Each year, because Turkey is a candidate country to the European Union, the Commission assesses in very objective terms the reforms made by Turkey in the rule of law and all matters related to fundamental rights.

There has been progress in some areas, to be fair. There are other areas where we are requesting more efforts from the Turkish authorities.

I believe that keeping up this dialogue – and, in fact, these negotiations – for Turkey's accession is indeed the right way to make progress in the matter of respect of fundamental rights and, generally speaking, the rule of law and democratic reforms in Turkey.

President. – President Barroso, thank you very much for a very interesting debate. This has been the fourth Question Hour in plenary. The next will be in one month's time at the next part-session in Strasbourg.

That concludes the item.

IN THE CHAIR: MRS KOCH-MEHRIN

Vice-President

David-Maria Sassoli (S&D). – (IT) Madam President, ladies and gentlemen, a moment ago, a disgraceful speech was speciously made in this House against the President of the Italian Republic. I believe that the Bureau of this House should not allow people to bring national political issues into it, particularly when dealing with institutional and political matters of great importance.

I would remind you – and remind all fellow Members – that the Italian Republic is not for sale, and that the President of the Republic, Giorgio Napolitano, is the guardian of the Italian Constitution. On behalf of the Italian delegation of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, I call on the Bureau of this House to be more vigilant with regard to the topics debated and the speeches that are made.

I am sorry that President Buzek did not intervene to stop a speech that attacked the President of the Republic, who, just one week ago, visited the European Parliament.

(Applause)

President. – Both the comment to which you referred and your statements will be recorded in the Minutes and I will try to take account of your requests during the agenda item over which I am now presiding. I hope I succeed.

11. International Climate Policy post-Copenhagen: Reinvigorating the international negotiations through immediate action

President. – The next item is the statement by the Commission on International Climate Policy post-Copenhagen: Reinvigorating the international negotiations through immediate action.

Connie Hedegaard, Member of the Commission. – Madam President, this is the first time I have spoken before this House. I am glad that, less than four weeks after I took office, I can today present to you a communication on international climate change policy post Copenhagen – a communication that the Commission adopted in its meeting today.

The communication is entitled ‘Acting now to reinvigorate global action and climate change’, and that is exactly what we aim to do. Naturally, in drafting the communication, we have taken full account of Parliament’s resolution of 10 February on the outcome of COP 15.

Copenhagen was a much smaller step forward than the European Union had wanted but, nonetheless, it was a step forward. One hundred and nine countries – industrialised and developing nations alike which are collectively responsible for more than 80% of the world’s greenhouse gas emissions – have now officially included their emission reduction targets and actions in the Accord. In other words, the opportunity is there for us to build on this determination and help channel it into international action. We need to seize this chance to help maintain momentum towards the robust and legally binding global climate agreement for the post-2012 period which, of course, remains our objective.

The Commission’s starting point is that the EU must continue to show leadership. We believe that the most convincing way Europe can do so is by taking tangible and determined action domestically to become the most climate-friendly region in the world. We must do this as part of the EU 2020 strategy put forward last week. And let me say this loud and clear: it is in Europe’s own interest. How is that? Well, because it will – if we do it intelligently – enhance our competitiveness, strengthen our energy security and stimulate greener economic growth and innovation, thus creating new jobs. The Commission will therefore now undertake work to outline a pathway up to 2050 for the European Union’s transition to becoming a low-carbon economy.

This will involve reducing our emissions by 80% to 95% in 2050, as already agreed, and – as this House is well aware – the EU is committed to reducing its emissions to at least 20% below 1990 levels by 2020 and to scaling up this reduction to 30% if the conditions are right. I fully share the wish expressed by this Parliament that the EU should move beyond the 20% target. We need to bring our reduction more closely into line with what the science tells us is necessary in order to meet the Copenhagen Accord’s objective of keeping global warming below two degrees. As you also stated in your resolution, the crisis has made it easier to achieve

the targets. If today we want to be as ambitious as we were prepared to be when we adopted the Climate and Energy Package back in 2007 and 2008, we would then have to go beyond the 20%. I am therefore also pleased to announce that the Commission will prepare, before the European Council in June, an analysis of which practical policies would be required to implement a 30% emission reduction by 2020. The Commission will also engage in developing an analysis of milestones on our pathway to 2050, including the necessary scenarios of the ambition level for 2030. This will require a need to set out appropriate strategies for the key emitting sectors, consistent with the EU 2020 strategy. In line with the deadline agreed in the ETS Directive, the Commission will also set out its analysis of the situation regarding energy intensive industries in the event of carbon leakage.

In parallel with this work, the EU must start implementing the Copenhagen Accord. This means building a robust and transparent international accounting framework for countries' emissions and performance. It also means swiftly mobilising the EUR 7.2 billion in fast-start finance for developing countries that Europe has committed to for the period 2010 to 2012. This is particularly important for our credibility, as well as contributing to securing long-term finance. The Commission is ready to help ensure the EU's assistance is well coordinated.

Finally, this communication proposes a road map for the next steps in the UN process, to be agreed in Bonn this spring when the negotiations restart. The technical meetings in Bonn need to begin the process of integrating the political guidance provided by the Copenhagen Accord into the UN negotiating text and addressing the outstanding gaps. Most importantly, I think it is very important to see what can be specific deliverables for Cancún. Bringing the developed country targets and developing country actions submitted under the Accord, as well as the political guidance on MRV, into the formal UN negotiation process will be crucial, but also decisions on issues which were neglected in the Accord, such as the evolution of the international carbon market, reducing emissions from international aviation and maritime through ICAO and EIMO, agriculture and other things. In the formal negotiations, there was actually substantial progress made in Copenhagen on the adaptation framework, technology framework, forestry, that could also be among the specific deliverables for Mexico.

Nobody would be happier than me if Cancún also delivered a legally binding global deal and if the legal question was also solved there – and do not be mistaken, the European Union is ready. However, we need to recognise that remaining differences between parties may delay agreement on this until next year. Therefore, we have to manage expectations carefully. I think all of you know that high expectations for Mexico without specific deliverables implies a very high risk of killing this process in the end. So for all of us to whom it is very important to get an international deal, I also think it is very important to pursue this stepwise approach and to try to do whatever we can to ensure that the world gets a legally binding deal before 2012.

Finally, a few words on environmental integrity. Environmental integrity must be our watchwords in the negotiations and I know this is a concern Parliament shares. Therefore, the shortcomings of the Kyoto Protocol have to be addressed. By this I mean the limited number of countries it covers – corresponding to only 30% of today's emissions – and the serious weaknesses it contains such as the accounting rules for forestry emissions and the handling of surplus national emission rights from the period 2008 to 2012, which were also highlighted in your February resolution.

Lastly, Europe needs to undertake outreach in order to promote support for the UN process and rebuild confidence that a global deal is possible. We need both to get a better understanding of where our partners stand on key issues and to explain what the EU requires from a global deal. The Commission will undertake outreach in close contact with the Council and the Council Presidency. I will be holding talks in Washington and Mexico this month and plan to visit, among others, India, the Maldives, China and Japan in April.

We would also like to encourage you, the European Parliament, to contribute by engaging with your fellow parliamentarians around the world. I have already met some representatives of your parliamentary delegations with major third countries and will meet others soon in order to discuss how we could join our efforts and reach out together and how the Commission can assist you in this important task.

The Commission's communication sets out a strategy to help maintain the momentum of global efforts to tackle climate change expressed by the growing support for the Copenhagen Accord. EU leadership in this process will be absolutely vital for success. I hope we can count on Parliament's support.

Richard Seeber (PPE). – (DE) I would like to congratulate the new Commissioner on her first speech. The communication that you have presented to us is also very interesting. However, I would now like to mention a couple of shortcomings.

It would have been appropriate for you to analyse the UN process yourself a little more in this initial communication and also to criticise the areas where it has real weaknesses. As we know, panel 2, in particular, did not exactly employ scientific meticulousness.

Secondly, the two-degree target that we have set ought to have more scientific evidence to back it up and you should now increase your efforts so that we intensify our research into whether this is still possible or whether – as various people are already saying – we should noticeably distance ourselves from this.

Thirdly – and probably most importantly – we now need, in particular, to tackle the crisis in confidence that we are seeing throughout the world and particularly here in Europe. As you know, there are surveys which indicate that only 30% of European citizens believe that CO₂ affects the climate. Every project that does not take this into account is doomed to failure.

Marita Ulvskog (S&D). – (SV) Madam President, Commissioner Hedegaard made a number of positive statements, but she also said two very worrying things: she prefers talking about 2050 than about 2010, which I find worrying, and she talks more about how we must lower our expectations than about continuing to drive things forward so that our aims and expectations are as high as possible at the meetings that are already scheduled.

I would like to ask whether the Commission will be working towards an ambitious and legally binding agreement on climate change actually being signed in Cancún in December, or will it continue to advocate a process in which Cancún is regarded merely as a step along the way to an agreement that will be signed in South Africa, or perhaps in some other country far off in the future: in 2011, 2012, 2020 or, in the worst case, even further away than that?

Chris Davies (ALDE). – Madam President, in the wake of Copenhagen, some of us are feeling like the remnants of a defeated army, scattered and demoralised, so I am glad you have raised the standard here and launched a fightback.

But, although you sound upbeat and positive, in practice, a lot of this is based on a wish and a prayer. We are very much dependent upon others to be able to make progress.

I notice that you have talked about revisiting the idea of raising our own target to a 30% reduction. Am I right in saying that you have suggested a new and more subjective formula for applying that? 'If the conditions are right', the document says. That is new, I think.

Why is there nothing in the document that analyses the reasons for failure at Copenhagen and suggests lessons? Why is there nothing here that points at the problem of climate-change denial, which is sapping political will? And, finally, why is there nothing here about the need to bring in more business?

There are lots of businesses in Europe that want to work with us on this and, frankly, while I wish you well, and while we wish you well, you need all the friends that you can get.

Connie Hedegaard, Member of the Commission. – Madam President, first to Mr Seeber, about the IPCC and why did we not criticise that or whatever we were supposed to do in this paper: I must say that, although I think it is crucial for the IPCC to take the criticism seriously and try to correct where there are things that need correction, I have seen nothing to date that changes my profound understanding and feeling that, yes, we need to address climate change. There are things, details, leaked mails and all these kinds of things. I have seen nothing more profound that would change my profound attitude and I think that goes for very many, so that is very much deliberate. I think that the IPCC itself must try to be careful now to restore confidence in whatever comes out of the IPCC.

I very much agree with the point that you almost did not have time to raise – the issue of trust – and that is also why we have a substantial outreach, a thing that is crucial for the European Union.

Mrs Ulvskog, you mentioned that I spoke more about 2050 than 2010. This is a strategy on the way forward for 2012. We already have our policy for right now, 2010, in the European Union, so this is a strategy looking forward. Where I think that one of the new things to pay attention to is that we start to say we must define the pathways between 2020 and 2050, and that is why I will come up with something on what should be achieved by 2030.

The year 2020 is only 10 years away. In this Commission period, we must also lay the path for where we are going to be by 2030, so that was very deliberate and that is one of the new things in this.

I definitely do not want to lower expectations but I would be very careful not to raise expectations so high so that those who do not want the international negotiations to succeed could kill the process after Mexico if we do not achieve anything. That is why we must be practical. I will defend before anyone that up to Copenhagen, it was right to keep expectations high, to keep the pressure there and to bring this to the top of the agenda of Heads of State. It made them responsible; it made emerging economies and the United States set domestic targets; it was important. But only once can you do a thing like this and then not achieve it fully. My fear is we cannot do it twice.

Why not, then, make a specific roadmap in Bonn, guaranteeing momentum is being kept here? That is the thinking.

Finally, to Chris Davies, yes you are right. We are depending on others to make progress, and that is also why we must do the average and try to analyse the information we get. What is going on in Beijing? What is going on in Delhi? What is going on in Washington? What is going on in the US Congress? And then try to see that, by taking all of these things into consideration, we can, at the same time, ensure that we still have our objective met, namely a legally binding, truly international deal.

You mentioned this 30%, if the conditions are right – yes, you are right, this is a new way of putting it. There are footnotes also in the 2020 strategy referring to policies hitherto, that it is provided that other nations ... and so on and so forth, but I think if conditions are right, and maybe if we do this intelligently, it could also benefit Europe itself. We also need to have that in our different strategies and papers.

I know that this is one area where there is not consensus in Europe at this stage. I think it is important to consider this. Say that, for instance, China will not accept an international agreement, would we then stand still for ever on 20%? How would that benefit our economy, our innovation, our growth? Would we not risk losing the markets to China and other regions that are moving on this agenda as well, no matter whether and when we get an international deal?

This is just an opening for discussion, saying, yes, these are bargaining chips in the international negotiations, but we should not forget there is also a domestic side to this. Where will our growth come from in the future? There, we should be careful of not being ambitious enough.

Satu Hassi (Verts/ALE). – (FI) Ladies and gentlemen, Commissioner, it is excellent to see that you have read Parliament's resolution and that you should refer to it. That is a good sign, as you start your new job.

If the EU is actually to maintain its leading role in the matter of climate protection, we should raise our target to at least -30%, one which you have already stated the case for. I wish to add that the changes which the recession has actually brought to the situation mean that -20% is, in reality, not a lot different from the 'business as usual' scenario. If we want to be ambitious, we need to make our targets more stringent and bring them up to at least -30%, and preferably -40%.

Secondly, as Parliament, in its last debate, unanimously ...

(The President cut off the speaker)

Martin Callanan (ECR). – Madam President, I would like to thank the Commissioner for her statement and welcome her to our Chamber.

She talked in her statement about raising our target to 30% if the conditions are right.

What evidence does she have that, if we do so, this will help persuade America, India, China, or other countries to sign up to a globally binding agreement?

In the absence of a globally binding agreement, does she not agree that there is a great risk that we make our industry more uncompetitive, and saddle our consumers with ever higher electricity bills, at no net benefit to the environment at all, because those reductions in emissions are, of course, cancelled out by increases in India, China, the US, etc.?

Bairbre de Brún (GUE/NGL). – (GA) Madam President, the EU must commit to reducing emissions by 40% by 2020 according to the most recent scientific information available. This type of commitment cannot be made by depending on the actions of others.

What measures will the Commission put in place to ensure that the commitment to reducing EU emissions will be increased to 40%? As regards the necessary funding available to developing countries to enable them

to combat climate change and its consequences, who exactly will provide this funding to the developing countries? How much will each developed country give? How and when will it be provided?

The Commissioner also spoke of an ambitious, legally-binding agreement. What steps will the Commission take to achieve an agreement that recognises the common, but different, responsibilities that industrialised countries and developing countries share, based on historical input of greenhouse gases into the atmosphere and on the resources available to deal with the challenges involved in reducing emissions and the consequences of climate change?

Connie Hedegaard, *Member of the Commission*. – Madam President, if I understand the last point correctly, it is about how can we enforce whatever we agree upon. That is, of course, a key issue.

The other question was how much should be given to developing countries, as I understood it. The criteria have not been set up yet, but I think it is very important that we do not attach a lot of conditions to that. This was the promise given in Copenhagen, that the fast-start financing, the here-and-now financing, will be given to the least developed countries and the most vulnerable, partly for adaptation, partly for mitigation.

I also think that it is only logical that we defend the fact that it must happen through existing channels. We cannot afford, time-wise, to invent new governing systems or channels or whatever for this money to get out to work, because we should get it out there working as soon as possible.

I would say that the EU is already ready for Bonn to deliver the fast-start financing and I would say that, at the latest in Mexico, the world must be ready to deliver on its promises on fast-start financing from Copenhagen and to set up the different criteria and exactly how we are going to do it.

To Mrs Hassi, it was the point of view of the need to stick to 30% and, in many respects, it relates also to what Mr Callanan says.

It is not very easy to decide exactly when we should go to 30% and exactly what it would take to go to 30%. That is why, in this communication, we say that, before the June European Council, we will provide an analysis on exactly how we could intelligently go to 30%. What would it require?

Of course, nobody should be naive. Of course, we should take care of our own industry, obviously. We should know what we are doing and we should not be naive. My point is simply that I think that, if we do this in an intelligent and coherent manner, it would be possible to choose tools that could, at the same time, benefit climate change and emissions reductions, energy efficiency, energy security, and innovation and job creation. That is what we will be looking for. I am not saying it is going to be easy. We should not think going to 30% will be a piece of cake, although we must know what the potential would be, what the implications would be and that would be the analysis that I would provide before the European Council meeting this June. Then, later this year, we would have the analysis on the pathways to 2050, including this 2030 perspective that I think we have to start thinking about, the reason of course being that we have pledged to reduce by 80% to 95% by 2050. If we do not get started, it is going to be extremely tough in the last one or two decades as we approach 2050.

Paul Nuttall (EFD). – Madam President, contrary to the belief of the Commission, the debate regarding man-made climate change is far from over.

In the past month alone, we have had the scandal of the University of East Anglia; then we have had the debacle over the Himalayan glaciers and now, we have got questions over the effect climate change will have on wildlife in the Amazon.

Research has shown that at least 20 passages in the IPCC's report cite non-peer-reviewed World Wildlife Fund or Greenpeace reports as authority. This is not science. We need solid, peer-reviewed scientific evidence, not the work of pressure groups using climate change to further their own agendas or politicians who use climate change to justify the existence of the European Union.

I would like to ask whether it is now time to pause, to take stock and consider the ramifications of bounding ahead with policies that could damage economies, result in job losses or potentially result in energy chaos.

Andrew Henry William Brons (NI). – You will be aware that the leaked emails from the University of East Anglia reveal that historical changes in temperature have been manipulated by supporters of the man-made climate change hypothesis by subjectively choosing base years. That trick has been used to disguise recent falls in temperature and to contain the problem of the Medieval Warm Period. The emails also reveal that

scientists sceptical of the hypothesis have been squeezed out of peer review processes to avoid flaws in research being revealed to public scrutiny.

Can a hypothesis that depends on manipulation of data be a proper basis for justifying enormous expenditure and the closing-down of factories such as the Corus plant in Middlesbrough? The European Union pays enormous subsidies to environmental pressure groups that agree to advise the EU to follow a policy to which it is already committed. Is it appropriate for the European Union to use public funds to subsidise pressure groups? This wastes public money, gives bogus support for European Union policies and compromises the independence of campaigning organisations.

Karl-Heinz Florenz (PPE). – (DE) I wish you a very warm welcome to this House. The loss of confidence in Copenhagen was, in my opinion, one of the major problems. This could theoretically continue worldwide, but also within the European Union. My question to you is as follows. What is happening with the instruments that we adopted last year? The Emissions Trading Scheme (ETS) is of concern to me, because I am not entirely sure what the Commission is currently doing in light of the decision in Copenhagen, for example, with regard to benchmarks, but also to carbon leakage.

My second question is as follows. The French Government has put forward a proposal to incorporate importers from developing countries into the ETS system in order to make the market bigger and to allow these countries to participate in this system. Do you have an opinion on this?

Connie Hedegaard, Member of the Commission. – Madam President, first to the two gentlemen who raised the question of the IPCC.

First, I am not here to represent the IPCC. I am sure they are perfectly capable of talking on their own.

When I hear this ‘is it not time to pause?’, I must just say that the international climate negotiations in many ways have been put on hold for quite a long time. We still need, I believe, substantial progress there. I simply do not understand why, because of a few leaked things, one wants to aim the scepticism at a whole project. That is not my approach. I am the politician. I cannot judge the work of the scientists but I can use my common sense and I can read their main conclusions and see what the facts on the table are like. Then I can myself weigh up whether I want to run the risk of doing nothing, with the very big implications that might have – or, instead, will I try to respond to the challenge?

What I simply fail to understand is that those who are sceptical of this climate issue cannot see that it will always be good for a planet whose population is approaching nine billion people, or even more by the middle of this century, to become much more energy efficient and much more resource efficient.

So that is where we should have common ground when it comes to the tools because that will anyhow benefit our environment, benefit our citizens and benefit our economies. It will also benefit business to become very energy efficient, in a future where energy is becoming still more expensive. That will pay off on the bottom line, in a world where there will be a struggle over resources. So I simply do not understand why we cannot take on the same kind of agenda from that angle.

To Mr Florenz, what do we do with the instruments on the ETS? Well, as mentioned, there will be an analysis of the carbon leakage coming out before summer and, when it comes to the benchmark, we will continue the work with the benchmark. There are still many things to be worked on with the ETS. I also think that we should still work with those other parties around the world who are planning to get some kind of trading schemes.

I still think that that will be the most efficient way of trying to regulate this, but then, of course, it is very important that we have our own systems up and running, working as efficiently and as business-friendly as possible, so that they can see that it actually works and that, in the end, it also benefits their possibility of providing innovation.

Jo Leinen (S&D). – (DE) A very warm welcome to Parliament, Commissioner. I wrote a letter to the President of Parliament to inform him that all of the delegations in this House have climate protection on the agenda in our discussions with our partners throughout the world. We need to find another mechanism to enable this information and these results to be linked in with your travels around the world so that those of us here in Brussels and Strasbourg know exactly where we stand.

I am rather concerned that the climate negotiations could suffer the same fate as the Doha negotiations, which are constantly being postponed year after year. My question is, therefore, what is your plan B in order,

perhaps, to achieve results in parts of some sectors? I also have a question concerning the Kyoto Protocol. One strategic error we made in Bangkok was to give the impression that we would abandon it. What would happen if we do not adopt something until 2011 or 2012? What is the future for the Kyoto Protocol?

Frédérique Ries (ALDE). – (FR) Madam President, I would like to welcome Mrs Hedegaard to our Chamber. Commissioner, I am delighted to welcome you to your first engagement and to repeat what I said to you at your hearing and to congratulate you on the enthusiasm that you breathe into our debates, you who embody climate diplomacy with, of course, the ongoing support of our Parliament.

I am convinced that Europe must adopt a more offensive position, that it must show its arms rather than its intentions. My question, which will be easy for you to answer, is somewhat similar to the one from the Chair of the Committee on the Environment, Public Health and Food Safety, since I, too, am convinced that Europe must henceforth ensure that it always includes this climate dimension in all of its trade agreements with third countries, with a European carbon tax if that is the only language that those who refuse to realise the magnitude of the challenge can understand.

I have another question that might be slightly more iconoclastic on my part, a proposal that, in any case, requires a response from you: could not the European Parliament, the Commission and the institutions also set an example by declaring themselves carbon neutral, in other words, by offsetting their CO₂ emissions in order to meet at least – even though this is only one aspect – the environmental costs of our journeys to Strasbourg?

Claude Turmes (Verts/ALE). – Madam President, first, I think we are also very much looking forward to this impact assessment. We are really more or less sure that 30% will be good for the European economy and also in the race for green technologies.

I have two questions, Commissioner; one is on the quick-start money. How will you link with Mr Piebalgs to make really sure that this money goes to efficiency, to renewables and, in a decentralised way, to decentralised energy production combining this also with energy poverty? The second question is, how do you bring the large European cities and progressive regions into the game, internationally as well? I was really disappointed that, in last week's EU 2020 paper, cities and regions basically do not exist. How can we even dare to think that we will move Europe forward while ignoring citizens' regions in Europe and the impact they could have internationally?

Connie Hedegaard, Member of the Commission. – Madam President, first to Mr Leinen, I think it is a very good idea that, whenever delegations do go out, you have the time and priority also to get climate on the agenda. This is very important and it could be very useful to compare notes, so that when you get a piece of information in one country and I get information one month later, we get together sometimes and compare notes so that we can really build on the information that we each receive.

The risk of ending up in some Doha-like process was the very reason why we applied so much pressure for Copenhagen in order to do our utmost to try and avoid that situation. You are also right that it is dangerous now: if we did not make it in Copenhagen, could it then drag on for ever? That is why I would like to see a specific roadmap with exact deliverables for each event, and an exact date on which we have to conclude it. I think that is a very good point.

The last question was about the Kyoto Protocol and the continuation of the Kyoto Protocol. We all know there are problems with the Kyoto Protocol. We all know there are many countries that do not want to be part of it and all these challenges. In the end, it is also a challenge for the European Union. We cannot stand there alone in the Kyoto Protocol. I think it is very important that Europe gets better at not taking the blame when we are not to be blamed.

We are not the problem vis-à-vis the Kyoto Protocol. We delivered before anybody else. We have delivered and lived up to our formal pledges in the first period from 2008 to 2012. We will deliver whatever we have pledged to deliver and we are also ready to continue the Kyoto Protocol. The EU in this context is not the problem. It is other parties that are the problem here and they will have to find out if they want an alternative, should there be one, or how they will cope with the continuation, the second commitment period.

That is why this is an open issue that we must discuss but, as Chris Davies has already said, we are dependent on what other parties do. We should be careful. Why should it be us that kills the Kyoto Protocol? We have lived up to our promises in the Kyoto Protocol, so sometimes we should be better in Europe at not taking the blame where others deserve the blame.

On the proposal on the institutions here, I can say that I have already raised that issue in my own cabinet. I think it is a natural thing. I would very much like to work with Parliament. If you could work with Parliament, then I will work with the Commission. I think it is a logical thing also vis-à-vis the citizens.

To Claude Turmes, regarding the quick start and how I can link with Commissioner Piebalgs, you may have noticed that this communication was produced together with Mr Piebalgs. He has co-signed here, because we know that it is very important that we try to work together also on his portfolio and how that can be used in a very positive way. We two Commissioners are already having this kind of discussion.

I understand your point on big cities. I think that C40 and lots of other initiatives are very good, and you are also right that much of the emissions will be related to cities and lifestyle in the cities. The challenge here is that much of the planning and other types of tools that can really address these issues often lie with Member States, but I agree with you and I have also worked with some of the major cities prior to Copenhagen. That is an aspect that we should bear in mind and try to see how we can develop it further. Also, for instance, when it comes to transportation and the decarbonisation of transport, it goes without saying that the major cities will be key to finding solutions there.

Maria Da Graça Carvalho (PPE). – (PT) Commissioner, the Copenhagen conference has shown that it is necessary to prepare for the next Conference of the Parties (COP) not just at an internal, global and technical level, but also at a political level. Internally, Europe has the task of implementing the energy and climate package and investing in clean technologies, scientific research and energy efficiency.

Leading by example is a necessary requirement, but it is not enough on its own, as was demonstrated in Copenhagen. It is therefore essential to develop and promote the diplomatic aspect and to make use of the options afforded by the Treaty of Lisbon to prepare the way towards the next COP with ambition, speaking with a single voice and creating strategic alliances with our potential allies on this subject such as, for example, the African, Caribbean and Pacific countries.

It is also important to bring the topic of climate change into all summits and high-level meetings. I would like to ask the Commission and the Commissioner what progress has been made in these political negotiations.

Dan Jørgensen (S&D). – (DA) Madam President, welcome, Mrs Hedegaard. You have said many good things, and there are many good things in the communication. I am going to focus on the things that I disagree with.

I disagree greatly with a strategy that is based on accepting at this early stage that we will not get an agreement in Mexico. My question to you is therefore whether that is something you have simply decided, or is it a mandate that you have been given – and if so, who gave you this mandate? Is it the Heads of State? Or is it the codecision procedure, or what? I hope that this strategy can be revised. What good can it do to say 'What if a huge momentum is built up and there are high expectations, and then it all comes to nought – how could we then explain two fiascos?'. Listen, that is not something you need be concerned about. The US and China and others will probably ensure that there are no great expectations of Mexico. The role of the EU should not be to talk down expectations – the EU's role should be to talk up expectations. If we say even before the summit has begun: 'Listen, we are willing to accept that there will not be a particularly great agreement' and so on, then you banish any chance of success before you have even started. It sets a whole new starting point and the agreement will only be the worse because of it.

Holger Krahmer (ALDE). – (DE) Commissioner, I have two specific questions for you.

Firstly, in your paper, I see no analysis of the European negotiating position at international level. Have we really taken note of the fact that Europe's influence in climate policy has diminished? Have we taken note of the fact that the political and economic weight in this world has shifted sharply in the direction of Asia? Is it possible that we completely overestimated our influence here?

Secondly, your paper is remarkable. In the twelve pages that you have completely filled, there is not a single reference to the IPCC Panel. Is that a subtle attempt to distance yourself from this body? I would like to remind you that this panel formed the basis for all the political decisions relating to the directives that we have drawn up here in recent years. Is it not time to call for a broad scientific approach that gives us real scientific statements, not political ones?

Connie Hedegaard, Member of the Commission. – Madam President, it is definitely a clear 'no' to the latter point on the IPCC. If I should distance myself from everything that is not in this paper, then I would distance myself from a lot of things. This is a way of trying to take for granted that we are facing a challenge, that we

have to solve it, and that the EU has to take the lead in terms of how to solve it. That is the thinking behind this paper.

I do not agree that the EU does not have an impact on international negotiations. You are quite right that we do not have as much impact as we would like, to think that we could just dictate what is going on. We are dependent upon others.

However, we saw something very new in Copenhagen: whereas, in the past, the EU often had only a few partners when going into international negotiations and trying to get things done, this time, leaders representing more than 80% of global emissions in Copenhagen promised that, from now on, they would also be on track. That changes the whole dynamic substantially. May I remind you that to get the emerging economies on board and to get them to be co-responsible has been a European priority for years, and that was actually achieved in Copenhagen.

To Mrs Carvalho: yes, I agree very much that we should prepare both technically and politically, and that we should be better at doing so, not least so that, when we come to the negotiating table, we do not just say what we want and then, when the rest of the world disagrees with us, we do not really know what to do because we have expended all our energy trying to come together on a very firm and detailed formulated position. We should be more flexible in the way we negotiate this.

(DA) ... and then finally to Dan Jørgensen: of course I do not believe that we should not reach an agreement in Mexico. What is under discussion is whether we believe that we can get all the details, including the form of the agreement, in place in Mexico. That is my concern. Viewed in these terms, I believe that we will increase the pressure on the US and China and others precisely by saying that we must have very specific deliverables and that very specific results must be achieved in Cancún. We cannot just put it off.

I am trying to make it difficult for them not to deliver in Mexico. I believe that if we are to achieve this, then we must make sure we do not focus too much on the legal form, because that could well obstruct agreement being reached on the actual content. There are a lot of factors to take into account – ‘What do we think? What are we hearing? What do we think it is possible to get the US to agree to just three weeks after they have had mid-term elections?’, for example. There are many factors that come into play here, but I believe Mr Jørgensen knows me well enough to realise that it is not because I do not think we should be ambitious in Mexico. We simply need to try to define what the maximum is that we can get out of Mexico. That is the pivotal point of the strategy that I have tried to present here today.

President. – Ladies and gentlemen, more Members have not been able to speak than have had the opportunity to do so. There was not enough time. I hope that you understand that. Thank you all for this disciplined debate. Thank you, Commissioner. I hope that we will see each other more often here in plenary. I am sure that will be the case.

The debate is closed.

Written statements (Rule 149)

Sebastian Valentin Bodu (PPE), in writing. – (RO) The EU has every opportunity to lead the way in taking action to reduce CO₂ emissions. The Copenhagen Summit perhaps left many with a feeling of disappointment due to some of the participants refraining from committing to any definite climate change prevention targets. India and China have recently sent messages to the UN indicating their determination to meet the targets committed to under the Copenhagen Accord, as vague as it was. This is an important sign and the EU can grasp the initiative globally and bring all the states back to the same table, especially the Asian states whose industrial capacity is growing every month. Climate change is a certainty, just as it is a certainty that pollution accelerates it. This justifies the EU's ambitions to set an example in its actions to reduce pollution. Indeed, our aim to become the least polluted region in the world cannot but be to our advantage. The benefits from this include more than just the immediate benefit of a cleaner environment. Redirecting Europe towards a green economy and industry will create jobs, open up new avenues of research and, last but not least, reduce every state's expenditure.

João Ferreira (GUE/NGL), in writing. – (PT) While preserving the earth's atmosphere must be a responsibility shared by different countries, it is also clear that the influence that each of these countries has had on the atmosphere throughout history and the impact which they have today are two very different things, which means that their responsibilities must be differentiated, for reasons of basic justice. Moreover, the definition of responsibility of each country in the global effort to reduce emissions must take into account their respective

populations, for the same reasons of fairness. China's per capita emissions are currently four times less than those of the USA and about half the average of EU emissions. India has about a tenth of the average EU emissions and twenty times less than those of the USA. At present in India, there are about 500 million people (roughly the population of the EU) without access to electricity. This is why attempts to blame these countries for the failure of Copenhagen are unreasonable and unfair, not to mention the ridiculous blaming of the countries of the Bolivarian Alliance for the Peoples of Our America by a resolution from this House. This position is justified only by sheer political factionalism, which undermines and subverts what actually happened in Copenhagen.

Adam Gierek (S&D), in writing. – (PL) The very persistent lobbying of the European Commission and its President on the matter of an 'ambitious' climate and energy policy, which has been going on for years, is nothing other than an attempt to destroy the EU's industry. This policy is a result either of ignorance made worse by the Intergovernmental Panel on Climate Change, or of plain stupidity, or it is also the result of excessive cynicism leading to economic sabotage. It is a pity that the Left-wing Members have not realised that this is nothing other than a trap for them, because the greatest number of supporters of emissions trading are being recruited from among those who have caused one crisis already. This time, however, the 'finance bubble' will be significantly bigger. The damage which has already been caused by this suicidal policy is huge, especially in my country of Poland. We do not need a war. It is easier to ruin a country than to rebuild it. I call on the Commission – come to your senses, because what you are doing is not only anti-European, it is anti-humanitarian. What is needed is immediate revision of the climate and energy package. Get to work on this, and stop persuading others to commit economic suicide. A green economy – yes, but that, of course, means recycling of materials and energy, cogeneration, thermomodernisation, sustainable energy where there is no other source, reuse of sewage, nuclear energy, greater energy economy, higher energy efficiency and other things. Do CO₂ emissions, therefore, also have any connection with an economy which is 'green' like this? Yes, they do, but paradoxically, when emissions rise ... so that is good.

Eija-Riitta Korhola (PPE), in writing. – (FI) Madam President, I am grateful to Commissioner Hedegaard for indicating that she understands the basic dilemma of climate policy: the EU cannot make reductions alone, because then not only will our own results be in vain, but we will create the risk that the environment will suffer. If production cannot continue to take place in Europe because of the soaring cost of emissions trading, and if, as a consequence, steel or paper, say, are produced in places where the ensuing emissions are greater than in Europe, emissions will increase overall. Unilateral ambition is not ambition: only when we act together according to the same rules will it be easy to tighten our belts substantially. The basis for this must be a different sort of climate strategy: a consistent cut in specific emissions. That constitutes a system of decarbonisation which is independent of the business cycle and which always rewards the party making the cuts, unlike our current system of emissions trading. China, Japan and the United States of America, among others, are interested in such a scheme, and so the EU too should update its own strategy to reflect the present situation. I would also like to ask if there is any sense in adhering to the emissions trading scheme beyond 2012, as now it appears that there will be no such schemes emerging globally that could be linked to our own. Unless the specification and allocation of emission allowances is proportional, it will be impossible to avoid distortion of competition. When, just under 10 years ago, we began to draft the Emissions Trading Directive, the entire scheme was marketed to us as a means of preparing for emissions trading on a global scale. We acquired the expertise and experience. That experience has definitely cost us dear, and the benefit to the environment is by no means obvious. Reductions in emissions could be made in a way that makes them less exposed to market failure and speculation. Does the Commission think that there are good reasons for carrying on alone?

Elżbieta Katarzyna Łukacijewska (PPE), in writing. – (PL) Madam President, Mrs Hedegaard, the Copenhagen Summit, which we went to as climate change leaders, was a defeat, and showed that it is only Europe which is interested in limiting CO₂ emissions. Mrs Hedegaard has announced that, in spite of this fiasco, the fight against global warming is still going to be at the centre of European policy. We are now building a new strategy before the Mexico Summit, so we have to answer the question as to where we went wrong and examine our views and expectations, because the world is not ready, today, to accept such large restrictions. I have, therefore, three questions for Mrs Hedegaard. Firstly, how are we going to negotiate, and what objectives will we set ourselves, so that the Mexico Summit does not end up like the Copenhagen Summit? Secondly, has the European Commission verified the information on global warming and melting icebergs in the context of the misleading and untrue information being given by some scientists? Thirdly, do you agree with my conclusion that without consent to significant reductions in emissions from the USA, China, Russia and India, the efforts of the European Union, and the costs we are incurring, will be wasted?

Bogdan Kazimierz Marcinkiewicz (PPE), *in writing*. – (PL) The fundamental challenge for the European Union after the Copenhagen Summit is to draw up, as quickly as possible, something which is essential – a collective roadmap for the COP 16 summit in Mexico. Copenhagen has made us realise that good intentions are not enough. As a result of Copenhagen, we can come to the following four conclusions. Firstly, the European Union will not be fully effective if it only sets frameworks to be followed. Europe should give developing countries real support which favours the Community's ambitious emissions objectives. Secondly, the European Union must start discussions again with the United States, as part of a transatlantic leadership, and with other leading world powers. Thirdly, the European Union should adopt a more rational approach to the CO₂ emissions reduction strategy, with a view to reducing emissions while avoiding high adaptation costs. Fourthly, the European Union should intensify its efforts at building an efficient low-emission economy. Mrs Hedegaard, the question is simple – is there a climate for such change in Europe?

Rareș-Lucian Niculescu (PPE), *in writing*. – (RO) I welcome the important place that has been given to climate change in the Communication from the Commission entitled 'Europe 2020 – A European strategy for smart, sustainable and inclusive growth'.

There are two aspects of this worth highlighting. Firstly, investing in greener, low carbon technologies is an important instrument. These investments will protect the environment, while also creating new business opportunities and new jobs. The European Union can play an important role in this sector on the global market. The second aspect is the importance of the 'Resource efficient Europe' flagship initiative. The request made by the Commission for Member States to use the Structural Funds to invest in constructing energy-efficient public buildings certainly provides part of the solution. However, I think that we need to devote at least as much attention to the residential sector, more specifically to the collective residential buildings constructed in the past which were heavy consumers of energy in some Member States, especially those in Eastern Europe.

Rovana Plumb (S&D), *in writing*. – (RO) I think that we have learnt from the failure of Copenhagen. As proof of this, we must review our strategy so that we can achieve a legally binding agreement in Mexico.

Prompt action is required to translate the political agreement reached into action, as well as to put into operation the EUR 7.2 billion earmarked for 'fast-start financing' for developing countries.

The EU has made known its wish to be associated with the Accord and has made, by way of information, a unilateral commitment to reduce the EU's global emissions by 20% on 1990 levels and a conditional offer of raising this reduction percentage to 30% if other major producers of emissions also agree to contribute by an equivalent proportion to the global effort to cut emissions.

As of 18 February, 40 states have made known their reduction plans and 100 have signed up to the Accord, but this is not enough.

I urge the High Representative and Commissioner for Climate Action to present to us urgently a climate diplomacy strategy and the EU and Member States to include climate change policies in all bilateral and multilateral strategic partnerships in order to achieve this major objective.

Strategic partnerships for combating climate change must include NGOs and civil society.

Daciana Octavia Sârbu (S&D), *in writing*. – Despite the disappointment of Copenhagen, some good progress was made, including the short-term financing we secured for developing countries. Not only will this provide concrete help on the ground; it will also help to build trust between partners who were divided at Copenhagen.

In the coming months and years, we have to show the developing world that we will honour our commitments to funding for adaptation and mitigation, and we need to be sure that the funds are spent in the best possible way in order to achieve their objectives.

Essential progress was also made in Copenhagen regarding monitoring, reporting and verification. These link directly to building trust, because such a system will enable us to see that everyone is playing their part and will allow us to determine the effectiveness of our policies and how we should adapt them in the future. The European Union needs to continue to implement its Emission Trading Scheme and other initiatives, such as energy reductions in buildings. We need to meet our emissions targets and show how we can all benefit from energy savings. Providing a successful example of an emission reduction policy which translates into benefits for ordinary people is the best way of convincing others to follow.

12. Second European Roma Summit (debate)

President. – The next item is the oral questions to the Council and Commission regarding the second European Roma Summit. (B7-0013/2010; B7-0014/2010; B7-0202/2010; B7-0203/2010).

Monika Flašíková Beňová, author. – (SK) All parliamentary questions submitted to the Commission and to the Council on the occasion of the forthcoming European summit on Roma are linked by several common denominators.

The first is dissatisfaction with the current situation of most Roma in the European Union. This issue is also closely related to dissatisfaction with spending or the level of spending pre-accession and structural funds for the purpose of integrating Roma into the rest of the society, as well as their social rehabilitation. Another important point is the role of civil society, including Roma organisations, to engage in problem solving.

Both points are important, but I would like to suggest that it is very important how these problems are going to be solved. Let us be honest with ourselves – after many years of vague political declarations and inactivity, several of us feel an acute need to finally move towards concrete action. I am an uncompromising advocate of human rights and all my statements on the floor of the European Parliament during the past six years have always been in this context. In these six years, I have also listened to several discussions about discrimination against ethnic Roma and the need for solutions to ethnic Roma problems. Despite this abundant debate, we have not been able to take any substantial steps towards concrete solution and I believe this is mainly due to us formally focusing on the technical term *discrimination* and not addressing the real reasons which are the cause of the current situation, in which our fellow Roma citizens live.

Therefore, if we really want to address the Roma problem, we will have to focus primarily on compliance with both international treaties on domestic law, as well as on international conventions. I am thinking in particular about the Convention of the Rights of the Child, whose provisions are being violated by many Roma families. I am talking about the Slovak Republic, where there are provisions for free care and free education at primary and secondary schools. All this is provided for and financed by the state. Yet even in these two policies, the basic rights of the child are not being respected.

If you really want to talk objectively about solving the problems of the Roma, then we have to address the reasons and the causes that lead to discrimination.

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

Hélène Flautre, author. – (FR) Mr President, the Agency for Fundamental Rights reports that the Roma suffer every type of discrimination in every area, whether it be in relation to access to employment, to health care, to education or to housing. They are therefore the minority that is most discriminated against in Europe.

In 2009, for example, on average, one in every four Roma was a victim of a crime against the person – specifically assaults, threats and serious harassment – on at least one occasion in the course of the previous 12 months whilst, at the same time, one in every three Roma was questioned by the police on average four times in the course of the previous 12 months. Their marginalised situation is compounded by their lack of awareness of their rights.

This situation, which affects almost 10 million people at the heart of the European Union, which is now endowed with the Charter of Fundamental Rights and will soon be a signatory to the European Convention on Human Rights, casts serious doubts over the policy of non-discrimination and effectiveness of rights, both at EU and Member State level. It took the racist violence in Italy in December 2007 to have a large-scale, high-level European mobilisation finally result in the organisation of the first European summit in September 2008.

However, the call for a European Union framework strategy on the integration of the Roma, including a directive on the inclusion of the Roma, has still not seen the light of day. Member States – such as France and some others too – that maintain temporary measures for access to their markets for Bulgarians and Romanians are primarily penalising the Roma and must remove those measures as soon as possible as a sign of political goodwill.

Member States must finally abandon the negotiation of bilateral readmission agreements with Kosovo, which are leading to Roma being returned to lead-contaminated camps in northern Mitrovica, as Mr Hammarberg, the Council of Europe Commissioner for Human Rights, has been able to demonstrate.

As regards the European Commission, I wish to remind it of the European Parliament resolution of 11 March 2009 on the social situation of the Roma. In this year for combating poverty, I believe that we can at last decide to make the best use of our instruments and our Structural Funds with a view to resolving this serious situation.

Diego López Garrido, *President-in-Office of the Council*. – (ES) Mr President, I am going to answer the questions raised by Mrs Flašíková Beňová and Mrs Flautre on a matter which directly affects human rights, which affects all of us, and which also affects a large community, because the Roma population, as you are aware, is the largest ethnic minority living in the European Union, and it cannot be said that they have the same standard of living as the average European citizen.

With regard to the questions that have been put to me, the first raises the matter of the Structural Funds in this area, and I would like to say that the conclusions that the Spanish Presidency intends to adopt in the Council contain those ten basic principles, which include the revision or modification of the current operational programmes of the Structural Funds, as well as future regulations for the period beginning in 2014.

We have stressed that full use should be made of the Structural Funds in order to promote the integration of the Roma population and, specifically, we have proposed that integrated actions be implemented both in rural and urban areas, based on the recent amendment of Article 7 of the European Regional Development Fund. The aim of this is the comprehensive promotion of Roma communities beginning with improvements to their living and social situation.

The second question concerns the action to be taken by local authorities. We are aware that, in order for the Roma population to have access to the Structural Funds, local authorities, Roma organisations and the Roma population itself need to be actively involved in all phases of the process; in other words, in the planning, management, monitoring and assessment of European funds.

In its conclusions, the Council is also going to propose that the European Commission provide technical support and guidance to Member States and local authorities, and that it facilitate horizontal coordination between Member States and vertical coordination from European level down to national, regional and local level.

The third question asks whether the Trio of Presidencies has a strategic proposal or a strategic agenda for this issue. I can confirm that, in the programme drawn up by the Trio of Presidencies, the social and economic integration of Roma people is dealt with explicitly. This intention is laid down in the programme adopted unanimously by the General Affairs Council and is, therefore, in line with the strategy for the next 18 months, which is the period covered by the programme of the Trio of Presidencies.

We understand the need to commit to both short-term and long-term measures. In order to rectify inequalities, in the short term, we have to prioritise the tools I mentioned earlier and adopt an action plan to immediately tackle issues such as pupils attending special schools that are, in some cases, mainly or entirely for Roma children – a situation which causes clear segregation; housing problems, as mentioned earlier; health issues, and access to employment.

In the long term, we also want to see a horizontal, mainstreaming approach to Roma issues in all areas of European Union policy, and this will have to be carried out within the context of the open method of coordination and in areas such as fundamental rights, combating discrimination, regional development, education, and access to public employment and public services.

Finally, with regard to the issue of non-discrimination, it is well known that during the course of its term, the Spanish Presidency, and indeed the Trio of Presidencies, intends to promote the adoption of a directive which, for some time now, has not been adopted or brought to its final conclusion in the European Union: an integrated directive on combating discrimination and promoting equal rights; this is vital, precisely for those groups who suffer particular discrimination and, specifically, the Roma community.

Viviane Reding, *Vice-President of the Commission*. – Mr President, I would like to thank Mr Swoboda and his colleagues for tabling this oral question on the European Roma Summit. It allows the Commission to express its commitment to ensuring the protection of fundamental rights, on the one hand, and full social and

economic integration into our societies on the other. We have just heard the Council making a real plea about the way the Member States have to go ahead by putting this in the mainstream of their policies.

As you know, this debate is taking place just some weeks before the second Roma Summit, which will be hosted in Córdoba by the Spanish Presidency on 8 and 9 April. The Commission welcomes and actively supports this initiative. I think this initiative will be a welcome moment to take stock of developments at national, European and international level since 2008. It will then help us to contribute to a common perspective for the future.

Two years ago, the first summit was held. How far have we got? You can see a glass as being half full or half empty. Of course, there have been significant improvements but there are also significant gaps. Your question rightly highlights the central role of the European Union's instruments and policies and the importance of strengthening cooperation between all the key actors – Member States, institutions at European level, international organisations and civil society.

The Commission is committed to enforcing a directive which prohibits discrimination on the grounds of race and ethnic origin, and Roma discrimination is fully covered by this directive. We now have legislation at European level and the framework decision on racism and xenophobia, which will be a key tool to tackle the racism that Roma people suffer from.

By November of this year, all Member States should put into place criminal penalties for racist and xenophobic crimes, as laid down in the framework decision. As I have already announced, I am committed to monitoring the implementation of this framework decision as closely as possible.

The Commission is fully aware that this is not enough and that strong legislation needs to be complemented by information and awareness raising about rights and obligations. To this end, the Commission is addressing Roma issues in the context of the EU campaign 'For Diversity. Against Discrimination' and in specific training for legal practitioners.

Quite rightly, the structural funds, the rural development funds and the instruments for pre-accession were underlined as being important levers for change because they allow Member States to implement ambitious programmes which are targeted to the Roma. It is evident that these programmes must be very down to earth and pragmatic, based on evidence, and must approach the living conditions of the Roma in all their complexity.

This is not an issue that can be solved by a simple slogan. It needs a lot of concrete work. That is why the Commission is encouraging Member States to use the full potential of these funds to support Roma inclusion. To this end, we have launched a series of high-level bilateral visits to Member States with significant Roma populations. They should lead the concrete commitments with agreed targets. The first event took place in October 2009 in Hungary with the full cooperation of the government. Others will be organised in the future.

Another concrete example of the Commission's commitment to using the Structural Funds for tackling Roma exclusion is the amendment that has been proposed to Article 7(2) of the Regulation on the European Regional Development Fund. A very large majority in this House voted for the report by your colleague, Mr van Nistelrooij, at the beginning of last month: a measure which opens new policy and funding opportunities for housing for the benefit of marginalised communities where we can target the Roma specifically, although not exclusively.

Finally, thanks to the European Parliament, there are the pilot projects on Roma inclusion, with a budget of EUR 5 million over two years. This pilot project addresses early childhood education, self-employment through micro credits and public awareness. The evaluation of this pilot project will be carried out jointly by the UNDP and the World Bank. I am very much looking forward to this evaluation because the evaluation will bring us the information about what we have done well and where the deficiencies are so that we can build on this in order to go ahead with a very targeted action afterwards.

The European platform for Roma inclusion was launched as a joint initiative of the Commission and the Czech Presidency in April 2009. Its objective is to bring together relevant actors at European, national and international level, as well as actors from civil society, and make existing policies altogether much more coherent. This platform has led to the elaboration of the common basic principles for Roma inclusion, which is annexed to the Council conclusions on Roma inclusion adopted in June of last year. These conclusions call upon the Commission to take the 10 common basic principles for Roma inclusion into account when designing and implementing policies. Further meetings of the platform are expected to take place under the

Spanish Presidency and the Belgian Presidency so it is not a one-off action but it is followed up. I very much welcome the strong commitment of the Trio of Presidencies on this objective because we need to play into each other's hands so that progress can be made. The Commission will continue to contribute to the Trio's actions through its policies and instruments, in close partnership, of course, with Member States and civil society.

Ahead of the Roma Summit, I would like to inform this House that my colleague, Commissioner Andor, and I will publish a communication on the social inclusion of the Roma people, looking at the challenges ahead and outlining the EU's contribution to meeting this challenge. This communication will then be the basis of the discussion in Córdoba.

Livia Járóka, *on behalf of the PPE Group*. – (HU) In addition to a more effective implementation of the international and national anti-discrimination laws, as we just heard from Commissioner Reding, particular emphasis must be given in Córdoba to the economic aspect of the inclusion of the Roma, because their integration in the labour market and education is a key economic interest of the Member States. In recent years, a number of international organisations have developed forward-looking plans, but they have not been implemented at Member State level due to a lack of binding power, of the prospect of potential sanctions and of appropriate budget allocations.

The European Union is capable of ensuring the development, appropriate enforcement and assessment based on clear indicators of a non-mandatory Community strategy going beyond 'soft law' measures. As European Parliament rapporteur on the European Roma strategy, I believe that it is particularly important for the strategy to define the crisis areas within Member States which require immediate intervention. Social disadvantages are unevenly spread across geographical regions, with extreme poverty and social exclusion concentrated in certain micro-regions densely populated by Roma and non-Roma. This creates serious obstacles in the way of the social development of Europe. These regions should be removed from a competition which is unfair to them, and their development should be started by using intensive programmes adjusted to their own particular needs.

In accordance with the principle of subsidiarity, the supervision and monitoring of the strategy should be the responsibility of local organisations. I also suggest extensive surveys on the needs of local target groups, similar to the agricultural projects in Ireland. In order to be able to evaluate the results of the programme, it is also indispensable to collect statistical data broken down by ethnic groups and evaluate them independently. According to the European People's Party, these are the essential issues which the Córdoba Summit should address.

Claude Moraes, *on behalf of the S&D Group*. – Mr President, as the previous speaker said, and as the Commissioner said, this is a deeply complex problem, so the oral question that we pose today is a bid from our group, certainly, and I am sure from all the groups, to renew and refresh the debate on the Roma issue.

Roma communities in Europe continue to face unacceptable levels of prejudice and, in many cases, violence. However, as we see from the Decade of Roma Inclusion Initiative, there is a genuine feeling in this House that we want to see a comprehensive approach.

However, we have talked about this comprehensive approach before. There is a need in this House to reassess what we have done from the issue of micro credits to tackling racial violence, and for all of these complex issues, we must have a comprehensive strategy.

There is a growing amount of evidence that the situation on the ground is not improving enough. The Open Society Institute talks about prejudice and violence faced by Roma communities across Europe not decreasing. Additionally, the Fundamental Rights Agency's discrimination survey found that the Roma were discriminated against more than any other group surveyed.

We owe it to this House to see that the existing legislation – the Race Equality Directive, the Council framework on tackling violence – is actually implemented, and we owe it to our comprehensive strategy, as has been said earlier, that we look at this as a complex problem but a problem that requires action, an integrated approach, a comprehensive approach.

So let this oral question be a bid to refresh this debate and come up with new solutions and implement those laws which already exist which should be helping Roma communities.

Renate Weber, *on behalf of the ALDE Group*. – Mr President, in view of the second Roma Summit, I would like to share with you a couple of ideas in the hope that they will take effect as soon as possible.

Firstly, I strongly believe we need a broad and coherent strategy on Roma inclusion and we also need an action plan with clear benchmarks and appropriate budgeting. In my view, it should be a strategy not only for the EU Member States, but also for other countries where Roma communities live and which are either in the enlargement process or in the Neighbourhood Policy, thus allowing the EU to use the most appropriate tools available to it on Roma policies.

Secondly, I am convinced that we must apply the lessons learned from the gender equality policy, namely mainstreaming. 'Roma mainstreaming' should become the working approach of all EU institutions.

Thirdly, when it comes to the expertise on Roma, we should consider some affirmative actions, especially hiring Roma experts in the Council, the Commission and Parliament. It is on this note that I have prepared letters to President Van Rompuy and President Barroso recommending them to lead by example and hire Roma advisors.

Jean Lambert, *on behalf of the Verts/ALE Group*. – Mr President, I would like to echo the calls that have been made for a comprehensive strategy here.

As has been pointed out, we are now in the European Year for Combating Poverty and Social Exclusion, which we know is difficult in times of recession, and that is why we have been asking for social conditionality on rescue packages so that those who are the most excluded do not find themselves falling even further behind.

We have heard already that the gap is widening, which is why our EU 2020 strategy also needs to take into account the need to reduce the gaps between rich and poor.

The changes in the regional development funds are important. Local authorities, we would agree with the Council, are important because that is so often where discrimination is most closely felt, on housing and the specific needs of the Roma people there, on education, and on the police whose job it is to protect and not simply to criminalise, as seems to be the way in some Member States.

And we want to see high-quality public services. Council will remember its recommendation on the active inclusion of those furthest from the labour market where high-quality public services are seen as crucial.

We are interested to know whether the Council and Commission are happy with the absorption rate being shown for funds at the moment.

I would also welcome the context change that was strongly put out by the Commission in terms of anti-racism and xenophobia, and would hope that every Member State government would commit itself to those ideals.

Peter van Dalen, *on behalf of the ECR Group*. – (NL) Mr President, it is both good and necessary for this House to concern itself about the fate of the Roma. In the last few centuries, discrimination has been possibly the least of the ills that have befallen them. It is necessary to use European funds and European directives to promote the integration of the Roma and to eliminate their disadvantaged position. I also think it important to develop a good strategy to ensure that the European millions really reach the people who need them. The emphasis here must lie on education. We must equip the Roma children to break out of the negative cycle that is an unfortunate reality.

However, I should like to add two elements to today's discussion. Firstly, I do not think it a good thing that many Roma remain stuck in the role of victim. They must also take action themselves to eliminate the many abuses in their communities.

Secondly, the integration of the Roma cannot be enforced by means of European funds and European legislation. Ultimately, those Member States in which Roma live, and have often lived for many generations, will have to assume a leading role in taking up the issue of Roma integration in their own countries. This is a social much more than a political or financial challenge. European funds can and should at most provide a helping hand.

Cornelia Ernst, *on behalf of the GUE/NGL Group*. – (DE) Mr President, in December 2009, when I was in Pristina and Mitrovica and saw how people are living in the Mahala and, in particular, in the lead-contaminated camps, I was rather shocked, particularly about the plight of the children. In almost every conversation I had, I was told that, not only in Kosovo, but also in many countries in Europe, the situation is dire for one of the oldest population groups in Europe, namely the Roma. I met Bekim Sylja from the Roma and Ashkali Documentation Centre in Pristina, who received us with the words 'We are tired of talking'.

Action needs to be taken, and therefore our absolute highest expectation of the Córdoba Summit is that there will be more than mere talk and that action will be taken immediately. Immediate action means not resting on our laurels behind the EU directives implementing the principle of equal treatment, of equal treatment of persons irrespective of race or ethnic origin, and also the Employment Framework Directive, because it will not do any good. Immediate action requires the recognition and assumption that these directives are not sufficient to protect the Roma in the European Union from degrading and discriminatory treatment and – most importantly – to enable their permanent integration. What we need, therefore, is a European Roma strategy that is a component of all policy areas – an integral component of all policies.

However, the majority of governments implement projects that are merely sporadic measures. What we need are medium and long-term political initiatives. We urgently need measures for the economic development of the Roma communities. The EU must not wait until 2014 to make its structural and regional funding more flexible; it must do so now, so that the Roma can also benefit from it. This includes micro-credit loans, which need to be issued with as little bureaucracy as possible, for example, for the reconstruction of Roma settlements. It includes very specific measures for the promotion of health and for education, training and the development of the labour market. I would like to make it quite clear that no child should fail because of educational or language barriers. The Confederal Group of the European United Left – Nordic Green Left does not want Roma schools, but schools for everyone, where the Roma can also live and learn.

I would like to add that this is not only about the money, but also about taking decisive measures to counter racism. Antiziganism must not be regarded as or remain a trivial offence, but must be punished as a crime. The EU bears a lot of the responsibility for the extent to which, it is to be hoped, we will soon succeed in bringing about justice for the more than 10 million Roma in Europe, because it starts with justice and should continue with equality. For this, we need a very clear political 'yes' and a resolute, powerful European framework strategy, and – quite frankly – it also needs our passionate commitment, as MEPs and as people, to this population group – the Roma and Sinti. Let us take action now.

Jaroslav Paška, *on behalf of the EFD Group*. – (SK) The second European Union summit on Roma would surely be a great opportunity for the participants to share their experiences with the results of the numerous measures taken to encourage the successful integration of the Roma into society.

Historians say the Roma came to Europe between the 5th and 9th centuries AD, and many European nations have been looking since then for a way to coexist with the Roma in the best way possible. It needs to be objectively acknowledged that even after a thousand years of searching for such a model, we have failed to find a way to integrate the Roma properly into our society. I do not know whether the cause of the persistent problems lies with us or on the other side, but after experiences in my country, I know for sure that to help them only by giving makes no sense.

Our government has collected considerable funds from taxes on all working people and has given them to Roma citizens in order to enable them to lead a dignified life. Modern flats have been built and given to them, the same which other people have to buy. Our government provided them with access to work, medical assistance and education on equal terms with all other citizens. The same support and social benefits are being given to the unemployed Roma as to other citizens.

So what is the result? Modern dwellings have been destroyed while sanitary facilities and other furnishings are being dismantled and stolen. Sewage and rubbish are being thrown by the people in these flats out the window directly into the street. They do not want to go to work, even if the local government offers it to them. Medical workers who have been bringing them protection against infectious diseases are chased out of the Roma settlements. Children are neglected, hungry and often even do not go to school. Therefore, I am convinced that if we want to really help the Roma, we will have to endeavour first of all to teach Roma children a civilised, cultured and decent way of life.

Zoltán Balczó (NI). – (HU) Since I am going to speak Hungarian, my mother tongue, instead of the standard Roma term I will use the word Gipsy, which has no pejorative meaning in my language and it is also used in our Constitution.

This item on the agenda is action against the exclusion and discrimination of the Gipsy. The essential precondition of the solution is the social integration of the Gipsy people. School is an important tool for this. In many cases, there is a reason for separate treatment or positive discrimination if you like, in order to eliminate disadvantages. When they hear this, minority rights activists immediately cry segregation, even though the objective is rapid inclusion.

Generations of Gipsy in certain regions of Hungary have grown up in families living on benefits rather than earning a living. There is no way out without creating jobs. This is why we must break away from neoliberal economic policies. Even the difficult social situation cannot justify the violation of the law. In Hungary, Gypsies are involved in a very high percentage of crime. We have to act against this not only for the benefit of the majority of society, but also for the benefit of the honest Gipsy people. We have never specified genetic or ethnic labels as a reason. So there is no mention of racism, we only mentioned special socio-cultural circumstances as a background. If we routinely stigmatise persons stating this as racists, we only pursue an ostrich policy.

We need to find the way out together. In order to do this, it is imperative that Gypsies have leaders recognised by their communities and by society as a whole. Indeed, we need a common European strategy, but this should be a strategy which faces all aspects of the issue and intends to find a solution by examining them with honesty.

Agustín Díaz de Mera García Consuegra (PPE). – (ES) Mr President, I shall begin by congratulating Mrs Járóka on defending the Roma population within European Union institutions. It should be pointed out that Mrs Járóka and the Group of the European People's Party (Christian Democrats) have designed the first European strategy for the integration of the Roma minority, proposing specific Community actions to benefit over nine million citizens living in the European Union. The Roma population's situation is different from that of other national minorities in Europe, which is why we need to adopt specific measures concerning them.

The second European summit on Roma inclusion to be held in Córdoba should serve as a forum in which to courageously tackle the problems experienced by this community and to design specific financial and legal instruments which will benefit a minority that has to play the leading role in designing its own future, putting behind us previous paternalist approaches. I agree that no one has the right to gain political capital at their expense.

Only multidisciplinary, coordinated action between the Commission, the Council and Member States can bring positive results for the Roma population. The various European commissioners involved will need to coordinate their approach so as to put an end to any action that excludes or discriminates against Roma people. The Council, together with the Member States, should promote the full integration of the Roma population.

Finally, Member States are responsible for promoting measures to combat the discrimination so often suffered by the Roma. Access to health care, quality education, further training and professional retraining are indispensable goals for Roma people to be able to achieve decent employment and full participation in civil society. In that regard, it is vital for local authorities to participate, and I know very well what I am talking about. We must do everything we can for them, but nothing can be done without them, and in this Chamber, Mr President, we already have some excellent Roma Members.

Kinga Göncz (S&D). – (HU) I believe that the second Roma Summit in Córdoba provides an excellent opportunity to take stock of what has been achieved in the past few years concerning the integration of the largest and most vulnerable ethnic minority in Europe, the Roma. First of all, I would like to emphasise that we have made very important steps to make this a European issue. This is not just a Central and Eastern European issue, but rather an all-European issue. In order to be able to find solutions, we have to use the same approach in the future. Important steps have been taken by the European Parliament by passing a resolution on the necessity of the Roma strategy. Unfortunately, this has not been adopted yet and we sincerely hope that further significant steps will be made during the mandate of the Trio Presidency and this Commission. The 2009 report of the European Parliament on the social and labour market situation of the Roma was an important landmark, and we are half-way through the Decade of Roma Inclusion, which is also an important programme. In order to make our strategy successful, we need to see the extent to which the structural and cohesion funds have been utilised, and whether and in which circumstances they contributed to the social integration of the Roma. We need data, but we are aware that the data on ethnic origin are always sensitive, and we must be cautious when requesting and handling them. While numerous positive steps have been made, we also note that the enforcement of readmission agreements has also raised numerous problems. Kosovo has already been mentioned here. I sincerely hope that the summit will contribute to solving these issues.

Nicole Kiil-Nielsen (Verts/ALE). – (FR) Mr President, the Roma issue is being keenly felt in my region, the west of France. In Nantes, over 1 000 Roma are being expelled from one place after another due to a lack of

government regulated sites in which to accommodate them. The few municipalities with facilities to accommodate the Roma, for example, Rezé and Indre, located in the Nantes conurbation, are stretched to the limit and lack the support of the public authorities. The most proactive and open mayors are therefore facing enormous difficulties. Responses cannot be local. They must be global. Inclusion of the Roma must be incorporated in every European Union policy in order to put an end to the discrimination suffered by these European citizens.

I would also like to draw attention to the specific situation of the women. The problems faced by Roma women are particularly striking, for example, in relation to marital violence or unwanted pregnancies. In France then, according to *Médecins du monde*, one in two Roma women, or 43% of that group, will have had an abortion by the age of 22. The average age for the first pregnancy is 17. Only 10% of Roma women use contraception. The European Union must therefore include the gender perspective in all studies and laws that concern the Roma. Education must be a major priority. We must act urgently with the Roma communities to make them aware of their fundamental rights and to facilitate their access to public services.

I hope that, at the second European summit on Roma inclusion, the European Union will show its determination to deal with the Roma issue in a comprehensive fashion.

Lorenzo Fontana (EFD). – (IT) Mr President, ladies and gentlemen, the Roma issue is becoming increasingly complex and requires effective and immediate responses. Their representatives, the institutions, associations and a section of civil society, are calling for their inclusion in the socio-economic fabric, but rarely is the essential point brought to the fore; namely that integration is a two-sided, historical and cultural process.

Without the genuine will of some of the Roma people to accept the rules and culture of the countries in which they live and without, at the same time, refraining from all behaviour that is incompatible with civil harmony, their inclusion will never come to pass: in this case, we could continue to come up with projects and allocate funds, but we will never see appreciable results.

The challenge should not be tackled with demagoguery: we ask that the issue be approached with due pragmatism and bearing in mind that the worrying economic and employment situation will be a factor that makes inclusion of the Roma people in the labour market more difficult. We believe that, as centuries of history teach us, this problematic integration cannot be attributed solely to host countries and that responsibility for the current lack of integration should at least be attributed to both parties.

Simon Busuttil (PPE). – (MT) I would also like to extend my support, in particular, to MEP Livia Járóka, who has worked incessantly on this sensitive and important subject. Mr President, as my fellow Member said, the situation of the Roma population in Europe is one which does not only concern a limited number of countries. It is a situation which concerns the entire European Union since the Roma community are the largest ethnic minority in Europe. In this light, it is necessary that we evaluate what the European Union is currently doing in order to see how we can do things in a better way. I was pleased to listen to the Vice-President of the European Commission, Viviane Reding, give us a full explanation on this matter. And this is a good time to do so in view of the Roma Summit which will be held in Córdoba in the coming month. What is certain is that we cannot leave the situation unchanged because it will not resolve itself and if we do not take the necessary steps, these people will remain marginalised and caught in a poverty trap. We must therefore adopt an integration policy which leads to the Roma community truly having access to the opportunities available to others. In particular, the opportunity to work, to exploit their capabilities, to live a dignified life and to be successful must be provided to these people. Thus, not only will they be able to support themselves but also to contribute to the societies where they live. However, in order to achieve this, we must take the necessary steps to remove the existing obstacles. I hope that our message in this Chamber, in this Parliament, our message of solidarity with the Roma people, is received in view of next month's summit.

María Muñoz De Urquiza (S&D). – (ES) Mr President, the 10 million Roma people in Europe would constitute a medium-sized Member State of the European Union, if they were a State. However, they are not one. The Roma people have always put their Europeanism before any border. In fact, they are like second-class citizens because of the discrimination they have suffered throughout history, not only in the areas of education, health, and housing, but also as migrants, which is their very essence.

The Council of Europe Commissioner for Human Rights has said that, in certain countries in the European Union, Roma migrants are not treated in the same way as other European migrants, which is a flagrant violation of the right to free movement.

The Group of the Progressive Alliance of Socialists and Democrats in the European Parliament is committed to building a Europe in which ethnic and cultural minorities are recognised, and in which we progress towards an inclusive European citizenship and an area of equality, freedom and coexistence in diversity. For this reason, we welcome the directive on non-discrimination in all areas – a directive that has not always received support from all the political groups in this Chamber.

We also welcome the Spanish Presidency's programme in this area; we believe it is needed because there cannot be any more delays when it comes to establishing European initiatives that recognise and support the Roma people.

The Córdoba Summit, to be held under the Spanish Presidency, is a major opportunity to establish a comprehensive plan for the Roma people, leaving behind years of silence and racism.

Raül Romeva i Rueda (Verts/ALE). – Mr President, there is very little to add – just a plea. As has been said, let us not forget that the Roma Summit was an initiative of this Parliament and it was tabled during the Slovenian Presidency, aimed at bringing together the EU governments to work together on Roma issues.

This is another reason for this Parliament to be active on this issue. The Greens differ, however, and we will not be proud if all Member States do not admit that we can do better on the Roma issue. Issues like this one have to form part of a joint call for a European strategy for Roma inclusion. We need that strategy; we need that strategy because the European Union is also losing credibility at international level. Many countries are singling us out because of this issue. This is important as well because, even in the past, we understood that this is something that has to do with human rights and social inclusion.

We understand as well that it is a question of politics. It is in the framework of political debate that we have to understand that a necessary solution has to be sought.

Elena Băsescu (PPE). – (RO) Given that they are one of the largest and yet most vulnerable minorities in Europe, the Roma community must feature even more actively as an item on the European agenda. Unemployment, poverty, abuse, discrimination and, last but not least, reduced access to education, are all problems which the Roma minority frequently encounter and which ultimately lead to social exclusion. I think that an integrated European programme is needed to suit their culture and values, bearing in mind that they freely move around.

Children account for 46% of the Roma population, due to the combined effect of a high birth rate and, unfortunately, a low life expectancy. Access to education would provide them with a real opportunity. Although access and entitlement to an education are guaranteed by European regulations, the majority of children belonging to poor Roma communities do not attend school at all or drop out. One specific measure would be to include these children and young people in the compulsory schooling system, thereby preventing them from dropping out of school. In the 2009-2010 school year, the Romanian Ministry of Education allocated 7 483 special places in the country's secondary schools, with only 2 460 pupils registering for them, of which 2 246 were admitted.

However, efforts must be made by both sides. The Roma minority must act responsibly in order to improve their standard of living. The lack of education prevents Roma from taking an active part in the social, economic or political life of the country in which they live. The European Union supports the Roma's integration into society through different funding programmes such as the European Social Fund, the European Regional Development Fund, as well as the Progress and 'Youth in Action' programmes.

Thank you.

Emine Bozkurt (S&D). – Mr President, Roma, the largest European minority, are suffering from institutional discrimination, anti-Gypsyism, extraordinary levels of poverty and social exclusion, segregated systems in housing, education and social welfare. Short-term solutions are not an answer to the widespread and deep-rooted problems of Roma. We need to evaluate existing good practices, as well as the negative effects of existing policies for the Roma population.

One, but not the only, example is taking Roma children away from their families and putting them in separate boarding schools. These measures do not solve problems: they lead, rather, to more segregation, and impact deeply and negatively on the lives of Roma families. Europe needs an effective long-term Roma strategy. This summit gives us a new opportunity for affirmative action, different from the first Roma Summit, which did not include real political commitments in the EU. The EU should start by setting a good example, by offering more positions to Roma people and including Roma and civil society in the strategy.

Danuta Maria Hübner (PPE). – Mr President, the summit in Córdoba will be a test for all of us, European institutions and Member States. It should demonstrate clear European commitment to considering a fully fledged political and operational strategy that would, in addressing Roma issues, go beyond obvious human rights perspectives, fundamental as they are, towards real economic and social inclusion.

We need an integrated strategy policy and an action plan cutting across all areas relevant to economic and social belonging. Much has been done and achieved but, without any doubt, there is still a long journey ahead of us. We need the Commission, Parliament, the Member States but also, as Minister López Garrido said, local and regional authorities working hand in hand.

We expect from the Commission a clear allocation of the responsibilities for this matter and effective coordination between all relevant services. We expect the EUR 5 million pilot project currently implemented by the Commission to pave the way for efficient and effective solutions in the areas that matter most: early childhood education and economic inclusion, and provide progress on policy learning and evaluation.

We appreciate the Commission's efforts, especially those by the Regional Policy DG, and we encourage the Commission to further enhance local and regional involvement in practical action strengthening the economic inclusion of Roma society.

In Parliament, many colleagues across the political groups have already demonstrated their involvement, but our duty is to put much greater political power into this issue.

Roma inclusion would give us a chance to move forward towards making the European labour market truly inclusive. It would give us a chance to move forward in addressing European demographic challenges.

So let me conclude by saying that we must treat the Córdoba Summit as a last call for real inclusion of the Roma.

Csaba Sándor Tabajdi (S&D). – (HU) As a developer of the first medium-term government programme for Europe on the Roma issue and the rapporteur of the 2002 Roma report of the Council of Europe, I agree with those stating that this is one of the most complex issues of Europe today. I do not envy Commissioner Reding's position, because this is currently the most complex issue in Europe. Evidently, the Roma are not simply an ethnic and national minority, but are also a multiply disadvantaged social minority. However, the distribution of responsibility between the majority and the minority is not evident. The social responsibility is asymmetrically distributed between the majority and the minority, because the majority has far more responsibility, but the minority, in this case the Roma, also has its own responsibility. The fourth and particularly important point is that we need integration without assimilation.

Finally, this is not simply a budgetary issue and it does not depend merely on resources. This is an issue of whether there are people and mechanisms in place, both in the majority society and among the Roma. As a former Secretary of State, I have to say that results were achieved in regions where there were local majority leaders committed to the issue, and credible local minority leaders capable of motivating the minority and supported by NGOs. It is not a funding issue. We need the European level, but success is to be reached at Member State and local level. This is why I support the strategy of the Union.

Elena Oana Antonescu (PPE). – (RO) The economic and social development of the Roma minority group is one of the most delicate and controversial issues which the states in Central and Eastern Europe face. We do not have exact estimates as to the actual number of Roma in the EU. However, we know that the Roma minority is the largest and poorest cross-border ethnic minority.

The European Union needs to have a coherent long-term approach because national policies are inadequate when it comes to changing the Roma's situation. Each state is responsible for improving the living conditions of the Roma population. However, the success of this process lies, to a large extent, in tackling this issue in its entirety through coordinated actions.

In my view, the lack of prospects for the young generation is one of the biggest problems we are facing. The Roma population is a young population with a significant proportion of them under the age of 20. In the society based on knowledge and innovation which Europe wants to develop, if we fail to take immediate measures, the gaps between young Roma and the rest of the population will grow. Children and young people are included in few of the current policies and strategies, even though the large number of children and young people in the Roma population makes them the generation of change. The process of sustainable development must start from a generation of children who have access to education, medical aid and all the opportunities which children from the majority population enjoy.

This is why I wish to draw your attention to the fact that the Commission proposal on the EU 2020 strategy does not contain any objectives for resolving the problems of the Roma community. If we are not going to take specific measures and if we are not going to make major changes in terms of approach, millions of young Roma will continue to face social exclusion and marginalisation throughout their entire lives. The lack of hope will turn these communities into areas of insecurity for their inhabitants and the rest of the population. We must offer the Roma community a real chance to change their prospects. Solidarity is the fundamental value at the heart of the European project. This is why we must shift from the political will to taking measures to actually put them into practice.

IN THE CHAIR: MR McMILLAN-SCOTT

Vice-President

Olga Sehnalová (S&D). – (CS) Ladies and gentlemen, according to a recent public opinion survey, 76% of Czechs do not want to have Roma as neighbours. Over the past 10 years or more, I have addressed in my everyday political life as a mayoress the problems of coexistence and neighbourly relations between Roma and non-Roma citizens in my home town. As a consequence, I firmly believe that financial solutions are not the answer, which is anyway clear from the unimpressive overall results of the EU-funded projects to date aimed at improving the socio-economic situation of the Roma.

In my opinion, the solution can lie only in the cohesion of local communities in towns and villages, which must accept Roma as fully-fledged citizens for better or for worse. However, the same applies in reverse. The Roma, too, must have a sense of belonging to their community and accept its rules and standards. Their own positive examples and role models are enormously important for relations with the majority community and for effective work within the Roma community. It is fundamental, however, for there to be a consistent and uncompromising fight against xenophobia and racism in society at large. Let us make it absolutely clear, through all possible resources, concrete actions and positions, that these are totally unacceptable for us. We should make a common effort in this direction in the future.

Daciana Octavia Sârbu (S&D). – (RO) I would like, right at the start, to express the hope that the Roma Summit in Córdoba will be the crucial time for adopting a common strategy devoted to Roma inclusion.

The living conditions of this community remain unacceptable and discrimination against them is increasing, in spite of the fact that the sums allocated in recent years to projects aimed at improving their situation are approaching EUR 0.5 billion. I think that the time has come for us to shift from good intentions to deeds.

Unfortunately, the European Commission has still not proved that it has the necessary desire to coordinate the actions for improving the Roma's standard of living and social integration and for combating the racist actions directed against them. I think that the Roma issue must be a special task, clearly defined for the Commissioner for Social Affairs. It would also be extremely useful if the Commission experts tasked with dealing with this issue also include experts of Roma origin.

I also believe that we need to have a social and cultural approach so as to avoid increasing the already existing inequalities in terms of both literacy and employment levels. With this in mind, I call on the Commission to encourage labour market access programmes for Roma migrants and cooperation between the local authorities and Roma communities, and to consider closer collaboration with non-governmental organisations.

Milan Zver (PPE). – (SL) Mr President, Commissioner, Mr López Garrido, first of all, I should like to congratulate Spain on adding this summit to its list of priorities. At the same time, allow me also to congratulate the Commission for deciding to prepare a comprehensive report on the position of the Roma in Europe. It is testimony to the fact that we are aware of how topical this issue is. However, it has only become topical in recent years, with the enlargement of the European Union.

Another thing I am pleased to see is that virtually all the parliamentary groups, or most of them, have approached the resolution of this issue seriously. The Treaty of Lisbon has provided us with an additional legal basis, enabling us to approach more thoroughly the development of a comprehensive and powerful strategy for the resolution of the Roma question, in the framework of what is commonly termed 'soft law'.

It is clear that we are not in a position to develop a common Roma policy at EU level, because the primary competence in this regard rests with Member States. However, what we can develop are some indicators and a common database; we can exchange good practice and, here, Member States can be of great help to each other.

I come from Slovenia where, for example, we have instituted the role of 'Roma classroom assistant', whose job it is to mediate between the school and the parents and who is of great assistance in introducing Roma children into the education system.

Corina Crețu (S&D). – (RO) The first European Roma Summit actually recognised the individual failure of European states to guarantee the Roma their rights and integration, and marked a first step towards adopting a common long-term strategy at EU level.

Unfortunately, a huge discrepancy persists between plans and studies and putting them into practice in order to tangibly improve the life of the Roma community, which remains the most vulnerable ethnic group in Europe, at a time when they are facing the highest level of poverty and social exclusion. Indeed, their prospects are not at all encouraging if we consider that roughly half the Roma population is made up of minors due to the high birth rate and short life expectancy.

I believe that the first step towards a coherent inclusion strategy must be to guarantee the young generation of Roma non-discriminatory access to education. This is the only measure which can play a crucial role in facilitating change so that the Roma can be integrated into the labour market and escape the vicious circle of social exclusion.

Iosif Matula (PPE). – (RO) The Roma is a cross-border ethnic and cultural community numbering more than 10 million across Europe. The social problems affecting Roma require concerted, long-term action, involving the European Union and Member States.

Important initiatives have been launched in this area, but I believe that we need to go further. We need to adopt a proper European strategy for Roma, based on well-targeted actions and a regular assessment of its impact.

I come from a country with a large Roma community and I welcome that today we are acknowledging that the Roma issue is an issue for the whole of Europe to deal with. A strategy is in force in Romania, which dates back before the country joined the EU, aimed at improving the Roma's situation. Special places are provided to them free at public universities, which is helping greatly to raise the level of education and culture among the members of this community. National and local public authorities are making efforts to promote social inclusion of the Roma and to integrate them into the labour market in order to combat dire poverty and provide them with access to health care services. However, consistent financial support is required from Europe in order to achieve the desired results.

Krisztina Morvai (NI). – (HU) For Gipsy children, Roma children, the only way to break out of their situation is to attend school on a regular basis. Unfortunately, we regularly hear, as a manifestation of political correctness, excuses made on various grounds for parents who do not encourage or even prevent their children's school attendance. From this point of view, girls, Gipsy girls, are particularly subject to and victims of discrimination, because their irresponsible parents often burden them with looking after their many brothers and sisters and doing household chores instead of going to school. The only approach in line with international human rights standards is if the government undertakes the obligation to step up in such cases and defend the rights of the child through penalties, sanctions or, if necessary, by withdrawing family benefit or other forms of assistance to make parents respect the rights of the child.

Monika Smolková (S&D). – (SK) The poorest group of people in the European Union are certainly the Roma. Therefore, I am for utilising all means to integrate Roma into social and economic activities. Above all, I see the education of children and young people as the solution.

I also agree that it is necessary to eliminate the hidden and overt discrimination of Roma. However, I am also in favour of speaking quite openly about how the rights of Roma children are being repressed by their own parents. Everybody has a right to a dignified life. Roma children, to a predominant degree, do not have that. At the next summit, let us also talk about how the Roma themselves, above all, must be active in solving their own problems; first, regarding the education of their children, but also about their personal involvement in the process of improving their own living conditions. And since I do not want to be a Commissioner in the future, I want to say here in this room that we should also be speaking at the next summit about how support for the Roma is being abused by the Roma themselves.

Diego López Garrido, President-in-Office of the Council. – (ES) Mr President, the debate we have just had on the Roma population and the upcoming Córdoba Summit clearly shows once again that the social and economic integration of the Roma is a problem at European level and therefore requires a European strategy.

Following on from the insufficient progress which has been made, that is precisely what we hope to achieve at the Córdoba Summit, which has already been mentioned many times.

We need a strategy based on an action plan which the Council intends to follow, bearing in mind the overall programme set out by the Trio of Presidencies; for it is a far-reaching programme, a working action plan which should, without doubt, have the Structural Funds as one of its main instruments – for that is Europe's most powerful tool for social cohesion – and which should be implemented through specific actions.

To my mind, some of those actions should focus on specific issues faced by the Roma people: the discrimination they suffer as Roma, such as the difficulty they have in accessing public services and employment. We must also look at the issue of Roma women, who suffer particular problems of poverty, access to housing, discrimination and violence; and the problem of young Roma, too, for their lack of qualifications makes it even more difficult for them to gain access to employment during this time of economic crisis. There is also the issue of Roma children: it is said that their life expectancy is 10 years shorter than that of the average European child.

At the same time, however, we need to take general action that benefits the Roma population as a whole; they are one of the communities that suffers from the worst discrimination, and so any anti-discrimination policy is going to help them. This is also the case with the action being taken against gender violence, which is why it is so important that, as soon as possible, we have the directive on the protection order that will combat gender violence, for this action will particularly benefit Roma women; that is also the case with the directive on non-discrimination, which will particularly benefit the Roma population.

We must not take a paternalistic approach to all of this because, above all, we have to respect the identity and cultural characteristics of the Roma population.

Viviane Reding, *Vice-President of the Commission*. – Mr President, I would like to thank the House for the many suggestions and proposals that have been made. They will be taken on board by Commissioner Andor and myself when we present our communication before the summit. In this communication, it will also be made very clear that the Commission cannot and will not accept that the Roma are discriminated against and excluded from our society because of their ethnicity.

Now, we do have instruments; we do have policies. The question is, how do we utilise them? How do we mainstream the question and the problems of the Roma in these instruments and policies? I believe that we do not need a Roma Directive or a Roma Fund. What we need is to take Roma issues fully into account when we apply EU law and when we implement EU funds. The key to this – and it has been said by many of you – is partnership and the cooperation of all the key actors. The Commission pursues this approach in the European platform for Roma inclusion and with its internal procedures.

But I would also like to underline very clearly that, while, of course, Roma exclusion has a lot to do with fundamental rights, mostly it has to do with social and economic issues. For instance, I would like to quote the World Bank's study on the economic cost of Roma exclusion and to see that this is a very important piece of evidence showing that we need to find solutions for the sake of our society in general. So to apply the instruments which we have in the most effective manner possible will need a strategic approach, of course – mainstream, as some of you have said. This approach is based on cooperation, on mobilisation of the necessary resources and on a strategy learning from success as well as from failure.

What we must avoid doing is creating a strategy which exists only on paper. Results are needed; results which lead to the integration of Roma into mainstream schools. I have heard many of you speaking about schooling. I am looking forward to seeing the details of our action on pre-schooling, how this has been working out. The mainstream labour market; here, my colleague, Mr Andor, is going to look for precise targets to be achieved, and the mainstream society which is the responsibility of all our policies.

Csaba Sándor Tabajdi (S&D). – (HU) Mr President, We have a technical problem. I have just noticed that the computer cloned me, because my name, the Tabajdi name, appeared for my colleagues who had cards inserted. I noticed it in the case of Mrs Gomez, and elsewhere, as well. So there must be some problem with the computer. My fellow Member, Mrs Kinga Göncz, also has the name Tabajdi displayed on the card. Please check it, as I do not want to have so many clones in the European Parliament. Please inform the technical service. Thank you. Zoli, is it the same for you?

President. – Thank you. The technical services will take note of that.

The debate is closed.

The vote will take place at the next part-session.

Written statements (Rule 149)

Vilija Blinkevičiūtė (S&D), *in writing*. – (LT) I would like to underline that by sharing responsibility for preventing discrimination against Roma and for aiding their integration into society, the Roma issue has become part of European human rights policy. Therefore, as we approach the second European Roma Summit in Córdoba, we must discuss the social problems faced by Roma and the means of solving these problems. I am pleased that the Spanish Presidency is hosting this summit, since we must raise and acknowledge the existence of Roma issues. I would like to underline that in a democratic and free society, it is unacceptable that a group of people are isolated from society and that people's fundamental rights and freedoms are openly violated. Members of the Roma community face racist attacks, unequal access to public services and social provisions and huge living and educational segregation. Moreover, we must draw attention to the fact that Roma not only experience direct discrimination, but face implicit, indirect discrimination, for example, the failure to employ Roma and, at the same time, their non-integration into social life. Therefore, I agree that we must call on the European Commission to encourage Member State governments and regional and local authorities to better implement EU projects in respect of Roma. I also call on the Commission to take concrete action and initiatives to combat direct and indirect discrimination against Roma in Europe.

Cristian Silviu Buşoi (ALDE), *in writing*. – Statistics show that unfortunately, Roma are the most hated and discriminated ethnic minority in Europe. We have seen the difficulties that several Member States, including mine, have concerning the social inclusion of the Roma. This clearly shows that this is a broader European issue that we must handle together. Better access to education and employment is crucial so that we avoid the tendency of Roma to choose other more easier but harmful ways of money making. We need to fully apply the anti-discrimination legislation to Roma people and to take further initiatives to integrate them in our society. So far, we haven't had any coherent strategy. I wish that this Second European Roma Summit brings about a real EU strategy for Roma. Structural and pre-accession funds should be more efficiently used to finance such initiatives. I would also like to insist on the fact that this strategy should be a tool of coordination and an impetus for the Member States. The initiatives have to be taken at local level and benefit from the expertise of local NGOs and Roma themselves who know what the main difficulties are, so that this strategy really meets Roma people's needs.

Vasîlica Viorica Dăncilă (S&D), *in writing*. – The Roma continue to be one of the most disadvantaged minorities in all of Europe, subject to widespread discrimination in all spheres of life.

In the last decade, the European Union and its Member States have devoted attention and resources to improving the situation of the Roma. Working in cooperation with the Roma rights movement, some Member States have begun to implement policies aimed at ensuring equal access to quality education for Roma children. Continuing efforts in this area should remain the highest priority in the coming years.

Policies need to be comprehensive in order to achieve a maximum systemic impact in closing the gap between Roma and non-Roma in all areas: education, employment, housing and health. The European Union and Member States should continue to evaluate their Roma-related policies to date and seek ways to eliminate any paternalistic approaches to the Roma issue, which treat the Roma as dependent, passive recipients of policy benefits.

A traineeship scheme should also be set up for young Roma to build up their professional expertise through programmes in Commission departments and appropriate government institutions.

Cătălin Sorin Ivan (S&D), *in writing*. – (RO) We are halfway through the ten-year period (2005-2015) devoted to Roma inclusion. What we can see is that a great deal is being said about the Roma minority, various programmes and platforms are being created, but the results are limited. The problems associated with education, employment, regional development, etc. persist and are getting worse in some Member States. The second Roma Summit being held this year in Córdoba is intended to revitalise the European aspect and find new courses of action. I agree that the principles need to be redefined, but I believe that we should devise instead a transversal, horizontal strategy which will tackle this minority's problems in an integrated, but not exclusive manner. The most important aspect is that the pre-accession funds and Structural Funds are used properly and yield the results which we would like as political decision makers, and which civil society and, above all, the Roma minority, would like.

Marian-Jean Marinescu (PPE), *in writing*. – (RO) The first Roma Summit had at least one positive outcome: the conclusion reached at Community level that the Roma need education as a first step towards social

integration. In this respect, I also welcome the second meeting of the European Platform for Roma Inclusion devoted exclusively to the issue of Roma education in Europe. The process of educational reform requires the involvement of not only State institutions but also of non-governmental organisations which no longer need to make it their main objective to identify acts of discrimination, but to educate ethnic groups. Reducing illiteracy, ensuring children complete their schooling and the need for vocational training and retraining offer opportunities for accessing the labour market as well as means of social inclusion. It is clear that we urgently need positive development among this minority, but this is something which both the authorities and the Roma community itself are responsible for. The second Roma Summit must motivate the European Commission sufficiently to come up with legislative proposals aimed at achieving tangible results in this area. The European Commission must also review the Social Fund and propose an increase in funding for projects aimed at improving the socio-economic situation of the largest minority in the European Union.

Franz Obermayr (NI), in writing. – (DE) The Roma Summit in Córdoba is intended to be an opportunity to talk plainly about the parallel societies in Europe and this should be based on efficient integration at all levels. It should be promoted at national as well as at European level. However, there is one thing that we should not forget in this regard, and that is that, for effective integration, both sides need to work together. The Roma people must also do their bit for integration and work from the inside to prevent the creation of parallel societies. In this regard, I am particularly concerned about the school education of children, in particular, of girls. In the middle of Europe, it must not be the case that children are barely or not at all integrated into the existing school system and then drop out of school early in large numbers. Their future position in the labour market is jeopardised considerably as a result and they then take refuge on the edge of society to an even greater extent, thereby isolating themselves. Problems relating to social security and their living conditions are then predetermined and the vicious circle is complete. It is therefore crucial to appeal to the Roma in Europe to change their archaic attitude to school education and women's rights, to actively fight to combat their own exclusion, and to work to integrate themselves into society and into the labour market in particular.

Csaba Sógor (PPE), in writing. – (HU) Although Member States have already spent significant EU and national resources on creating jobs for long-term unemployed Roma people, a coherent European-level solution has not been found: Member States faced the situation in different ways and to different degrees. I believe that it is important to elaborate a coherent and efficient strategy to resolve the Roma issue, which has remained unsolved to this day and represents a common problem of the European Union as a legal entity and the Member States. The most important issue of the European Roma Summit, to be held on 8 April in Córdoba, should be the formulation of the principles of the European-level strategy, to prevent any further 'migration' of the Roma issue and to enable all Member States to find a solution based on the common European strategy. I am convinced that the basic tool for tackling this is education. I consider it necessary to develop a comprehensive programme package that promotes and encourages the return of young Roma intellectuals into the community and their work within the framework of the community and for the community. Building a close partnership between different Roma advocacy organisations, responsible State institutions, the civil society and cooperating EU institutions could support this to a great extent. A more significant role should be given to methods of granting subsidised micro credits or interest repayments by the State. Access of Roma communities to the conditions required to earn their livelihood should be an important target within the concept of agricultural subsidies. The situation is more serious than one would believe: the ratio of long-term unemployed has grown by leaps and bounds among the Roma, and more and more of them become marginalised.

13. Question Time (Commission)

President. – The next item is Question Time (B7-0017/2010). This will be a little shorter this evening than it should be because the preceding debate overran by 25 minutes because of earlier delays. I am sorry about that. We will finish some time after 19.30. I intend to be very crisp on time. Speakers from the floor have 30 seconds.

The following questions are addressed to the Commission.

Part one

Question 28 by **Vilija Blinkevičiute** (H-0063/10)

Subject: Regulation of private pension funds

In recent years, the value of private pension fund assets has decreased a great deal. The need for closer regulation of the private pension fund sector has been underlined by the high level group on financial supervision chaired by Jacques de Larosière.

The financial crisis has highlighted the extent to which Member States are vulnerable to a wide range of risks. These risks are of direct concern to investors in those funds and to the stability and integrity of European financial markets, as well as seriously affecting financial market participants. In this unstable period for the economy, many European citizens have lost confidence in the regulation of the private pension fund system.

Does the Commission not take the view that it should propose a comprehensive legal measure to lay down monitoring standards with the purpose of regulating private pension funds?

Michel Barnier, *Member of the Commission.* – (FR) Mrs Blinkevičiūtė has asked a very important question about pension reform, which is a key issue for the coming years, given the challenges that we have to face together: demographic ageing, the viability of public finances and the mobility of employees in particular. Moreover, pension funds are major institutional investors.

The financial crisis has shown up the weaknesses in the design of some pensions schemes and, ladies and gentlemen, following on from the de Larosière report, we are going to take some initiatives. President Barroso has announced some policy guidelines on this matter to the European Parliament.

During 2010, we are going to present a Green Paper on pensions that is expected to encourage a rigorous discussion of the regulation of private pension funds. In this context, a revision of the directive on the activities and supervision of institutions for occupational retirement provision might be envisaged. The Commission remains committed to strengthening the internal market in the area of pension funds. This revision of the directive would also include solvency rules for pension funds. Moreover, Mr President, this meets a demand made by the European Parliament during the negotiations on the Solvency II Directive.

To avoid any ambiguity on this very important issue that affects the citizens, I would add that, in the name of subsidiarity, the Commission will be very careful to respect the choices that are made in many of the Member States concerning their attachment to the pay-as-you-go pension scheme.

Vilija Blinkevičiūtė (S&D). – (LT) Thank you, Commissioner, for your answer and we certainly hope that the European Commission will submit a Green Paper on pensions as soon as possible since, in the majority of European Union Member States, this is a particularly urgent matter. In some Member States, like my country Lithuania, already small pensions were reduced even further, such was the reality of the current economic and financial situation. However, Commissioner, I would also like to ask whether you can say why, in the EU 2020 strategy, the European Commission has devoted so little attention to the security and stability of pensions and to pension guarantees, since we have to take into account the current situation in the labour market, the current demographic situation and, indeed, this is one of the most important issues, what sort of pensions people will receive in 10 years time.

Michel Barnier, *Member of the Commission.* – (FR) Mrs Blinkevičiūtė, it is evident that the document on the 2020 strategy, which is a document for green growth, for intelligent, equitable and inclusive growth, cannot mention all of the issues. This is why we have other instruments, other occasions, and other frameworks in which we can fulfil our duty of dealing with fundamental questions such as pensions and the dependence of Europe's citizens.

I have just said, Mrs Blinkevičiūtė, that pension funds are major institutional investors. The various types of pension schemes operating on the basis of statutory funding, whether occupational or voluntary, today play an increasingly important role in the overall pension schemes in many Member States.

I repeat that we will work by showing respect, in the name of subsidiarity, for the commitment and the attachment of many countries – and I am fairly familiar with some of them – to the pay-as-you-go scheme and, on this basis, we will work on this Green Paper, which will be ready in the coming weeks or months, at the latest. I should be happy to have as broad a debate as possible with you and other interested Members.

Franz Obermayr (NI). – (DE) Mr President, my home country, Austria, subsidises private pension provision by a maximum of EUR 210 per year, although pension speculation has been shown to have been one of the triggers of the financial crash in the United States.

I believe that the Commission needs to ask itself whether pension provision is not actually the quintessential task of the State and whether we should keep a tight rein on dubious financial speculators in this regard. There is also the question of whether, in the Commission's opinion, it is not short-sighted or even negligent to provide State subsidies for private pension provision without quality standards if there is a risk that, after these enormous losses, the pension recipients will be in even more need of support from the State.

Michel Barnier, Member of the Commission. – (FR) Mr Barroso had the opportunity, a short while ago in this Chamber, to reply to several questions on the major issues relating to financial movements.

You spoke of speculation, Mr Obermayr. As European Commissioner for the Internal Market and Services with responsibility for regulation and supervision, I am able to say that no product, market or territory will be excluded or immune from intelligent supervision and effective regulation.

Therefore, everyone in these markets, with their various products, will be affected by the work that we are going to undertake, work that has already begun in the form of the Supervision package, which is already under discussion, and by revising several directives, in particular, the Institutions for Occupational Retirement Provisions (IORP) Directive, we are going to establish strict investment rules.

I confirm that we will exclude none of these products or markets from the requirement for supervised transparency and for intelligent, effective regulation.

Silvia-Adriana Țicău (S&D). – (RO) I believe that strategic thinking is required long term about reforming the pensions system, both in the private and public sectors. I am referring here to the fact that the birth rate soared in the 1970s. In 30 years' time, these people will be retiring, while at the moment, the birth rate is very low. Those being born today will supply the workforce in 30 years' time and they will not be able to provide the resources required for the pension funds at that time.

This is why I would like to ask you: what measures are you adopting to carry out a proper reform of the pensions systems in the long term, in a sustainable manner and for the benefit of Europe's citizens?

Michel Barnier, Member of the Commission. – (FR) Mrs Țicău, in the first part of my speech just now, which was quite short as per the rules, I myself mentioned one of the major challenges, other than mobility, which is that of demography. Moreover, even though the question of a family or demographic policy does not come under the main European areas of responsibility, I do think that we would all benefit from having a debate and making comparisons on this issue, which concerns, to a greater or lesser extent, all of the European countries. Our continent is probably one of the few continents in the world that will see its population fall relative to the other continents if birth rates do not recover.

It is against this extremely serious background, Mrs Țicău, and going beyond the issue of retirement itself, that we have to work on the pensions issue and on the issue of taking responsibility for dependency. That is why I believe that this Green Paper is a good tool that comes at the right time. You will not have to wait too long. We are working on the issue and we are going to put the final touches to it to ask all of these questions, whilst taking proper account of what falls under national responsibilities for pensions systems and what it is possible to do at European level, especially in relation to all these private pension funds and their proliferation on the European markets.

In any case, all of these issues – none of which will be excluded – will form part of the questions that we are going to be considering, whilst proposing some courses of action or guidelines in the Green Paper that I mentioned, which will be published in a few months' time.

President. – Question 29 by **Seán Kelly** (H-0068/10)

Subject: Flood insurance systems in the EU

Recent flooding in Ireland has caused approximately €500 million worth of damage to both private and public infrastructure. The Irish Government has made an application to the EU Solidarity Fund to cover a proportion of the damage to public infrastructure.

However, there is often no redress for private households and undertakings due to the prohibitive cost of private flood insurance. It is worth noting that one of the causal factors of the unprecedented flooding was

the uncoordinated planning of development, including, in some cases, on flood plains, and that some insurers are refusing to insure particular households and undertakings.

In the light of this, could the Commission outline any plans it has, if any, to draft legislative proposals to harmonise flood insurance provision in the EU, taking into account the market failure to provide adequate cover in some Member States? Failing that, could the Commission comment on any programmes it has developed to exchange best practice in this area between Member States?

Michel Barnier, *Member of the Commission*. – (FR) Mr President, ladies and gentlemen, Mr Kelly is asking a question relating to a recent tragic event, one that has struck Madeira and the Atlantic coast, in my country in particular, causing dozens of deaths. Whilst I am on the subject, I should naturally like to express once again our solidarity with all of the victims, and my colleague, Commissioner Hahn, has been at the scene in both of the places that I have just mentioned.

In this case, too, we have to confront the global challenge posed by climate change and we shall see a growing number of natural disasters, just as we shall continue to see, moreover, disasters that are not natural and that may have serious consequences for human life, nature and the economy. For example, I am thinking about industrial disasters, fires and disasters at sea.

This is an issue to which I have been personally committed for a very long time. It was here in this very Chamber, in 1999, that I, as the recently appointed Commissioner for Regional Policy, had to respond to Greek Members who were worried about the consequences of the earthquakes that had just occurred in their country.

At the time, I proposed, firstly, the creation of a solidarity fund and, secondly, the creation of a European civil protection force. We had to wait until 2002 and the major flooding that affected Germany, Austria and Slovakia before the Commission was able to create, in the space of three months, with the help of Parliament and of the Council, the Solidarity Fund that will intervene in Madeira and on the Atlantic coast, just as it has intervened in several major disasters since 2002.

My colleague, Mrs Georgieva, is working with Baroness Ashton on the introduction of the European Civil Protection Force, and I hope that we will not have to wait for a new disaster before we pool our responses and our relief efforts under a single European flag in disasters such as that in Haiti or the tsunami.

The question that was asked relates to insurance, because not everything is related to uninsurable public property that can be covered by the Solidarity Fund. I think that there is progress to be made on the risks that can be covered by insurance policies.

The 2009 White Paper on adapting to climate change suggests having publicly supported insurance systems where no insurance exists. In the follow-up to this White Paper, I want to examine the role insurance products could play in supplementing these measures. I intend to start with a benchmarking exercise: I have asked my services to examine what exists in the various Member States. In situations where there could be a crossborder impact, it might even be appropriate to promote insurance schemes that are Europe-wide rather than national.

I am very aware of the complexity of this issue, Mr Kelly. I shall carry out this work in cooperation with all of the stakeholders, with the insurance companies, with the Member States and the experts, to exchange best practices and to set the priorities at the correct level. I am convinced that we can improve the protection of Europe's citizens in the face of the increasing number of natural disasters. That is why I wish to undertake this extremely practical task of screening, of benchmarking the various existing insurance systems for natural disasters in the 27 Member States.

Seán Kelly (PPE). – We were all obviously very concerned about Madeira and France. In my own country, fortunately, nobody was killed but the insurance problem manifested itself very quickly. Lots of households cannot get insurance now and in one town, Clonmel, where there was flooding a number of years ago, insurance has risen six fold. Obviously, that is a huge issue and I compliment the Commissioner on looking into it.

I would also just like to ask him about countries and governments that do not implement the Floods Directive. Would he consider sanctions of some nature for them as well?

Michel Barnier, *Member of the Commission*. – (FR) This Floods Directive dates from 2007. There was also a Commission communication in 2009 on the prevention of natural or manmade disasters in general.

Mr Kelly, you are talking about fairly recent directives but the same thing applies to these and all the other directives, as soon as they become operative: the Commission must and will verify how the Member States are applying or not applying these directives. When we speak of flooding, as has been seen clearly in France and as can be seen in your own country, the consequences for land management of a failure to take precautions and of construction in flood zones are obvious. The Commission will act in this area, as in all others, by looking at what the Member States are doing or not doing and by taking the appropriate measures, including action against breaches, to ensure that these directives are applied.

Jim Higgins (PPE). – Apropos what Mr Kelly raised, and that is the implementation of the Floods Directive: as you know, it has to be transposed into national law this year, 2010, in all 27 Member States. What I would urge is that the Commission keeps an eye on national authorities in relation to the implementation of it. In 1995, I was the Minister with responsibility for flooding in Ireland. We brought a report out at that stage that there should be no further building of new houses in flood plains. And yet many of the houses looking for compensation in parts of Ireland were built post that.

So we need to implement the Floods Directive very rigidly indeed and to impose penalties on the Irish Government and local authorities and on anybody who breaches the conditions of the Floods Directive.

Janusz Władysław Zemke (S&D). – (PL) Mr Barnier, I would like to ask you about something else. We are talking about insurance, but I think that when it comes to disasters, two measures of another kind are needed. In relation to this, I would like to ask you about the following matter – should a rapid reaction centre not be established faster in Europe? We do not have a single centre which could react to disaster situations. Secondly, should we not put greater effort into establishing civil capabilities? For example, we do not have transport aircraft. In other words, apart from insurance, we need one centre and we need greater capabilities for giving help.

Michel Barnier, Member of the Commission. – (FR) Two different questions have been asked. First, on the question of the floods, I came as the Commissioner for the Internal Market and Services to reply to a specific question, Mr Kelly, which was as follows: how can best use be made of insurance policies, particularly to compensate people whose personal property has been affected? I am going to work on this snapshot of the various more or less sophisticated private insurance schemes, where some countries have hardly any insurance for this type of disaster and others, such as France, have a scheme that pays 100% compensation in the event of a natural disaster.

Flooding, Mr Kelly, is not an issue for which I have responsibility. I am going to ask Mr Potočník, my colleague with responsibility for the environment, to give you a written answer informing you of how this directive on flooding is or is not being applied. You are right, however, that the key issue lies in national and even regional or local powers in the areas of building or suitability for building. One cannot ask Brussels for everything, although the general rule is obvious: there are areas where building or further building should not occur. I even had a law passed in my country to move housing and factories located in areas that were regularly affected by flooding. I had a law passed in 1995, and people are compensated so that they leave before another disaster occurs.

Those are the ideas that I would like to bring together before coming back to you with some proposals on the issue of insurance policies.

I would like to say a final word on the issue of civil protection, even though the issue falls within the remit of other colleagues. It is an issue on which I did some work – as you know – which was supported by the European Parliament, at the request of President Barroso, in 2006. This work led me to propose the creation of a European civil protection force provided by Member States on a voluntary basis. We could introduce enhanced cooperation, starting from the bottom up, to get used to preparing our responses. When there is a tsunami or a tragedy in Haiti, it is never goodwill that we lack, but coordination. Human lives would be saved, time would be saved, money would be saved and, at the same time, there would be increased visibility if the European volunteers were to prepare their responses to the various categories of disasters.

Naturally, the responses cannot be the same for an industrial disaster, for a disaster such as the *Erika*, for flooding in Germany or France, for fires in Greece, for a tsunami, for major pandemics or even for a terrorist attack such as 11 September, which could still unfortunately occur in Europe.

The aim of this idea on which my colleagues are working – we shall come back to you with some concrete proposals – is to prepare a joint planned response. In any case, I remain very attached to this idea on which I have done a great deal of work with the support of the European Parliament.

President. – Question 30 by **Silvia-Adriana Ticău** (H-0109/10)

Subject: European action to combat poverty

According to Eurostat, around 85 million European citizens, 20% of children and 19% of European citizens over 65, were at risk of poverty in 2008. At EU level, 8% of the active population and 44% of unemployed people had an income below the poverty threshold, and having a job is not sufficient to guarantee a decent standard of living. Social protection measures in the Member States have cut the risk of poverty facing the EU population by 32%. The economic crisis has led to a rise in the unemployment rate to around 10% and widening social gaps.

Can the Commission say what measures it plans to take to create and preserve jobs in the EU and to guarantee a decent standard of living for all EU citizens through a sound and adequate social protection system?

László Andor, *Member of the Commission.* – I very much share the concerns expressed in this question about the welfare and well-being of Europeans, the questions on employment and social protection and fighting poverty.

As you know, 2010 is the European Year for Combating Poverty and Social Exclusion, in order to raise awareness about social problems. Hopefully this year will be good not only for discussing poverty, but also for committing ourselves to fighting it and to renewing this political commitment at EU level and among the Member States.

In order to provide an opportunity for this renewed commitment, the European Commission has included in the new EU 2020 strategy a headline target on poverty reduction, which is a reflection of our concern and the lessons learned over the past decades. The objective now is to reduce poverty by a quarter by 2020.

Fighting poverty requires prosperity, high-quality jobs for those who can work and sustain themselves, and solidarity towards those in need. These elements are all present in the EU 2020 strategy. Achieving the headline target on poverty will be supported by a dedicated flagship initiative which is called the European Platform Against Poverty. There are concrete instruments for maintaining and creating jobs at European level through the European Social Fund, the European Globalisation Fund and also the recent micro-credit initiative.

The actions taken by individual Member States are especially important. Still more needs to be done to ensure that high quality jobs are accessible to all to start with, but poverty reduction has to go well beyond questions of employment. As is recognised in the EU 2020 Communication, effective well designed social protection is indispensable for preventing and tackling poverty and exclusion.

The Member States are responsible for the financing and organisation of social protection systems, with the Commission supporting them in this task. As a key partner in the social open method of coordination, the Commission helps to identify and promote clear policy priorities, provides a monitoring framework and facilitates mutual learning. A good example so far includes the active inclusion framework, the benchmarking exercise on child poverty and the monitoring of the social impact of the crisis.

We will work very closely with the two presidencies this year: the Spanish Presidency and the Belgian Presidency. Both have important initiatives: the first stage of the Roma Summit, which was discussed a few minutes ago in this House and has a very strong impact on poverty reduction, while with the Belgian Presidency, we are preparing an initiative on reducing child poverty.

But it is not only governments we have to work with, but also NGOs. Without the NGOs, we cannot make completely successful programmes. We support NGOs dealing with poverty and social protection in general from the Progress Fund.

These are the main issues and they cover various directions where the Commission acts to reduce poverty.

Silvia-Adriana Ticău (S&D). – (RO) Thank you for your reply. However, I would have liked us also to discuss briefly the process of deindustrialisation which is going on in many Member States and which is one of the causes of the economic and social crisis we are going through.

An ambitious and intelligent European industrial policy will not only strengthen the European Union's competitiveness but, above all, generate new jobs. Therefore, what measures on European industrial policy will be included in the current Commission's programme of work, which will be able to boost the European

Union's competitiveness but, above all, generate new jobs, thereby making it possible to guarantee European citizens a decent living?

Thank you.

László Andor, *Member of the Commission*. – Indeed, creating more and better jobs is also included in the EU 2020 strategy. I would like to draw your attention to two more flagship initiatives. I already mentioned the one which focuses on poverty, but concerning the quantity and quality of jobs in Europe we have the 'new skills in jobs' flagship initiative; and under the sustainability pillar of Europe 2020, there is a flagship initiative on industrial policy.

I think this is a crucial point in the context of this question, because it has to be recognised that European Union instruments should not only target the impact of companies leaving Europe, like the Globalisation Fund. This plays a very important role in preventing poverty, preventing the loss of income and the loss of skills when corporations decide to relocate outside Europe; and for the first time now in a very long time, there is going to be a flagship initiative on industrial policy for a sustainable economy.

I think this will address many of the issues of industrial development and the issue of location. I fully agree with what was implied in the question, that without a comprehensive economic policy and employment policy, we cannot successfully fight poverty.

Franz Obermayr (NI). – (DE) During an economic crisis, the danger of social security fraud is particularly great. Is the Commission aware that, in Central Europe, there is large-scale social security fraud among States with high social disparities? For example, compensation payments for minimum pensions were fraudulently claimed by EU citizens from nine Member States, with these compensation payments clearly exceeding the actual pensions.

My question is this: does the Commission intend to provide individual Member States with tools that they can use to prevent such large-scale social security fraud?

Nikolaos Chountis (GUE/NGL). – (EL) Mr President, Commissioner, in Greece, over 20% of the population lives below the poverty line. Of these, 34% of people living in poverty are unemployed and 14% are working poor.

The problem of poverty which my fellow Member raised in her question in connection with Europe and the statistics which I have given you for Greece are due, in my opinion, to the failure of the neoliberal economic model championed by the Treaty of Lisbon and included in the text of the 2020 strategy.

I should like to ask you: Is it possible to combat the increasing proportion of people living in poverty with fragmented policies with elements of charity, or do we need a different economic policy, which revolves around full-time employment, meaning that you need to revise the EU 2020 strategy?

László Andor, *Member of the Commission*. – Starting with the second question if you do not mind, it is indeed very important to have a more stable macro-economic environment.

In the previous answer, I referred to the importance of a comprehensive economic policy in order to create a more stable environment, and indeed what was mentioned as the 'neoliberal trend' of recent decades needs to be reviewed. In Europe 2020, we have a number of initiatives, and I would like in particular to mention the chapter on financial regulation. This is a substantial change as compared to the previous regime and comes from the intention to stabilise the macro-economic environment which would relieve the pressure on the fiscal systems that are meant to support social protection systems and employment policies.

Concerning the abuse and the effectiveness of the social protection systems, indeed, the crisis is a test in this respect. What the Commission can do is to use the open method of coordination and the analytical and reporting capacity available to it to help Member States to better focus the social protection measures.

The challenge in crisis times, which was mentioned in the question, but also in the coming period, when various Member States will face the need for fiscal consolidation, will really be a test, and we cannot easily find more resources for fighting poverty. That is why we need to share experiences about how to use our instruments more effectively and how to target the vulnerable groups better.

President. – Question 31 by **Georgios Papanikolaou** (H-0089/10)

Subject: Evaluation of the Culture Programme 2007-2013

As part of efforts to promote and highlight European culture, in 2007, the European Union adopted the Culture Programme which will run until 2013. It has a total budget of approximately EUR 400 million.

The objectives of this programme include raising awareness of those aspects of culture which are of European significance and promoting the transnational mobility of people working in the cultural sector.

How does the Commission evaluate progress so far in attaining these two objectives?

Are Member States showing an interest and taking part in the Culture Programme, or does the Commission consider that it should launch new and more dynamic initiatives to attain its objectives by 2013?

Androulla Vassiliou, *Member of the Commission.* – (EL) Mr President, as Mr Papanikolaou said, the objective of the Culture Programme is to enrich the cultural experience of European citizens by promoting our common cultural heritage. The Commission is promoting cultural cooperation between authors, people working in the cultural sector and the institutions in the countries participating in the programme, with a view to encouraging the emergence of a European nationality.

The Culture Programme aims, in particular, to promote the cross-border mobility of people working in the cultural sector, to encourage cross-border movements of artistic and cultural works and products and to support cross-cultural dialogue. For example, under the Culture Programme in 2009, 749 applications were submitted and 256 plans were selected for funding, the main objective of 127 of which was the mobility of people working in the cultural sector.

According to the legal basis, regular external and independent evaluation of the programme is required. In July 2009, the Commission invited an independent contractor to evaluate the first three years' application of the Culture Programme 2007-2009 and, more importantly, the consistency of objectives, the initial results and the initial impact of the programme.

The contractor conducted the evaluation on the basis of data on the results from plans, recent individual evaluations and research and interviews with plan beneficiaries and interested persons working in the cultural sector. His final report will be submitted in the second half of this year. On that basis, the Commission will draft a report on the application of the programme and submit it to the European Parliament by no later than 31 December 2010.

Please note that the programme does not primarily target the national authorities; it targets people working in the cultural sector. The participation of people working in the cultural sector in plans is relatively evenly distributed across the Member States. The national authorities participate in groups of experts at European level in order to formulate the programme development policy.

Following two rounds of pilot studies on the mobility of artists inaugurated by the European Parliament for 2008 and 2009, and bearing in mind the talks already held within the framework of the open method of coordination, the Commission is currently evaluating the progress made to date and looking at ways of improving the application of the current programme.

Later on, before the year end, the Commission will start a public consultation procedure in order to pave the way for the new Culture Programme for 2014 onwards.

Georgios Papanikolaou (PPE). – (EL) Thank you, Commissioner, for your reply. I think this is the first time you have been here during this procedure. May I wish you every success in your work and *bon courage*.

It is indeed vital to raise awareness among European citizens about the cultural elements which are important to Europe and which form points of reference for our European culture and common values. I think that this point has become extremely important over recent years for Greece too, especially – to push the debate forward a little – under the weight of the use of cultural monuments for purposes unrelated to culture, in order to poke fun at my country. I refer to an article in the German magazine *Focus* with a doctored picture of the Venus de Milo; I refer to articles on the Internet which describe the Acropolis as a ruin.

I am afraid that this practice may no longer be the exception and I therefore ask you, Commissioner, if you have condemned these practices and if, within the framework of the programme we are debating, but not

only within that framework, the Commission plans to adopt a more decisive, a more – if I may say so – aggressive policy to promote culture ...

(The President cut off the speaker)

Androulla Vassiliou, *Member of the Commission*. – (EL) If you do not mind, I would rather not comment just now on articles in various publications, because I do not think we shall get anywhere by responding to articles like this.

What I would say is that cultural monuments, such as the Acropolis and other monuments in Greece and other Member States, are a source of inspiration and cross-cultural wealth and just today, the European Commission adopted a new system for labelling the major cultural monuments of the European Union, including the Acropolis.

I think that speaks for itself in terms of how Europe thinks about these monuments.

President. – Question 32 by **Liam Aylward** (H-0090/10)

Subject: Strengthening and funding grassroots sporting organisations in the EU

Grassroots sporting organisations make a huge contribution to European society, culture and the health of European citizens; in the current economic climate, however, many grassroots sporting organisations are experiencing financial difficulties. What action can the Commission take to strengthen grassroots sports and promote their development across the Member States?

The Commission has recently closed its public consultation on funding for grassroots sports. Can the Commission give further information on the aims of this public consultation and when further information on the outcome of this consultation will be available?

Androulla Vassiliou, *Member of the Commission*. – The Commission fully acknowledges the important role of grass-root sport within European society.

The 2007 White Paper on Sport therefore focused on the societal aspects of sport and proposed a number of actions, including the promotion of health-enhancing physical activity or sport's educational role of social inclusion in and through sport and of volunteering in sport, which have been, or are currently being, implemented.

Similarly, the new EU competence for sport enshrined in Article 165 highlights the sector's specific nature, its social and educational function, and its structures based on voluntary activity.

It thereby provides the framework for future EU action and gives direction for promoting sport across the EU and for developing the European dimension in sport.

The Commission intends to propose initiatives for implementing the Lisbon Treaty in the field of sport later this year. That will take account of the need to strengthen the grass-root sports sector.

The honourable Member also rightly points out that grass-root sports organisations face challenges in the current economic climate. The ongoing EU study on internal market barriers to sports funding, which was announced in the White Paper and which focuses on grass-root sports funding, addresses such challenges. The study aims to describe the key sources of financing, identify financing models in different Member States and for different sports disciplines and to analyse the EU regulatory environment and national policies that have an impact on sports funding.

Finally, the study should outline efficient business models that are also able to meet future challenges, such as the impact of the economic crisis on public sector budgets or on sponsorship, and identify means of strengthening the development of grass-root sport across the European Union.

The consultations on funding for grass-root sport referred to by the honourable Member were carried out within the framework of this study. The initial results of these consultations were presented to interested stakeholders at a conference on sustainable funding models for grass-root sport in the internal market, organised by the study contractor on 16 February in Brussels.

The outcomes of the conference will soon be published on the website of the Internal Market and Services Directorate-General.

Liam Aylward (ALDE). – I would like to thank the Commissioner for her response. I welcome her commitment, as outlined, to the development of sport at grass roots level.

Because of the ratification of the Lisbon Treaty, I welcome the fact that the European Union now has competence in the area of sport with a support budget. Can the Commission outline firstly how it intends to format the European Union sports programme and, secondly, say when we can expect the first communication from the Commission on this issue?

Androulla Vassiliou, Member of the Commission. – Indeed, we intend to promote communication on sport this summer. So, we will have the communication before the summer recess. That should provide the framework for enhanced cooperation, a new agenda for sport at EU level and also a draft decision for a two-year EU sport programme for 2012 and 2013.

Of course, in the meantime, as you very well know, we have the ongoing sport actions in 2009, 2010 and 2011, focusing on grass-root sport and the social aspect of sport. Actions for 2009 have already been approved and they are to be enforced this year. We are about to approve the action for 2010, which will also be ready in a couple of months.

Of course, as you very well know, unfortunately, the budget for 2010 has been cut from EUR 6 million to EUR 3 million. According to the budget that we have for 2011, we have new actions and new testing material in order to formulate our programme for 2012 and 2013.

Piotr Borys (PPE). – (PL) Mr President, Mrs Vassiliou, I would like to express enormous thanks for the declaration concerning the establishment of a new agenda for sport, but I would also like to present a certain idea related to this, which the Committee on Culture and Education is also talking about. It is related to the new key competences, to which can also be added, today, abilities in sport, knowledge of culture and knowledge about the European Union. Mrs Vassiliou, do you anticipate joining in the discussion on the new and very important aspect of key skills for young people throughout the European Union, so that the questions of sport, knowledge about the European Union and knowledge about culture, which are so important for building a European identity, will also be emphasised and accentuated?

Androulla Vassiliou, Member of the Commission. – Certainly, when I speak about the societal role of sport, matters concerning education and training are very important, and I think that education is even more important for our common European identity. This will certainly be taken into account when we formulate our more permanent programme on sport.

President. – Question 33 by **Jim Higgins** (H-0072/10)

Subject: Road deaths

Could the Commission please outline how it intends to combat the three main causes of road deaths: speed, drug/drink driving and inadequate road infrastructure?

Siim Kallas, Vice-President of the Commission. – Within the framework of the third European Action Programme on Road Safety up to 2010, a number of actions were implemented to combat speeding, drug and drink driving as well as to improve road infrastructure. Many of those actions have involved the European Parliament under the codecision procedure. But, of course, further efforts are needed.

The Commission is currently working on the European Road Safety Strategy for the next decade. It will stress the importance of proper enforcement and sanctions for dangerous behaviour, in particular, drink driving and excessive speed. Citizens of Member States cannot understand why other EU nationals are not sanctioned when they violate the law. For this reason, it is urgent to resume discussions on the proposals for a directive on cross-border enforcement, which received the full support of the European Parliament, but was blocked by the Council. The Commission is determined to move forward with this proposal.

Besides control and sanctions, education and awareness are areas to which the Commission will give strong emphasis. Specific actions should be proposed regarding alcohol and speed, such as alcohol locks in certain vehicles or more stringent requirements for novice drivers. Drug driving is an increasing problem. The Commission expects the ongoing DRUID research project to provide ideas for concrete action. As far as infrastructure is concerned, the European Parliament and the Council have adopted legislation regarding safe management and safety requirements for roads and tunnels of the trans-European network.

The Commission, of course, will closely follow their proper implementation by the Member States. But safety of road infrastructure is not limited to the major TEN roads; 56% of road deaths occur on rural roads. So the Commission will therefore examine the extension of current legislation on safe management to the secondary road network of Member States. Finally, the Commission will also verify that infrastructure projects receiving EU funding or loans take road safety requirements into account.

I must also underline that road safety is a shared responsibility between the EU institutions, Member States, local and regional bodies, associations and, of course, citizens. To reach maximum efficiency, solutions must respond to concrete problems on the ground. The next European Road Safety Strategy will propose a number of actions based on this principle. Its main goal is to establish a common European road safety area which will form part of a single European transport area where all EU citizens will benefit from the same level of safety all over Europe.

Jim Higgins (PPE). – (GA) Mr President, I would also like to express my thanks to the Commissioner. Listening to the Commissioner, it is clear that a lot of work has been done in relation to the involvement of speed and alcohol in causing road accidents. However, it is clear that we are not researching the effect of drugs in these cases. Driving while under the influence of alcohol or drugs is a major cause of almost 25% of road accidents in the European Union every year. 10 000 people die every year as a result of these accidents.

We must do more in relation to drugs, however, as it is clear that they are a major cause of road accidents and of deaths of people on the roads. I propose to the Commissioner that we must do a lot more.

I welcome the research but we must do a lot more with regard to making it effective.

Siim Kallas, Vice-President of the Commission. – Of course, I can only share your concern. The problem with drugs, as you know very well, is that, although we have relatively developed technology to find drivers who are under the influence of alcohol, it is much more difficult to detect the influence of drugs. We really must carry out research to find the necessary technology, because today, it is only a visible observation by the police, who then send people for medical testing, and only then can it become clear that there is a problem. We do, of course, need more.

Zigmantas Balčytis (S&D). – (LT) Thank you for the proposals submitted to solve that problem. I would like to ask whether you agree with studies that show that using a mobile phone while driving can cause driver reaction time to be reduced as much as being under the influence of alcohol or drugs. My other question concerns heavy goods vehicles. This is an object of increased risk, especially during the hours of darkness and, as you know well, heavy goods vehicles damage the condition of roads too, which also contributes to the number of accidents. Do you think that we should increase and maximise policies to transfer goods from road to rail.

Nikolaos Chountis (GUE/NGL). – (EL) Commissioner, the matter we are discussing and which my fellow Member touched on in his question is very serious. What we call 'road traffic accidents' are, in my opinion, collisions due to numerous causes and the real reason for numerous fatalities in Europe.

I should like, therefore, to ask you two specific questions:

Firstly, as most of these collisions occur in towns and most victims are pedestrians and cyclists, what initiatives do you think should be developed in order to follow a policy of 'vision zero', in other words, no victims in towns, particular attention at schools, cycle lanes and so forth?

My second question is: what do you intend to do so that justice is dispensed for the benefit of victims and their relatives within the framework of this vision, so that we can use this vision to achieve accident prevention?

Siim Kallas, Vice-President of the Commission. – Of course, the shift in modality, as it is called, to have a preference for the transport of goods by rail, is also a clear preference for the Commission, but that has been a desire for decades. We must now find and abolish the bottlenecks that stop us taking full advantage of railways. There are many things which must be done and I think that, during this Commission's term in office, we can move this forward a little.

I should say that the use of mobile phones while driving, at least in some countries – my own country included – is prohibited.

Regarding actions to address casualties and deaths in road traffic accidents, this Commission had, during this action plan, the ambitious target of reducing the number of deaths by 50%. It was not achieved but the reduction in the number of deaths was substantial.

This was, of course, brought about by the common efforts of European institutions but, above all, of Member States. In my own country, for instance, the reduction in the number of deaths has been even more remarkable during this decade – almost threefold. We have reserves and, although we will never reach zero accidents, we can do a lot to reduce the number of casualties. This is, of course, a very complex issue which includes not using alcohol, better roads, better conditions, education, training – all these things.

President. – As they deal with the same subject, the following questions will be taken together: Question 34 by **Ivo Belet** (H-0077/10)

Subject: Railway accident in Buizingen and electronic safety system

The serious railway accident in Buizingen, Belgium, on 15 February 2010, is being blamed on the absence of an electronic safety system which automatically applies trains' brakes if they pass a red light.

In addition to the national automatic train protection (ATP) systems, which have existed for years in some Member States, work is proceeding apace on the introduction of ERTMS (European Rail Traffic Management System) in Europe.

To what extent and for how long have the various Member States been equipping their railway lines and trains with national ATP systems?

What is the state of play with the introduction of ERTMS in the various Member States (both on trains and on railway lines)?

In the case of Member States which do not yet have national train protection systems, is it still worthwhile to invest in them, in view of the ongoing introduction of ERTMS and the major investment involved in a changeover?

How is the danger averted that railway infrastructure may be equipped with ERTMS but the trains may not, or vice versa?

Does this problem arise at present, for example for intercity railway traffic on the Liège-Aachen line?

What lessons should we perhaps learn here with regard to the liberalisation of the railways in Europe?

Question 35 by **Frieda Brepoels** (H-0091/10)

Subject: Causes of the dreadful train crash on Monday, 15 February in Buizingen

Can the Commission demonstrate whether liberalisation has affected safety?

In June 2008, the Commission sent Belgium a reasoned opinion formally criticising the complex three-part structure of Belgian Railways. Have the requisite measures since been taken in response to the objections raised by the Commission? How?

Since when has the European ERTMS standard been available? Did any delay occur in comparison with the scheduled date of introduction? If so, what were the causes of this delay and what remedial action has the Commission taken?

Did the debate on the European standard prevent the railways from introducing a system of their own to guarantee safety on domestic routes? Since when have the specifications for such national systems been available? In how many of the EU-27 countries does a national system already exist, and since when has it done so? Which countries score best?

What is Belgium's position in relation to the EU-27 regarding safety of the railway network?

Siim Kallas, Vice-President of the Commission. – The train accident in Buizingen on Monday, 15 February was a shocking tragedy and, in the aftermath of this serious accident, several technical and political questions concerning rail safety can be asked.

The causes of the accident are not yet fully known and the technical investigation has been launched in accordance with the provisions of the EU Safety Directive. The Belgian investigation body has the responsibility

for carrying this out. Two investigators from the European Railway Agency joined the Belgian team in charge of the investigation just a few hours after the accident had occurred.

I would like to stress that, as long as the causes of the accident have not been clarified, it is inappropriate to draw conclusions.

As is all too often the case when rail accidents happen, remarks alleging a link between European rules or regulations and the accidents have been made. I would first like to be very clear on the opening up of the market. Alongside the opening up of the rail freight sector to competition and the establishment of requirements to separate the activities of infrastructure managers and railway undertakings, a stringent regulatory framework was introduced covering rail safety and interoperability. We have carefully monitored this opening up of the rail sector to competition to ensure that it has no negative impact on rail safety, and the indicators clearly show no such impact.

I also see no relationship between the accident and the reasoned opinion we sent to Belgium in 2008 regarding the lack of independence between infrastructure managers and rail undertakings.

Any proposition linking rail safety levels to rail market opening is, in my view, just an excuse to steer the debate away from the true causes of the accident.

The question of the coexistence of national and European train control systems can be put in these terms. More than 20 different national systems are used in Europe today to ensure the safe movement of trains. The incompatibility of the different national systems poses a major problem for international trains because either locomotives have to be changed at each border or they have to be equipped with several onboard systems.

For this reason, a single system for use at European level has been designed and developed and is currently being installed on major international lines and trains in Europe. The system is known as ERTMS, the European Rail Traffic Management System.

As regards the timing, most of the national systems were developed in the early 1980s, but their deployment is a long and costly process. In most of the countries where these systems exist, only part of the national networks and locomotives have been equipped to date, and this partial installation of the equipment took approximately 20 years.

ERTMS specifications have been available since 2000. A number of pilot projects were carried out between 2000 and 2005. Since 2005, several ERTMS equipped lines have been put into service.

At present, 10 Member States have lines with ERTMS and there are projects ongoing in almost all Member States. In Belgium, for example, the line between Aachen and Liège is equipped and intercity trains running on this line are equipped.

The ERTMS will, therefore, probably coexist with national systems for a period of 20 years. Some Member States will benefit earlier than others from the European system. We see, for example, that the Italian and Spanish high-speed network is already almost fully equipped, that the conventional network of Luxembourg is also almost fully equipped, while in 15 Member States, there are only pilot lines or projects.

It should also be noted that automatic train protection systems are just one element contributing to the safety of the network. Appropriate training, sound maintenance and better protection of level crossings are other important components for safety.

If we take a broader range of safety indicators, overall data show that railway safety standards in Europe are generally very high.

Ivo Belet (PPE). – (NL) Mr President, Commissioner, the lessons to be learned from this tragedy are indeed a matter for the Belgian services: the Belgian Government. Indeed, a special investigation committee will shortly be setting to work on this in the Belgian Parliament.

I have one more question for you, Commissioner. What are your views on the social aspect, that of the workload of train crews, and of train drivers in particular? Should we perhaps be looking into this, too, and could it be that European rules are required, particularly given that the competition in passenger transport is even set to increase in the next few years?

Frieda Brepoels (Verts/ALE). – (NL) I should like to extend warm thanks to the Commissioner for his answers to a number of very specific questions. There was one of my questions he did not answer, which related to the reasoned opinion sent to Belgium by the Commission back in 2008. In 2009, a lack of independence of the Belgian railway infrastructure manager (Infrabel) from the National Railway Company of Belgium (SNCB) and the holding company was established once again. I should like to know how much longer the Commission is going to give the SNCB to actually carry out the necessary restructuring operations?

Siim Kallas, Vice-President of the Commission. – Firstly, on the operators and social questions. We can look at this in depth and analyse the situation because, of course, if we have more competition and more intensive traffic, we should address very seriously these social aspects as well. We have various regulations already in place concerning, for instance, pilots in aviation. You will know of the Driving Time Directive in road transport, and some similar control over the driving time should be applied to all drivers, including locomotive drivers.

So I think that we should look very seriously at this issue. There is always national legislation as well, and these are primarily questions for national legislation also, but that is a question we should certainly look at.

I said that in 2008, the Commission had communicated a reasoned opinion to Belgium on the lack of safeguards to guarantee the independence of the infrastructure manager from rail undertakings in the exercise of essential functions, track allocation and charging. The Belgian authorities have replied to this and the Commission services are analysing this reply with a view to proposing a follow-up.

But, returning to the rail accident, this was a tragic event which should have been avoided, but never in the world will there be absolutely zero accidents. This is a very complex question. I suppose the investigation will give us concrete answers as to what the causes of the accident were and, in many cases, this is a tragic combination of several factors, including human factors. From the 19th century onwards, it has been clear that a red light is a signal to stop. So it does not mean that we can find one very simple answer as to why this accident happened.

Piotr Borys (PPE). – (PL) Mr Kallas, I think we should draw conclusions from this tragedy. Of course, a very detailed procedure will explain if the human factor was to blame, or if, perhaps, it was a matter of equipment or of the lack of a system. In your opinion, how long will it be before the ERTMS will come into use, and do you not think that, with the liberalisation of both passenger and freight railway transport, the system of very clear verification of quality of service and equipment should be separate from national systems?

Siim Kallas, Vice-President of the Commission. – The plan is to deploy the ERTMS system on main European railway networks before 2015, so there is a date where we think that this deployment plan will be implemented, but this does not mean that every line, especially regional lines, will be equipped with such high-level equipment, so there must always be other systems as well. This deployment plan exists, but it is a costly operation and a big investment.

A European system of measuring quality is a good idea. When I express the idea of developing transport as a whole as an entity for Europe, under the possible name of the European single transport area, then of course this means that we must also harmonise quality requirements and the quality of services must be maintained at a very high level.

President. – Question 36 by **Jacek Włosowicz** (H-0103/10)

Subject: Daylight Saving Time

Do any up-to-date studies support the practice of changing the clocks twice a year, which severely disrupts the daily lives of EU citizens?

Siim Kallas, Vice-President of the Commission. – Of course, we have had a directive since January 2001, when the Council and Parliament adopted the current directive on summer time in the European Union. This directive harmonises the calendar of the application of summer time in the EU. This is the ninth directive on the issue since 1980 when the first Summer Time Directive was adopted.

In accordance with the above directives, in 2007, the Commission presented a report on the impact of the current summer time regime. The report concluded that, on the basis of the information placed at the disposal of the Commission, the summer time regime has no negative impact and generated some energy savings. The current arrangements do not constitute any subject of concern in the Member States of the European

Union. No Member State has required or has, since the report was published, ever required a modification of the current arrangements.

The honourable Member could hardly find a more suitable person to answer this question, not because I am responsible for transport, but because I was in the Estonian Government which did exactly what is behind your question. First, in 1999, from 2000 we abolished turning the clock. We changed this regime and maintained one time regime. In 2002, we turned back and again introduced summer time. So, I have very personal experience of this.

Two unpleasant things happened, which is why this step made in 2000 became extremely unpopular. One thing was that the daylight disappears in the evening. Morning will be bright but you have nothing to do with this sunlight in the morning. In the evening, it will get dark too soon and, if you come home from work and want to have some exercise or go out with children, it is already evening. People did not like this at all.

Secondly, of course, there was a total confusion about timetables and schedule – as you can imagine – relating to all travel arrangements to other countries. So we restored the present summer time regime, turning the clock twice a year. People are happy and this question has not been raised again.

Jacek Włosowicz (ECR). – (PL) Mr President, Mr Kallas, one doubt I have is related to the fact that some countries in Europe, for example, the United Kingdom, use a different time in relation to continental Europe, and this lack of change does not cause problems there. Is it not, after all, the case that standardising the time all across Europe to one time zone would be beneficial just from the transport perspective?

Siim Kallas, Vice-President of the Commission. – As I said, I have had personal experience and I do not see any reason to start changing the system again or to make some changes to this system. It can become more complicated.

President. – Question 37 by **Gay Mitchell (H-0071/10)**

Subject: The freedom/security balance

In many countries across the European Union, the alarmism caused by global terrorism has led to a frightening erosion of civil liberties. A fundamental principle underpinning the social contract is that a government must justify any restriction on the rights of the citizen by clearly and irrefutably demonstrating the necessity of that restriction for the general security of the nation. The burden of proof appears to have been transferred from the authorities implementing the security measure to the people subject to it.

Does the Commission agree with this assessment? How will the Commission go about redressing the imbalance between security and freedom?

Viviane Reding, Vice-President of the Commission. – The protection and promotion of fundamental rights should not be seen in opposition to the measures addressing the continuing threat of terrorism: they should go hand in hand. Anti-terrorism activities must be conducted with full respect for the principle of the rule of law and the full respect of fundamental rights as they are enshrined at the level of the European Union in the Charter of Fundamental Rights.

This is not a question of compromise or balancing one requirement against the other; it is a question of delivering both, but without compromising on fundamental rights of course.

Complying with fundamental rights does not prevent the adoption of effective security measures, and this has been recognised by the way in the Stockholm Programme which calls on the European institutions to ensure that all tools deployed to fight against terrorism fully respect fundamental rights. Therefore, I believe that this is a question of balance and not a question of balancing the one against the other.

Gay Mitchell (PPE). – As far as I am concerned, hammer the terrorists, hammer the criminals. I have no problem with that whatsoever, but what I am concerned about is that we, as parliamentarians, are not stressing sufficiently, either in the European Parliament or in Member States, that we expect that to be done in a way that protects the public, rather than undermining it or its privacy, that data is protected, that citizens' privacy is protected, and that citizens who are innocent and law abiding are not subject to intrusion by the State. It is imperative that this is included.

Viviane Reding, Vice-President of the Commission. – I could not agree more with the honourable Member. You know, from my hearing and also from my actions before as Telecoms Commissioner, that data protection is very high on the agenda.

I have pledged to reform the Data Protection Directive of 1995 in order to adapt it to the modern world of technology, but I have also made it very clear that it is not because we have to protect society that we can give data out. The private data of the individual cannot be jeopardised by other measures.

I have seen how Parliament argued and voted on the SWIFT question. The Commission will take the views of Parliament into consideration when developing a new mandate in order to have a new SWIFT Agreement with our American partners: one which balances the right to privacy and the need to combat terrorism.

President. – Question 38 by **Marian Harkin** (H-0087/10)

Subject: Green Paper on volunteering

In order to raise awareness of the value of volunteering throughout the EU, would the Commission consider, in conjunction with the proposed initiatives to celebrate the European Year on Volunteering, drawing up a comprehensive Green Paper on volunteering to facilitate, recognise and add value to volunteering?

In addition to drawing up such a Green Paper, does the Commission consider it important to build synergies between other international organisations such as the ILO and the UN in relation to the JHU/ILO Volunteer Measurement Project and the UN Non-Profit Handbook?

Viviane Reding, *Vice-President of the Commission*. – I am very sorry, I do not have this question. I have many questions here, but not this one.

(The President proposed that the question be answered in writing)

Marian Harkin (ALDE). – I shall be perfectly happy to get a reply from the Commissioner in writing.

Viviane Reding, *Vice-President of the Commission*. – I am sorry. Something must have gone wrong in the organisation.

Marian Harkin (ALDE). – I would hope that the Commissioner would look carefully at what I have suggested given the possibilities with 2011 as the European Year on Volunteering, and perhaps also look at the possibility of a Green Paper following on from that after consultation with voluntary groups, etc. I also hope that you take on board the importance of using either the ILO manual or the UN handbook to measure volunteering across the Member States.

Viviane Reding, *Vice-President of the Commission*. – I can assure the honourable Member that on volunteering – which is a very important question, and the Commission is working on this – she will get the right answers to what she has asked.

President. – Question 39 by **Bernd Posselt** (H-0088/10)

Subject: Long-standing minorities

What possibilities of developing a strategy to protect and promote ethnic groups and minorities of long standing do the Lisbon Treaty and the EU Fundamental Rights Charter give the Commission, and what practical steps are planned?

Viviane Reding, *Vice-President of the Commission*. – You are aware that one of the values on which the European Union is founded is the respect for the rights of persons who belong to minorities, and with the entry into force of the Treaty of Lisbon, this is explicitly mentioned in Article 2 of the treaty. Article 21 of the Charter of Fundamental Rights explicitly prohibits any discrimination on grounds of language or membership of a national minority. The Commission will ensure, within the scope of its mandate, that these fundamental rights are respected in EU law, including when Member States implement EU law.

There are also a number of pieces of EU legislation and EU programmes that can contribute to improving the situation of persons belonging to minorities; the Commission intends to combine these instruments to address difficulties including acts of discrimination which are likely to affect persons belonging to minorities.

You are also aware that there is the existing EU anti-discrimination legislation, which will be used to ensure equal treatment of persons belonging to a minority, and the Commission has adopted a proposal for a new directive currently under discussion that would extend protection against discrimination on the grounds of religion and beliefs, disability, age and sexual orientation to fields other than employment and occupation.

The Council framework decision on combating certain forms and expressions of racism and xenophobia by means of criminal law also aims to ensure that hate speech on grounds of race, colour, religion, descent or national and ethnic groups and hate crimes are penalised in all Member States. Now the Commission is monitoring the implementation of this framework decision as closely as possible and a group of national experts has been created to this end.

There is also the European Union Agency for Fundamental Rights, which plays a key role in assisting the Commission to enforce its task; and there is a Council of Europe Charter for Regional and Minority Languages and the framework convention for the protection of national minorities.

I would like to tell the honourable Member that I hope that more Member States would follow the example of those who have already signed and ratified those important conventions.

Bernd Posselt (PPE). – (DE) Commissioner, that last point relates to precisely what I am concerned about. I would like to ask once again: are there any instruments for positive discrimination in favour of long-standing national minorities? We should develop strategies for these people in the same way as we do for others.

Secondly, is the Agency for Fundamental Rights in Vienna also responsible for this and how do they arrange their contacts with civil society? That is in progress at the moment, of course, but are the traditional minorities also included in this? There is nothing so unfair as treating unequal groups equally.

Viviane Reding, Vice-President of the Commission. – I agree with the honourable Member. There is nothing more unfair than treating unequal groups in the same way.

We really have to consider utilising the scarce resources which we have in a very active and intelligent way.

The European Union Agency for Fundamental Rights has, of course, some objectives to fulfil but, if Parliament or the Commission ask the Agency to accomplish a certain task, the Agency will certainly do that.

Therefore, I would ask the Member to hand me the questions he would like to ask the European Union Agency for Fundamental Rights to tackle and I will see what can be done in a positive way.

Marc Tarabella (S&D). – (FR) Mr President, I fully understand the timing requirements. I would just like to stress the need for a special year dedicated to violence against women, such are the taboos that often still exist in relation to this issue.

Too many women are victims of violence, which is often physical, of course, but which can also be verbal and psychological. Moreover, it often occurs within the family environment, and these women are ashamed to admit it. It is true that a year dedicated to this problem would certainly help to ensure that this phenomenon, which is still taboo, diminishes and thus to combat violence against women more effectively.

President. – Questions which have not been answered for lack of time will receive written answers (see Annex).

That concludes Question Time.

(The sitting was suspended at 19.50 and resumed at 21.00)

IN THE CHAIR: MR SCHMITT

Vice-President

14. Implementation of the first railway package directives (debate)

President. – The next item is the debate on the oral question to the Commission by Brian Simpson, on behalf of the Committee on Transport and Tourism, on the implementation of the first railway package (Directives 2001/12/EC, 2001/13/EC and 2001/14/EC) (O-0030/2010 - B7-0204/2010)

Brian Simpson, author. – Mr President, I do not think I will pull my punches here tonight in regard to this particular oral question on the implementation of the first railway package. You will be aware, Commissioner, that the three directives that make up the first railway package were adopted in 2001, with a deadline of March 2006 for their transposition into national law. It is my obligation, as Chair of the Transport Committee, to raise this issue with you now by way of this oral question.

Here we are, nine years later, debating the fact that 21 Member States had, by October 2009, failed to enact these directives and have now been sent reasoned opinions because of this failure. It beggars belief that, as we approach the revision of the first railway package, a number of states – including so-called influential states, including states that like to inform us of their pro-European credentials – have failed to enact this significant piece of European legislation. Those Member States should hang their heads in shame and remember and honour the obligations they gave to this Parliament in 2001.

It is one of politics' most bewildering facts that we can deliver throughout the European Union the single market in numerous areas, but we cannot deliver it in the railway sector. That is not a failure of this Parliament. That is a failure of the Member States, often supported by sections of the railway industry and, frankly, Parliament's patience is beginning to run out.

This oral question is born out of a frustration, a frustration that the law is being deliberately flouted and that as yet, the Commission has failed to bring Member States to book. We are now demanding to know what aspects in each failing Member State of each directive have not been enacted. We need to know why certain Member States have not correctly implemented these directives. We want to know which Member States are still resisting the concept of fair competition in the railway sector and deliberately protecting their own national companies.

We have concerns regarding the powers and independence of regulators and infrastructure managers in some of these Member States. We believe the lack of transparency and lack of harmonisation on infrastructure charges is leading to a protectionist practice and is acting as a break on delivering the single market to the railway sector, as well as stifling cross-border activity. If you add to this various national measures such as rolling stock taxes, then you have to question whether certain Member States ever intended to implement these directives in the first place.

Today, we need to know many things. We need to know how the Commission, via the recast, will facilitate the full implementation of the full railway package. Today, we need to know what the Commission is doing to enforce European law on this issue. Today, we need to know why it has taken so long for action to be taken against those Member States who have failed.

We on the Transport Committee often highlight the need for effective interoperability in the rail sector. Without that, and without the opening of national infrastructure, European rail freight is doomed. Transborder European passenger trains will be stifled. The single market will never be delivered, and the ERTMS will never happen.

The time has come to develop a true European perspective for our railway network, and the first step for that development is the first railway package. Without that first step being taken, then others cannot follow. We need direct action and we need it now. Let us name and shame those Member States that are failing, and let us take action against them now.

Siim Kallas, Vice-President of the Commission. – Mr President, I should like to thank Mr Simpson and the Committee on Transport and Tourism for initiating this discussion and for promoting competitiveness and openness in the railway sector. I have always had strong support in Parliament and I hope this will continue.

The report on rail market monitoring which the Commission published at the end of 2009 shows that the progressive decline of the railways since the 1970s has been stopped in all market segments after the opening of the market and adoption of the first package. So there are some positive notes as well.

However, the economic crisis has had a serious impact on rail, with rail freight operators losing up to 30% of their business; this crisis has highlighted and increased existing structural problems of the railways.

These problems are, on the one hand, linked to the economics of rail and the persisting financial weakness of some actors. A number of Member States still fail to ensure sufficient budget for the infrastructure managers. This not only results in underinvestment which undermines the quality and performance of the rail network; it also builds up indebtedness levels.

On the other hand, there are still economic and technical barriers to market entry. Very often, new entrants find themselves discriminated against, in particular, where incumbent rail operators also have indirect control over the provision and use of rail infrastructure.

The newly established regulatory bodies do not all have the necessary powers and independence to ensure fair and transparent market conditions. The Commission adopted a two-tier approach to tackle these

problems: infringement procedures to address incorrect implementation of the rules, and changes to the rules when they were not clear or precise enough.

The first line of approach – infringement procedures – required a detailed analysis of the legal situation in all the 25 Member States that have railway systems and resulted in the reasoned opinions that were sent out in 2009. The main problems are, first, insufficient implementation of the provisions of the directive on track access charging; second, lack of independence of the infrastructure manager in relation to railway operators and the failure to ensure sufficient independence, resources and powers for the regulatory body.

The second line of approach was to take advantage of the announced process of recasting the existing rail packages to propose improvements to the existing rules on rail market access.

In parallel, we will pursue our holistic approach with a view to achieving a genuine internal market for rail. We will continue to promote the technical harmonisation of rail in conjunction with the European Railway Agency.

Mathieu Grosch, *on behalf of the PPE Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, if the Belgian painter Magritte had painted the first railway package directives, he would have written underneath ‘These are not directives’. In fact, the whole debate that we have been having for some time seems, to me, almost surreal. In 2003, we decided that the transposition should be completed in 2006 and now, in 2010, we are asking why 21 countries are not doing what they themselves have put their signature to.

Liberalisation was intended to allow new players onto the market. That was the theory. In practice, things look rather different in this regard, too. Today, we are in a position in which – whether we are for or against liberalisation in this area – we have to assess this liberalisation and we are faced with the problem that it has largely not been transposed. The companies themselves – as we have seen in various countries – have made decisions in the name of liberalisation relating to staffing and technology that were not always pleasant, even though this liberalisation had not been transposed.

In the light of this, we have to conclude that, seen in this way, historical beneficiaries of the railways still hold the keys to the opening of the market in their hands – access to the tracks, technical interoperability, training and certification, to give just a few examples. With these keys, they can open the door to an open market, but they can also close it. That has been the case in most countries and it is still the case today.

Therefore, the proposals that you have made here and that we have briefly looked at represent an initial step. For me, in order to correctly assess liberalisation, it is important that we quickly carry out implementation or enforce it using the means available to the Commission or means that it still needs to grant itself.

Saïd El Khadraoui, *on behalf of the S&D Group*. – (NL) Mr President, Commissioner, I should like to start by noting that rail freight’s share of the market first decreased, from approximately 13% in 1995 to 10.5% in 2002, and then stabilised, whereas in the case of passenger transport, where liberalisation has also been unsuccessful or has not been implemented, we have actually seen an increase over recent years.

My main point in saying this is that market opening is just one instrument, and that a successful single European railway market actually requires a combination of measures. These include measures relating to market forces, of course, but also social ground rules, human resources aspects, more advanced interoperability – on which I believe we have a great deal more work to do – and indeed, sufficient instruments for financing infrastructure projects. Only if we tackle this in a consistent, coherent manner can we achieve our objective.

I have one more question for the Commissioner. We hear that a revision of the first railway package is indeed on the way. My question is: when can we expect this revision, and what does the Commissioner see as the main objective to be achieved by this means?

Gesine Meissner, *on behalf of the ALDE Group*. – (DE) Mr President, Commissioner, in the hearing in the Committee on Transport and Tourism, I was very pleased to hear you say that the greatest thing that we have been able to achieve in Europe is mobility and freedom of movement for the people. With regard to the freedom of movement as well as the internal market, you also mentioned that it is essential not only for people to be able to move from A to B, but for goods to be able to do so too. In 1992, we adopted the internal market *de facto* in the European Parliament and, with the first railway package in 2001, we also created the conditions for the free internal market in the railway sector. It has already been said that it is now 2010 and we still do not have this in place. It is, in fact, shameful that 21 states are still setting up obstacles. This is protectionism – that has already been mentioned as well – and it is most regrettable that this is the case.

Of course, we now need to consider why this is the case. You mentioned the different rail systems, Commissioner, but that cannot be the only reason. In fact, there are still many countries that think they can escape this if they try to return to old times by saying that anything to do with the separation of infrastructures and services should not be taken so seriously. That is completely the wrong way to go.

I am also eager to see when you might be able to carry out this revision of the directive. I would also like to urge you specifically – and this has already been said by previous speakers – to be strict with the Member States. We of course come from different Member States, but within the transport sector, we are all agreed that it is very important finally to bring some order here. You are a new Commissioner so you are not to blame for what has – or has not – been done in the past. You therefore have a unique opportunity now to make progress relatively quickly in the railway sector and really take the internal market forward, and with it all European citizens, too. I am counting on this and I am already looking forward to seeing what you are going to do in the near future.

Isabelle Durant, *on behalf of the Verts/ALE Group*. – (FR) Mr President, Commissioner, the inspiration for the first railway package came almost 15 years ago. At the time, the priority objective, which of course I share, was for rail transport to increase its market share. Liberalisation, which was one of the ways to achieve this, is showing mixed and not always very conclusive results. It has already been said that rail transport's share of the freight market is stagnating whilst road transport is gaining market share.

At the same time, the number of travellers has increased considerably, even without any liberalisation process, and the high-speed rail network, which is built on the basis of cooperation rather than of competition, is quite a success.

In addition, you have mentioned newcomers. There are far too few of these newcomers, and many of them have been absorbed by large companies. Put another way, I am not sure that monopoly by large companies was the intended aim.

As regards application, if we consider the number of infringement procedures, there is, objectively speaking, a well-known problem, in other words, a lack of independence of the regulatory and appeals bodies, even where there is functional or institutional separation, and this separation may also entail other issues and costs relating to internal coordination.

Whilst awaiting your answers, Commissioner, I can only urge you to adopt a prudent attitude, which does not force the matter, which takes the holistic approach that you mentioned, which fully and objectively assesses the previous packages, but which makes a full assessment before taking the next step. This assessment must therefore be thorough and must include the issues of working conditions, security and safety, public service obligations and the lack of internalisation of external costs, before any further progress is made in the liberalisation process.

I should therefore be interested to hear what your priorities are in relation to this matter, given that some progress has been made – it has to be recognised and others have spoken about it – namely, improved transparency in accounts reporting, progress on interoperability, harmonisation of training and licences, and improved signalling and safety. Much remains to be done, however, and I shall insist on a prudent, thorough assessment that is free from taboos so that we do not progress too quickly to the following stages.

Oldřich Vlasák, *on behalf of the ECR Group*. – (CS) Ladies and gentlemen, when the European regulatory framework for railways was approved, we all hoped that it would lead to greater transparency in the financing of this sector of the economy and that new opportunities would be created for the involvement of new players. It seemed that the European rail transport sector was standing on the threshold of a new era. However, the hoped-for market liberalisation failed to materialise. As we all know, in 21 Member States, including the Czech Republic, there has been no proper implementation of the first railway package, while questions remain unresolved relating, in particular, to the opening of railway markets to economic competition.

The situation in the Czech Republic provides evidence of the fact that there is a real problem. Although the state has now taken the first steps, which allow the entry of other rail transport operators onto the market, in reality, the political will for allowing real competition on the railways is lacking. This is confirmed by the behaviour of the socialist leaders of various regions who, at the end of last year, concluded ten-year agreements with Czech rail company, České dráhy, with the option of a further five years for the provision of regional rail services, and all this without any form of public tender. Local leaders, who won four-year mandates in the elections, have therefore actually closed the railway market for 15 years. The monopoly holder, České

dráhy, will not now be forced to improve its services in any way whatsoever, and this will have fatal consequences for the railways.

In this context, there is therefore a question as to whether the current debate on taxing employment benefits, which trade unionists have opened up in the Czech Republic, and the related threat of strikes, only serves in reality to distract attention from the real issues. The result of these issues is that rail transport is increasingly being relegated to the periphery of social and economic concern, while, on the contrary, road transport, so heavily criticised by the Greens, is logically growing in popularity. I would therefore like to urge the European Commission to increase its efforts to promote genuine liberalisation of the rail sector and to monitor closely whether the non-market behaviour of various actors is in accordance with European law.

Jaromír Kohlíček, *on behalf of the GUE/NGL Group*. – (CS) I would like to begin by saying that I completely disagree with Mr Vlasák, whose government has also participated in what he himself is criticising. Now to the matter in hand. As the objective of this railway package was to open up the rail transport market by separating infrastructure, passenger transport and freight transport, it is possible to find out relatively easily whether the Member States, following transition periods of varying lengths, have fulfilled the formal requirements of the directive. What is not so easy to find out, and what the directive does not focus on, are the varying safety regulations of the individual states, the minimal conformity of work conditions for the crews that are manning the trains and the workers securing the operation of the infrastructure and the many differences in technical regulations. The ERTMS is supposed to be a magic formula that should technically unify both infrastructure and rolling stock. I am therefore looking forward to a clear answer concerning the compatibility of the EU rail network with the ERTMS standard. I have not heard one yet.

Perhaps this question has a bearing on the logically connected question of how the opening of the rail transport markets is being exploited at present by foreign and national entities in the various countries. I am not interested, of course, in the entities with interlinked ownership which provide regional transport services on a formally independent basis in countries such as Germany, for example, but in independent operators on the market.

I would like to end by emphasising that neither the first nor the subsequent railway packages will resolve the social conditions of employees. This may soon become a major problem for the opening up of the railway market. It is not acceptable to adopt the lowest possible standard as a solution.

Mike Natrass, *on behalf of the EFD Group*. – Mr President, to the disadvantage of the United Kingdom, the UK Government has implemented the EU rail package. This is mainly because, these days, the Lib-Lab-Con sit at Westminster and like to be told what to do, having given away control to the EU.

The separation of train operators and separation of the rail network is leading to major problems, courtesy of the EU. No wonder 21 countries are too wise to get caught in an EU rail web leading to mayhem on all stations to Brussels.

I am not a Socialist, but if you need an integrated transport system, then state ownership is best – and not separation into multiple private hands. Having six different companies on the network between Birmingham and Berlin will create a complete 'dog's breakfast', or should I say a '*Dachshunds Frühstück*'.

When Eurorail is broken up to allow the surplus capacity to be run by different companies, we will no longer have rolling stock, just laughing stock.

Brian Simpson, who is responsible for this debate, is a member of the Labour Party. Labour was once Socialist, and he was elected by people who still think Labour is Socialist. Yet here he is, hiding in the EU, away from his faithful supporters. What is he calling for? He is calling for privatisation. More than that; he is calling for an EU model which does not work and is against the wishes of his own voters.

He is, in fact, the 'Fat Controller', creating fat pay packets for fat cats. The one thing that we can be sure of is that there is fat chance that this EU directive will be accepted, as it will derail the EU rail network.

Georges Bach (PPE). – (DE) Mr President, Commissioner, I welcome the review of the transposition of the first railway package and the planned recast. I believe that this review is long overdue. However, I regret the fact that the Commission is receiving no, or only insufficient, information from the Member States. That makes an efficient and honest assessment extremely difficult. However, it is not only necessary to make an assessment. We also need to urge the Member States to actually implement the necessary steps.

In any assessment, it is essential that importance be attached to the subject of safety. Have we learned from the recent negative experiences and will these be taken into account? That is my question. On this issue, the Commission is far too reticent towards the public, who are extremely concerned. This applies to quality, too. I would like to ask the Commission to consider how generally binding quality criteria can be set. A great deal has been said about inadequate quality, but it is not possible to measure this reliably. The lack of investment, which you have already mentioned, Commissioner, is also regrettable. Despite Cohesion Fund cofinancing, in most countries, investment in roads is still significantly higher than in the rail system. I would like, in this context, to mention ERTMS – this system categorically must be introduced across Europe for the network, but also for the rolling stock, in order to improve route safety.

I would warn against further steps in the direction of the planned liberalisation of national passenger transport. The initiatives already taken in this connection have shown that there are still many hurdles to be overcome and that the Commission would do well to first of all carry out a complete technical harmonisation and ensure the thorough transposition of the directives adopted.

Silvia-Adriana Țicău (S&D). – (RO) Rail transport must be a priority in the EU's transport policy up to 2020, supporting such objectives as opening up competition, improving the national networks' interoperability and safety and developing the rail transport infrastructure.

However, competition must not be increased to the detriment of the safety or quality of rail services. I believe that the review of the first railway package must identify the problems facing the Member States that have received reasoned opinions from the Commission, along with a method for resolving them.

I wish to draw your attention to the fact that, due to the crisis, thousands of redundancies have been made in the rail transport sector, which may have an adverse impact on European rail transport. The ERTMS was implemented at the end of last year along approximately 2 700 km of railway lines in the European Union and it will be implemented along 24 000 km of railway lines by 2020. This means huge investment is required, and we are expecting, Commissioner, new solutions and financial instruments that are capable of providing the necessary funding, as well as investment in the appropriate modernisation of the rolling stock.

Ryszard Czarnecki (ECR). – (PL) In my country, we have a saying, a proverb, which says that if one person tells you that you are drunk, you do not have to worry about it, but when five people tell you that you are drunk, you had better go to bed, lie down and go to sleep.

If only one or two Member States had not introduced this first package, we would be able to impose sanctions today and fulminate in this Chamber, but if twenty-something Member States have not introduced this package, then perhaps the package – to put it mildly – is not the best. Perhaps the cause lies here, or the problem is this. If I hear substantial criticism a moment ago from my fellow Member from the United Kingdom, and in fact, that country has introduced the package, one might wonder if use of the package is, in fact, completely appropriate.

There is, of course, the other side of the coin – in the context of accidents, which we also spoke about, here, two hours ago, during Question Time with the Commission. I am thinking of the matter of safety. From this point of view, safety is, indeed, increased. The Vice-President of the Commission, Mr Kallas, drew attention to a significant problem when he said that a number of Member States are not investing in railways and that the possibilities for investment in infrastructure are not being realised. One such country is my country of Poland where, in the last two years, there has been a kind of collapse in terms of financing of the railways, with all the results that this brings.

Finally, I think that very easy definitions and very easy recipes are, by definition, suspect.

Jacky Hénin (GUE/NGL). – (FR) Mr President, some people here are bemoaning the difficulties and the slow progress in implementing the first railway package directives. As for me, I am pleased about this. In my country, in my region, we are fighting with the railway unions and with the users' committees to ensure that these wicked directives are not applied and are thus consigned to the dustbin of history.

In France, one of the challenges of the regional elections is precisely the fact that the regional councils are blocking implementation of the Public Service Obligation (PSO) regulation on the opening up to competition of regional rail transport. We do not want a twospeed railway whereby private companies have the market in fast, comfortable business trains with reserved seats whose fares only the wealthy can afford, whilst the public has unsafe, uncomfortable, antiquated second class trains for the poor.

Each passing day proves this: the separation of the infrastructure from the business of transport imposed by the directives so as to enable the system to be opened up to brutal competition is a technical and organisational nonsense that is costly both to taxpayers and to users. Whilst it is useful to the big corporations, it is dislocating public transport and is responsible for the declining state of the network and of safety. The directives mentioned also destroy jobs and constitute a theft of public property for the benefit of private interests.

Jaroslav Paška (EFD). – (SK) With the adoption of three sets of directives governing traffic on railway lines, the European Commission has taken over joint responsibility for the organisation of railway transport in the European Union.

There is no doubt that implementation of new railway rules into the various national laws may bring certain problems and price rises. However, it is definitely in our common interest to have well-organised transport and a well-operating rail transport structure as a meaningful alternative, in particular, to road transport, which undoubtedly places a very significant burden on our environment. Therefore, it is certainly correct to speak openly about the problems that have been hampering more rapid development of rail transport. Not just rules though, but also an insight into the future may be in our interest.

European railways from three points of the compass end in coastal ports, while in the eastern direction, the railway lines run as far as the Pacific. Good links between European railways on the EU's eastern border would open new opportunities for European carriers to transport goods. And therefore, if high-speed rail lines could be successfully extended from Paris to Vienna and Bratislava in the near future and, at the same time, a wide-gauge line could be extended from Čierna and Tisou at the Ukrainian border to Bratislava and Vienna, then three different railway systems – classic rail, high-speed and wide-gauge – would meet at a section between Bratislava and Vienna. In conjunction with two airports – Vienna and Bratislava, two ports on the Danube River – Vienna and Bratislava again, and motorway junctions, a new and important logistics and transportation hub is being created right in the centre of Europe.

There is no dispute that, in addition to maintaining and specifying the rules, we still have significant reserves to effectively increase the dynamics of rail transport. We only need to look at the investment opportunities and possibly toward making the rules more precise, as well as investing in new projects to support rail transport so that it will become more profitable and better able to serve the citizens of Europe.

Antonio Cancian (PPE). – (IT) Mr President, Commissioner, ladies and gentlemen, in this period, we have been talking a great deal about transport planning and we will be talking about it in the next period as well. I believe that it is discouraging to begin with the revision of the first package in light of what has happened up to now. We therefore need to be bolder in order to try and turn things around. I believe that everything rests on and revolves around three main points.

The first point, in my opinion, is the liberalisation of railway transport to create competition and stimulate competitiveness, obviously with clear and transparent rules for all, as has already been mentioned. The second key point is interoperability between the Member States and between the various internal modes of railway transport. The third point is, of course, safety, and safety certification has to be a prerequisite for obtaining a licence to operate. Still on the subject of safety, and in view of the common market, it is not enough to penalise the inefficiency of the States relative to the regulatory bodies: the powers of the European Railway Agency need to be broadened so as to give it greater authority over inspections and controls.

I believe that these are the efforts we have to make in the forthcoming period as we work towards the sustainable future of transport, the revision of the Trans-European Transport Networks (TEN-T) and freight transport, which is already under way in our committee and, not least, this revision that we must take control of and carry out in order to change the path that has been taken up to this point.

Inés Ayala Sender (S&D). – (ES) Mr President, my country was one of the 20 issued with a warning in October 2009, and I can assure you that we have since got moving on this issue.

It is not for nothing that Spain heads the list of European Union countries whose passenger rail transportation increased the most in 2007-2008. Goods transportation, however, is another matter.

Yet I would ask you this, Commissioner: when an outlying country is separated from Europe by a mountain range more than 500 kilometres in length – the Pyrenees – which railways can only cross at either end and which requires the axles to be changed on every train that crosses the border, on account of the different track width passed on to us by a long history of autarchies, what can possibly be the incentive for other

operators to cross the border with France when there are so many obstacles? Even though Deutsche Bahn has bought Transfesa, it is still having a difficult time.

For that reason, I sincerely believe that, as well as the stick of warnings and sanctions my fellow Members are requesting, we need the carrot of European-level infrastructures. Trans-European networks are urgently required.

This is why we urgently need to give a definitive push to ambitious cross-border railway projects such as the central Pyrenees crossing, with a low-level tunnel devoted to goods transportation. That will oblige the more protectionist, reticent Member States to join the north-south, east-west railway network that Europe needs for its 2020 strategy.

Brian Simpson, author. – Mr President, I was named by one of the Members opposite. Mr Nattrass made some very personal remarks against me before sneaking out of the Chamber without listening to the debate. Of course, this is a man who would not know one end of a railway locomotive from the other and whose expertise is restricted to Thomas the Tank Engine.

I do appreciate that UKIP have no idea with regard to manners and parliamentary procedure; this was evident recently in Brussels. However, as a democrat adhering to democratic principles and procedures, I presented this oral question on behalf of the Committee on Transport and Tourism as its Chair, which it is my proud duty to do. That is why I delivered it as such, so I really do not think I should be subjected to abuse from the other side of the Chamber from that group of rogues.

As an aside, I just thought I would mention in passing that, under the Labour Government in the United Kingdom, railway patronage has increased 20% over recent years – even on the route from London to Birmingham!

Herbert Dorfmann (PPE). – (DE) Mr President, Commissioner, ladies and gentlemen, let me simply tell you about a personal experience. I live on an important rail route – the route via the Brenner Pass to Verona. The Italian national railways have been neglecting both goods and passenger transport here for years. Austrian railways now travel this route five times a day. However, no timetables for this are provided at Italian railway stations, nor do they issue tickets. Now, the reconstruction of this route at a cost of around EUR 20 billion is currently being considered and the European Union has also invested a lot of money in this. So we can see how absurd things sometimes are in this area. It is not always the very big things that make the issue complicated; sometimes it is the small things.

For this reason, Commissioner, I urge you to take decisive action here, to impose sanctions and to actively ensure that the Commission's directives are complied with.

João Ferreira (GUE/NGL). – (PT) Mr President, it is now apparent what has been the true objective of the so-called railway package, which was launched with the stated aim, a laudable one, of setting up connection points which would secure interoperability. The real intention, which we denounced at the time, was to open up rail transport, particularly that of merchandise, to competition and private interests, as a first step towards the complete liberalisation of the sector at Community level.

As in other instances of liberalisation, the process begins by making the most out of the fact that something does not operate well at a particular time, neglecting the real causes of such situations, particularly the years of persistent policies of dismantling and neglecting the public sector, in order to justify liberalising measures and to promote the aforementioned competition, without any real reflection on how or why it will improve matters. Experience, as we have already heard here today, shows us quite the opposite: liberalisation is the cause of, and not the solution to, the principal problems of the sector, most obviously of all those relating to the quality and accessibility of the services and the rights of workers.

There can be no doubt that public investment in the railway sector is of a strategic nature for energy and environmental reasons, but it must not take place to serve the profit seeking of those large private interests which are intent on taking control of this vital public sector in every country through its liberalisation at the level of the EU internal market.

Silvia-Adriana Țicău (S&D). – (RO) I would like to mention again the situation which faces trained and accredited rail sector staff during a time of crisis.

In Romania, more than 6 000 redundancies will be made in the rail transport sector during this period. The European Social Fund and the European Globalisation Adjustment Fund will certainly be mobilised to support

those affected, but these are only temporary solutions. This is why, Commissioner, I hope that we will manage to devise together a strategy promoting the sustainable development of rail transport so that we can offer safe, good-quality services and jobs for qualified staff in the rail transport sector.

Siim Kallas, Vice-President of the Commission. – Mr President, I wish to thank the honourable Members for their remarks. We will have ample opportunity to discuss the recasting of the first railway package. I just want to reply to some remarks.

First, information about the 21 Member States and the concrete reasons why the reasoned opinion was sent is public information, so anybody who wants can get that information.

This first railway package has very good intentions: to remove barriers and to improve the conditions for better functioning of transport. We will pursue the same goal with the recasting of the package. The problem is not that the package was bad, but that implementation was insufficient. Barriers still exist and resistance to removing barriers is still very strong. We must change the old system of state-owned monopolies with great privileges and no interoperability. We must change that system and improve interoperability. That is the purpose of developing this railway reform.

The problem is precisely that this has not been completed. We must, of course, always balance all the steps taken with quality control. That is also where the railway package has ideas, such as on how to strengthen the role of regulatory agencies. The problem is that the regulatory agencies remain very mixed in with the interests of state-owned companies. You cannot then expect a high level of quality control.

These issues must and will be addressed in the recasting of the railway package, and perhaps in other strategic documents as well. Adequate financing remains a very big problem, and we need to find innovative ways to finance the bottlenecks. Many Members mentioned the need for investment. We must combine all possible tools and find new tools to pinpoint resources for investment in railways, including modern traffic management systems, booking systems for buying tickets in the same way as for air transport, and also better connect eastern Europe to western Europe, which is another substantial problem.

The detailed list of all the elements in the process of preparing this recast railway package is very long. I would be very happy to come back to you with concrete proposals once we have the concrete legislative documents.

President. – The debate is closed.

Written statements (Rule 149)

Ádám Kósa (PPE), in writing. – (HU) I welcome the fact that by announcing the first railway package, the European Commission started a process which can be considered as the first step in harmonising railway services within Europe. However, the fact that the transposition of the three directives included in the package caused serious problems for 21 Member States created a serious difficulty which could hinder the proper transposition of any further packages. I draw the European Commission's attention to a contradiction between the high level of economic and efficiency requirements laid down in connection with railway systems in Europe, on the one hand, and the positive effect of the railway on regional development, improving the mobility of rural populations and people with disabilities, and the environment, on the other. I suggest that the Commission resolves this contradiction by finding an appropriate balance and compromise, bearing in mind the clarification of the principle of cost sharing between Member States and the European Union, and the importance of establishing harmonised transport within the EU. A healthy competition involving all participants of the industry should be developed, where the actual competition is between individual and public transportation rather than between the different modes of public transport.

Artur Zasada (PPE), in writing. – (PL) A problem for the proper functioning of the railway market in the new Member States and, in turn, a factor which restricts liberalisation of the market, is the incorrect financing of the railways, in other words, a lack of sufficient means to maintain the railway infrastructure. This results in high access prices and, as a consequence, restricts the competitiveness of this branch of the transportation industry because of the high costs of transport. A further problem is the underfunding of services which are a public service, a result of which is the debts of companies operating in the passenger sector. This then limits the possibilities for investment, for example, in new rolling stock. In the context of appropriate regulation of the European railway market, it is essential to strengthen the national market regulators. By strengthening, I mean increasing their independence and effectiveness, improving the quality of staff, etc. It would also appear to be legitimate to establish a European market regulator, which will monitor correct performance

of functions assigned to national regulators and report directly to the European Commission on any irregularities found.

15. Anti-Counterfeiting Trade Agreement (ACTA) (debate)

President. – The next item is the debate on the oral question to the Commission by Carl Schlyter, on behalf of the Verts/ALE Group, Daniel Caspary, on behalf of the PPE Group, Kader Arif, on behalf of the S&D Group, Niccolò Rinaldi, on behalf of the ALDE Group, Helmut Scholz, on behalf of the GUE/NGL Group, and Syed Kamall, on behalf of the ECR Group, on transparency and the state of play of the ACTA negotiations (Anti-Counterfeiting Trade Agreement) (O-0026/2010 - B7-0020/2010)

Carl Schlyter, author. – (SV) Mr President, each institution has to defend its role. Parliament is the voice of the people of the EU and must uphold the interests of its citizens. The Commission calls itself the guardian of the treaty, but in this case, it is the principles of transparency, human rights and parliamentary rights that you need to defend. If we are not given access to the documents, none of the EU institutions will be fulfilling its role or meeting our citizens' expectations.

Some of the Commissioners emphasised in their hearings that Parliament must have access to documents on the same terms as the Council of Ministers, and Parliament expects the Commission to stand by its promises. Many of our citizens are concerned that they are being robbed of their freedoms and rights by the continual torrents of invasive legislation, such as the legislation on data retention, Ipred 1, Ipred 2, SWIFT, and so on. The EU cannot continue to negotiate on ACTA unless its citizens are given an opportunity to be involved in the process.

The main issue today is transparency, although naturally, the content is also sensitive. The EU must clearly indicate that the terms of our participation in the ACTA process are transparency and the defence of human rights and freedoms. Only once we have set out the inalienable rights that exist in a free and open society can we then, within the framework of these rights, fight crime and debate the form that various agreements are to take.

It is an absolutely absurd and unacceptable situation if we have to ask the Commission behind closed doors about the content of the agreements that we are expected to make decisions about. Our citizens want guarantees that their electronic devices will not be searched at borders, that they are entitled to be connected and that criminal sanctions will not be brought in over their heads. We expect you to promise us today full participation in ACTA; if not, I will have to conclude with a classic response: see you in court.

Daniel Caspary, author. – (DE) Mr President, Commissioner, ladies and gentlemen, counterfeiting, smuggling, and the violation of intellectual property rights doubtless pose a huge problem, first of all, for us as the European Union as a whole, but also for many Member States. It is a problem for entrepreneurs, workers and consumers that more and more counterfeit products are also finding their way onto the European internal market. We now estimate that counterfeit goods to the value of around EUR 250 billion are flooding our market. In the best case scenario, if a medicine like the contraceptive pill is counterfeited and does not work – as has recently been said at an event – a woman would simply become pregnant. However, in the worst case scenario, if the medicine does not work, it can be a matter of life and death, and that cannot be in our interests.

We urgently need to do something about the violation of intellectual property rights, smuggling and counterfeiting. It is unacceptable that, in 2008, we confiscated 178 million counterfeit articles at our borders, 20 million of which were dangerous, with more than 50% of these articles coming from China. Therefore, we must take action in this area. The problem is clear: the Treaty of Lisbon entered into force on 1 December. Negotiations regarding ACTA have been going on for three years and therefore we, as the European Parliament, were not nearly as involved in the past as we need to be in the future.

I therefore hope that, in the next few weeks and months, we definitely attain more transparency in this area. We need access to data that clearly tell us what is happening at the moment in the negotiations and what position the European Commission is adopting. The negotiations must continue. We need the successful conclusion of an appropriate agreement. The points of criticism from the various groups are sufficiently well known in this House. In the interests of workers, employers, industry and consumers, I hope that we reach a meaningful conclusion, but that in arriving at this conclusion, we take account in the negotiations of the existing *acquis communautaire* and do not go beyond it.

Bernd Lange, *deputising for the author*. – (DE) Mr President, Commissioner, I have three questions on my mind. The first is, why are we still lacking transparency when the Treaty of Lisbon has been in force since 1 December and we have had an interinstitutional agreement with the Commission since 10 February? I cannot understand why it is still the case that the Council is sitting at the table as an observer in the negotiations, Parliament is not involved and the documents are not publicly accessible. So why is this, Commissioner?

The second question that is of concern to me is this: who is actually negotiating the ACTA Agreement? This is not being negotiated as some sort of follow-up agreement to TRIPS within the framework of the World Trade Organisation. It is only being negotiated by individual States and – as we hear from the United States – also by powerful economic interests. I ask myself whether, in fact, standards are not being set which will ultimately apply to everyone even though not everyone is sitting round the negotiating table.

The third question that is troubling me, Commissioner, is this: what actually is the substance of the negotiations? In your hearing, you answered my question and assured me that the *acquis communautaire* was secure. However, when I look at individual papers that have leaked out I unfortunately have my doubts about this. I understand that negotiations are being held, that blocks on the Internet are possible, that providers are to be used, so to speak, to help police the Internet for economic interests, that restrictions on research and science may sometimes be imposed and that some people are even trying to introduce general surveillance systems. I therefore ask myself, where in all this is the *acquis communautaire*?

There is also the question of compensation. The fact that the inclusion of lost profit in the compensation is being negotiated is not appropriate for our policy.

Of course, my third question, Commissioner, is what is the actual relationship between online and offline? When I read that online and offline are both supposed to represent the digital world, does that essentially mean that there are also to be restrictions and searches of laptops, iPods and MP3 players at borders? Would you please provide answers to these three questions.

Niccolò Rinaldi, *author*. – (IT) Mr President, Commissioner, ladies and gentlemen, I believe that there is an original sin in the subject that we are debating this evening, and that is the secrecy with which the negotiations have been carried out up to now. This secrecy has also possibly been exacerbated by an imbalance, if it is true that US industries, unlike the European public and institutions, have had access to a series of information resources on the basis of a confidentiality pact. The nontransparency of the negotiations is a problem that we face in other cases as well – we talked about this in the context of the agreement with Korea – and it is something that now, with the entry into force of the Treaty of Lisbon, must end.

It seems to me that this original sin is also the result of an abuse: that of using the fight against counterfeiting to lead other battles as if it were a kind of watchword in the name of which anything is allowed. Moreover, this is certainly an incredibly important battle for a trade power such as the European Union. Commissioner, I am from Venice, a city that you know well, where the regulations on counterfeiting products – I am thinking, for example, of Murano glass – used to be very severe (even extending so far as the death penalty). Therefore, this is definitely something that we must take seriously in an increasingly global economy such as our own.

However, this agreement is giving rise to serious threats, which are alarming the public, and the Commission must, of course, be aware of this. In fact, this issue, which really should be specific to the Committee on International Trade, is becoming less and less so, while the same committee is increasingly doing the work of the Committee on Civil Liberties, Justice and Home Affairs.

We worry about issues relating to freedom of information and of expression via the Internet, the right to privacy and the possible criminal and civil consequences for Internet service providers. There is a sort of red line that should not be crossed, and I would ask the Commission to proceed very cautiously on this matter.

More strictly from a trade point of view, I would like to ask the Commissioner for reassurance that the Anti-Counterfeiting Trade Agreement (ACTA) may not be used to hinder the sale of medicines available at more competitive prices; safe, generic medicines that do not infringe copyright and whose only crime is that they are produced by emerging countries such as India and Brazil and that they may encroach on western pharmaceutical industries.

Helmut Scholz, *author*. – (DE) Mr President, ladies and gentlemen, Commissioner De Gucht, if you meet with representatives from ten governments in a small group in a back room in order to agree on a global surveillance regulation containing such sensitive chapter headings as 'enforcement of the law' and 'civil penal

measures in connection with border controls and the Internet', you can hardly be surprised if rumours emerge and if questions are raised to which citizens rightly want answers.

I totally agree with the criticism levelled by my fellow Members. However, you need to be aware of the concerns behind the questions from the Committee on International Trade, which have cross-group support, namely, that an agreement that was originally supposed to be about the protection of engineering achievements and patents is now reaching deep into the area of civil rights, the democracy of communication, the decentralised potential for innovation and cultural development and the protection of personal data. However, Articles 7 and 8 of the Charter of Fundamental Rights also govern your negotiations and we will remind you of this continually.

Such an agreement will affect the whole world. However, you are excluding the emerging economies and developing countries, as well as civil society organisations, trade unions and national parliaments from the negotiations – to put it simply, you are excluding the general public in whose service and under whose control you are supposed to be. You are negotiating without a mandate from the European Parliament. You continue to fob us off with two-page summaries of the results of whole negotiating rounds. You refuse to follow the new law and disclose to us the same documents that the Member States receive in relation to these negotiations. If you now claim that the concerns of my group are unfounded, then prove it. Lay the negotiation documents on the table straight away. If you dream of one day receiving the approval of this Parliament for the results of your negotiations, then you ought to learn from the experience of the democratic decision taken against the SWIFT Agreement. All I can say to you is welcome to democracy. This Parliament will no longer permit back-room debates and decisions.

Syed Kamall, *author*. – Mr President, I think the Commissioner can see the strength of feeling across Parliament, across all the parliamentary groups, where we are clearly calling, whatever our differences are on different aspects of ACTA and counterfeit trading and also the intellectual property rights, we are all agreed here on the need for greater transparency. I hope that has come across quite clearly.

Commissioner, we are all concerned that when you have negotiations where there is not sufficient transparency – we are not aware of the principles and what our negotiating position is in these talks – then what will happen is that you create a vacuum and, when you create a vacuum, we all know that rumours fill that vacuum. We have seen leaks purporting to be official documents. We have no way of knowing whether they are actually official documents or whether they are made up, but it just shows what happens when you do not have enough transparency and you do not share information.

I think some of us really also understand the need sometimes for a bit of confidentiality. Surely, when we are in negotiations, we do not want to give away all our negotiating positions; we do not want to give away our chips.

But what we are asking for is reasonable transparency. Why can we not have access to these documents? Why can we not have access to the texts? And if you feel that, for reasons of transparency and for negotiations, you cannot give us this, then at least give us summary positions and tell us what our basic principles are in these negotiations.

So, for example, are we going to support proposals that appear to be on the table, according to what is on the blogosphere, that MP3 players and laptops can be confiscated at borders? Will there be criminal sanctions? Is the EU position to support this? I think we need to know and I think it shows the strength of feeling across this Parliament that we have been able to come together on a broad compromise, even though we may have slight differences and nuances here, to agree on a common text.

So, Commissioner, it is over to you to demonstrate transparency and demonstrate that you recognise the democratic accountability that we all seek.

Karel De Gucht, *Member of the Commission*. – Mr President, I understand Members' concerns about the ACTA negotiations.

Let me first recall that we are negotiating this agreement in order to improve the protection of 'made in Europe' innovation in all areas where intellectual property rights can be breached. If we want to remain a competitive economy, we will have to rely on innovation, creativity and brand exclusivity. That is one of our main competitive advantages on the world market. So we need the tools to ensure that this competitive advantage is adequately protected in our main export markets.

We have tried to raise this issue for several years in multilateral organisations like the WTO or the World Intellectual Property Organisation. Those attempts have been systematically blocked by other countries. So, despite our preference for a truly global solution, we have had no other choice but to engage with a coalition of the willing.

The final agreement will only be binding on those countries that have signed, although we would of course be happy if more countries, and especially emerging economies, could subsequently join.

As I said during my hearing, those international negotiations are confidential. That is not unusual. Negotiations are about seeking an agreed outcome and require a minimum confidentiality in order for each party to feel comfortable to make concessions and/or to try out options before finally settling on an agreement.

On the other hand, I agree that Parliament needs to be adequately informed about the evolution of the negotiations. We are doing our utmost in two areas: to inform Parliament, and to convince our negotiating partners to agree to more transparency. Firstly, as regards information to Parliament, we have provided you with the negotiating guidelines, full reports on the negotiating rounds and, in general, all the relevant documents originating from DG Trade that have been shared with the Member States through the Trade Policy Committee. We have done this in accordance with the framework agreement. Also, ACTA has been discussed several times in the Committee on International Trade in the last three years.

Let me add to this that the Commission organised two stakeholder conferences on ACTA in June 2008 and April 2009, which were open to all citizens, industry, NGOs and the media. Another public conference will be organised on 22 March in Brussels.

I understand that you may feel that this is not sufficient for you to have a clear picture on where we stand in these negotiations. I have instructed my services to provide dedicated briefings with interested MEPs on all aspects of the negotiations. They will be at your disposal for discussion before and after each further negotiating round.

Secondly, I realise that the best way for you to know what is going on in these negotiations would be to read the draft negotiating text. This would give you a very clear picture of where exactly we are in those negotiations. As you probably know, there is an agreement amongst ACTA parties that the negotiating text can only be made public if all parties agree. The Commission is in favour of releasing the negotiating documents as soon as possible. However, a few ACTA negotiating parties remain opposed to early release. I strongly disagree with their approach but I cannot unilaterally breach a confidentiality commitment. My credibility as a negotiator is at stake.

Nevertheless, I will see to it that, at the next negotiating round in April, the Commission vigorously pushes its negotiating partners to agree to releasing the text, and I will raise Parliament's concerns bilaterally with ACTA parties, like the US, whom I am scheduled to meet before then. It is in the interests of all that everyone has a clear idea of what exactly these negotiations are about and even more importantly, also of what they are not about.

Finally, as regards your concerns on the substance, I would like to recall the main principles that are driving the Commission in the negotiation of this agreement.

First, the objective is to address large-scale infringements of intellectual property rights which have a significant commercial impact. It will not lead to the limitation of civil liberties or harassment of consumers.

Secondly, ACTA is only about enforcement of intellectual property rights. It will not include provisions modifying substantive intellectual property law such as the creation of new rights, the scope of protection or duration. However, it should set minimum rules on how innovators can enforce their rights in courts, at the borders or over the Internet. For example, a European fashion designer, when confronted with counterfeiting of his creations outside Europe, can ensure that his rights are adequately safeguarded abroad.

Thirdly, ACTA must, and will, remain in line with the *acquis communautaire*, including the current level of harmonisation of IPR enforcement, the e-Commerce Directive, the telecoms regulatory framework and, last but not least, the applicable EU legislation on data protection and piracy. There will be no harmonisation or changes to EU legislation through the back door.

In this sense, ACTA will have no impact on European citizens, since it will not create new obligations for the EU and no need for implementing legislation. However, it will provide our innovators increased protection in overseas markets.

I am aware of the concerns expressed by some of you about the introduction of a compulsory 'three strike' rule or graduated response to fight copyright infringements and Internet piracy. Let me be very clear on this so there is no room for ambiguity. The three strike rule or graduated response systems are not compulsory in Europe. Different EU countries have different approaches and we want to keep that flexibility while fully respecting fundamental rights, freedoms and civil liberties. The EU does not support, and will not accept, ACTA creating an obligation to disconnect people from the Internet because of illegal downloads.

Similarly, we will make sure that ACTA does not hamper access to generic medicines. I know there has been some controversy on the impact of EU customs legislation on trade in generic medicines. As I have already told you at my hearing, that problem will be addressed in the upcoming revision of our customs legislation.

Finally, you also asked about an impact assessment on ACTA. In fact, considering that the Commission will not go beyond the *acquis communautaire*, we took as our basis the studies made for the 2004 directive on the enforcement of intellectual property rights and for the 2005 Proposal for a directive on criminal enforcement of IPR (which was not adopted).

We also considered the conclusions of the 2008 OECD study on the economic impact of counterfeiting and piracy. That study values the economy of physical internationally traded counterfeits at USD 250 billion, which is to say, more than the individual GDP of 150 countries. It also contains an exhaustive analysis of the piracy of digital contents.

In short, I hear your concerns and will defend them to the best of my ability. Your confidence and support will help me carry this important task forward.

Tokia Saïfi, *on behalf of the PPE Group*. – (FR) Mr President, Commissioner, since the Treaty of Lisbon came into force, we have had new powers that we wish henceforth to see respected. Therefore, we have listened to you and we ask you to introduce an ongoing, transparent consultation procedure on the AntiCounterfeiting Trade Agreement (ACTA), ensuring that the European Parliament and the citizens represented by this Chamber are regularly and fully informed of the progress of the negotiations, whilst respecting the confidentiality clauses which, as you have just indicated to us, are related to the agreement. We wish today to have access to the text and the summary of the negotiations so that we may be fully involved in the legislative process.

Moreover, my group and I would encourage you to pursue the negotiations in order to achieve a multilateral treaty that improves the standards of application and of respect for intellectual property rights to which, eventually, the emerging economies such as China could subscribe. Counterfeiting is a scourge, an underground activity and one aspect of unfair competition that, as well as being a danger to the body, society and the economy, is a danger to the mind.

By depriving authors as well as the companies which have invested many years in researching and developing the fruits of their work, it discourages others from pursuing their efforts to innovate and create. However, we know that this is where the heart of European Union competitiveness resides.

Finally, I believe that with the development of our digital environment, we cannot deny that counterfeiting has become intangible. Therefore, I remain convinced that it is possible to make Internet users, especially those who hijack copyright, liable without comprising respect for fundamental rights and civil liberties. Let us work together to find this balance between rights and responsibilities.

David Martin, *on behalf of the S&D Group*. – Mr President, I thank the Commissioner for his contribution. Commissioner, you said at the end of your contribution that you have heard our concerns and you are responding to them. Well, I think, as they say, 'up to a point'. I am not convinced that you have entirely grasped all our concerns about the ACTA negotiations. It is true that there is common ground between us in terms of the fact that IPR right holders deserve a fair return on their rights, but counterfeit goods can and do sometimes pose a threat to human health.

So, like you, we are not against international cooperation to tackle piracy, to tackle counterfeiting and to deal with other abuses of intellectual property rights. But, we repeat, it has to be based on the existing *acquis communautaire*. If you are giving us an absolute assurance on that, then I accept it, but you said you were not going to do it through the back door – which it seemed to me still gave you the opportunity to do it through the front door – but if you are saying absolutely no move to the *acquis communautaire*, then I am pleased to hear that and I accept your word on that.

Similarly, you said you would not criminalise individuals for downloading from the Internet, but then you talked about the external borders of the Community and what might happen with people going away rather

than coming into the EU, so again, we do not want anything in ACTA which criminalises anyone for individual use. Even though we might frown on it, nobody should be criminalised for personal use of copyright material.

Of course, any action through ACTA has to be proportional to the aims. It is not a blank cheque for copyright holders. The problem, as other Members have said, is that we do not know the situation because of the secrecy surrounding this.

I welcome the fact that you have given a strong commitment to get the draft negotiating text and that you will put pressure on the other parties. I think you have to tell the other parties, though, that this will not strengthen you as a negotiator: it will weaken you as a negotiator if you cannot release the draft text, because you will not have – as was very clear tonight – the support of this House if we cannot see the draft text on which you are working.

Finally, on a positive note, I welcome your comments on generic medicine and I look forward to seeing the review of the Customs Regulation.

Sophia in 't Veld, *on behalf of the ALDE Group*. – Mr President, when preparing for this debate about copyright, intellectual property rights and how we want to protect the creative and intellectual efforts of our fellow citizens, I had to think back to the theft a couple of years ago of a truck containing the new Harry Potter books, just days before their release. But today the thief would not bother stealing a truck; he would simply illegally download it on to his laptop or MP3 player and carry it across the border.

I welcome the Commission's commitment to transparency but, according to the briefing note kindly provided by your services, the assertion that negotiators were required to sign a non-disclosure agreement is incorrect. You have just said that you signed, or the previous Commission signed, such an agreement and that you are therefore bound by it. I would like to understand which of the two statements is true. If there is no such non-disclosure clause, all relevant documents must be made immediately and publicly available.

If, on the other hand, there is such a clause, we need to hear from the Commissioner what he will do to ensure full transparency and information of the public, not just of this House, because restricted access for Members of Parliament only, subject to confidentiality, is not enough. European citizens have a right to know about decisions that deeply affect their rights and freedoms. In any case, such non-disclosure agreements must become a thing of the past. The EU should, in future, insist that European standards of transparency apply.

The democratic legitimacy of these negotiations is weak. There has not been any debate to establish the aims and principles of the EU. The mandate has not received any parliamentary approval. You may argue that there is no legal requirement but that is beside the point because, if 27 individuals – national ministers – consider that they can give themselves a mandate to negotiate in secret on the fundamental rights and freedoms of European citizens, I can only conclude that their understanding of democracy differs fundamentally from mine.

Parliament means business. No 'three strikes out'; no warrantless searches and confiscation of laptops or mobile phones. Parliament needs to have watertight guarantees that such clauses will not be introduced via the back door of an international agreement.

Finally, I wish you an excellent trip to New Zealand next month, and please make sure that your iPod does not contain any illegally downloaded material!

Christian Engström, *on behalf of the Verts/ALE Group*. – Mr President, first of all, I would like to congratulate the Commission on finally having achieved what EU leaders have been talking about for decades. They have actually managed to get ordinary citizens interested in EU politics.

ACTA is an issue that people on the net really care about. But, having said that, I still feel I must criticise the Commission for the method it has used. The reason so many citizens are following the ACTA issue is because they are furious. They are furious at proposals to limit their freedom and invade their privacy just because some big companies are asking for it.

They are furious because they see their fundamental civil liberties balanced against industry interests and coming up short. They are furious at the complete lack of transparency. This is not how it should be in a democracy.

Tomorrow, we will be voting on a resolution that calls on the Commission to live up to the treaty and put all ACTA papers on the table. I hope the resolution will be adopted by an overwhelming majority. The right to privacy, to information freedom and to fair and proper trial are the cornerstones of a free and open society.

Tomorrow, we will show that this is a parliament that is prepared to stand up for those rights in the information age. We will demand the information that is both our right and our due as the elected representatives, and we will respectfully remind the Commission that this is Parliament, not a doormat.

Edvard Kožušník, *on behalf of the ECR Group*. – (CS) Mr President, I originally wanted to thank Commissioner Karl De Gucht for breaking with the approach of his predecessor, who circumvented the European Parliament as the only directly-elected European institution and failed to provide information on the process of negotiating this agreement, but I feel rather embarrassed because I was always brought up to show respect for important personages and the fact that Mr De Gucht was ostentatiously cleaning his glasses while my colleague Mr Kamall was standing here has therefore quite thrown me. Nevertheless, I will now turn to the matter in hand.

Personally, I welcome the fact that this agreement is coming into being, since intellectual property deserves better protection than is currently the case. Despite this, I am concerned that the signatories to the agreement do not include Russia and China, who are the main source of copyright violations. I also have concerns over the actual effectiveness of this agreement. Since the content of the agreement is always veiled in a kind of mist, as many Members have mentioned here, I would like to call on the Commission, which is negotiating the agreement on behalf of the Member States, to ensure that it does not serve as an instrument for exporting the French digital guillotine to other states and, at the same time, does not become an importer of software patents into the European Union.

Eva-Britt Svensson, *on behalf of the GUE/NGL Group*. – (SV) Mr President, Commissioner, I am surprised and deeply concerned at the Commission defending the use of confidential negotiations when it comes to legislation on our citizens' freedoms, fundamental rights, privacy, and so on. Withholding information on such negotiations from our citizens can never be defended.

I demand that the negotiations are broken off immediately. We can resume negotiations when the parties to ACTA agree that the negotiations will take place transparently and democratically. I want to have all the documents on the table now, and for all citizens. Transparency and information are among the most fundamental principles of a democracy, particularly in respect of fundamental freedoms and citizens' rights. We therefore request that all the documents are put on the table now and for all citizens, since this is, of course, only what is expected of a democracy.

Laurence J.A.J. Stassen (NI). – (NL) Mr President, when dossiers are cooked up behind closed doors, alarm bells start ringing in my group. The Anti-Counterfeiting Trade Agreement (ACTA) is one such dossier. Many people in my country wondered why the Dutch Party for Freedom (PVV) had to be elected to the European Parliament, and here is why. It was so we could oppose the EU kitchen, which is ready and waiting to prepare all kinds of unsavoury concoctions behind closed doors without the public having any say in the matter.

This time, we do not even know as yet what will emerge from this EU kitchen; the European Parliament is expected to have an opinion on something that is still under wraps in there. Is there anything more ridiculous? This shows utter contempt for Parliament and the public. The information that has come to light about this ACTA court up to now is very dispiriting. The consumer would be the victim, with the possibility of excluding citizens from the Internet: a very serious matter.

Europe has always been the continent where people's freedom to accumulate knowledge takes pride of place. This freedom would now be under serious threat, which cannot and must not happen. In addition, we are looking at a violation of the principle of subsidiarity. The Member States have absolutely no say in this dossier any more. My group stands for full transparency and vehemently opposes the criminalisation of citizens. ACTA breeds a culture of stifling surveillance and imputation; the State is watching you. ACTA circumvents all the existing international bodies, such as the World Trade Organisation (WTO).

What is the Commission up to in that secret kitchen? Why is it almost exclusively American companies who are involved in the consultations; what are they doing there? Are they there to safeguard their commercial interests? Yet what about the interests of European citizens? Could it be that they are less important? This is where the importance of the PVV becomes clear. We fight for the interests of the citizen wherever secrecy and back-room politics are to be found.

I should just like to place on record that the PVV opposes the counterfeiting of medicines and products. That is not what this discussion is about; it is about the fact that the Members of this House are unable to express a proper opinion on this dossier purely and simply because it has been kept secret and so we do not know its contents. We cannot imagine a more flagrant violation of the parliamentary mandate. As far as we are concerned, the whole stinking, secretive kitchen should be closed down and a large sign hung on the door reading 'Closed owing to violation of the rules'.

Zuzana Roithová (PPE). – (CS) Commissioner, ladies and gentlemen, we know that globalisation and, in particular, the entry of China into the WTO have created an enormous problem. Europe is awash with counterfeit goods which are ever more hazardous to human health and represent large economic losses to companies. Citizens and companies do not take kindly to the fact that the control mechanisms of Member States are totally insufficient, and they are rightly calling for more effective measures at the European level, including big fines for counterfeiters. This agreement should fundamentally improve international cooperation in detecting counterfeiters, but I do not think that our aim should be to prosecute secondary-school students who download games from the Internet. The content of the agreement negotiated over two years is secret, and so information concerning controversial articles which might affect the current rights of Europeans, their privacy and their personal data, only drips through. We gave the Commission no mandate for this.

I therefore fear that the ratification of this highly necessary agreement may be rejected in the European Parliament in a similar way to the SWIFT Agreement, unless the Commission can inform Parliament regularly as to the structure and limits of the negotiated agreement. I do not want us to be faced again with a finished article, in other words, an act that we must approve or reject, without being able to discuss its content in detail and dispel the concerns of our citizens.

I also consider it a strategic error that China, which is the largest source of counterfeits, was not invited to the negotiations on this agreement. I would therefore like to ask, Commissioner, if you could explain to us the tactics that are involved and whether you are in talks with the Chinese over China signing up to the agreement at a later date. Do you really believe this will happen?

Gianluca Susta (S&D). – (IT) Mr President, ladies and gentlemen, Europe's ambition to remain the world's largest economy must increasingly be linked to the revival of its competitiveness, to the quality of its manufacturing system and to its ability to conquer new markets.

The fight against counterfeiting and commercial infringement plays an essential role in this context. However, the protection of trademarks, patents and intellectual property are not only nonfinancial instruments that make the system more competitive, they are also a tangible example of the application to the industrial economy of principles of a democratic legal culture founded on respect for the rules, for those rules which have been violated in past years under the force of international financial speculation.

The Anti-Counterfeiting Trade Agreement (ACTA) is a fundamental instrument with which to combat counterfeiting, a phenomenon which yields incredible revenues of USD 500 billion per year, which has links with organised crime and which affects – indeed threatens – fundamental human rights such as health, if we only think of the counterfeiting of medicines. If we are to assess the need for ACTA, we must bear this international context in mind.

On the other hand, we must call for this treaty to also respect certain basic, fundamental principles of coexistence inspired by respect for the rules. We cannot hide the fact that we are concerned about the legal basis of the treaty, about the negotiating mandate and its transparency. Those who represent, as this Parliament does, 500 million citizens, must be informed officially, not confidentially. The negotiators from the Commission must report back to this House on the state of progress of the work, and access to the documents and information must be provided so that a detailed opinion can be expressed.

The difficult yet fruitful cooperation between Parliament and the Commission can help the European Union to realise its potential in the best possible way. The resolution is along these lines and, as such, it is worthy of our vote.

Alexander Alvaro (ALDE). – (DE) Mr President, Commissioner De Gucht, you are inheriting a weighty legacy and if the subject matter was not so serious, I could almost smile at the speculation triggered by ACTA. However, there are two reasons why I absolutely cannot smile about this. Firstly, counterfeiting and violations of copyright and trademark law are things that jeopardise both the integrity of the economy and people's health.

The global economic loss as a result of counterfeiting and violations of copyright and trademark law is estimated to have been EUR 185 billion in 2007 alone. That is significantly more than the European Union's budget. This jeopardises our businesses, promotes crime and destroys jobs. That certainly cannot be in our interests.

In addition, counterfeit medicines can have life-threatening consequences for people who take these medicines unaware that they are counterfeit. That is also an unacceptable risk.

It also goes without saying that it is very much in our interests to take action in this regard. Secondly, it must doubtless be clear that the European Commission's negotiating mandate should be strictly confined within the framework of the *acquis communautaire* to ensure that ACTA does not, in future, stand for 'another crazy treaty agreed'.

After the entry into force of the Treaty of Lisbon, this includes providing extensive and ad-hoc information to the European Parliament on the current status of the negotiations on the agreement. After all, we will be asked to give our approval. In other words, the European Parliament expects complete transparency and publication of the negotiation documents along with all other relevant papers. If the Commission wants to avoid further rumours and assumptions surrounding ACTA, I see no other option than for it to provide the interested public with detailed information.

I have three important questions in this regard. Firstly – even though you have already touched on this – can the Commission guarantee that there will be no introduction of a 'three strikes and you are out' rule? That would, of course, be contrary to the new Electronic Communications Framework Directive.

Secondly, can the Commission guarantee that there will be no introduction of third-party liability on the part of Internet service providers for the content that they transmit? That would, of course, be contrary to the e-Commerce Directive.

Thirdly, can the Commission provide assurances that, within the framework of ACTA, no penal measures will be introduced that lie outside the competence of the European Union, and I am very well aware that it will be the Member States that assume the responsibility in this respect. However, I assume that, as guardian of the treaties, you will do what is expected of you.

Jan Philipp Albrecht (Verts/ALE). – (DE) Mr President, Mr De Gucht, more than a year ago, the European Parliament asked you, the Commission, very clearly to make the negotiations on the ACTA Agreement transparent in future and to involve the public and the parliaments in these negotiations. We also urged you to retain the narrow focus on anti-counterfeiting, as indicated in the title of the agreement. What have you done since then? Nothing, absolutely nothing. On the contrary, together with your so-called unholy coalition of the willing, in particular, the rich industrialised nations, you are negotiating an agreement by means of highly undemocratic, even illegal, secret diplomacy, and in many areas, this agreement clearly goes far beyond the current regulations for enforcing intellectual property law in Europe. Of course, we cannot be certain of this because we have received no information from you.

However, the actual scandal is yet to come. As of 1 December of last year, in many areas, you will no longer be able to ignore us and conduct your back-room politics with the Council, because the citizens – represented by their Parliament – have, quite rightly, finally put an end to this behaviour through the Treaty of Lisbon. I therefore ask myself, what are you actually doing in this regard? As the Commission, you are the guardian of the treaties. You are therefore responsible for ensuring that the clearly-formulated EU Treaty is actually complied with. If you are not able to guarantee full compliance with the treaty, then you will once again receive a 'no' from this House. If you do not believe that you can guarantee compliance with the treaties in these negotiations, then please stop the negotiations until you can do so. Therefore, the Group of the Greens/European Free Alliance says: act now. *Act on ACTA!*

Patrick Le Hyaric (GUE/NGL). – (FR) Mr President, Commissioner, all of us here are against counterfeiting and piracy. However, Commissioner, you have just told us a fairy tale to justify the fact that you are discussing an international agreement behind the backs of the peoples and behind the backs of their representatives.

I would remind you, Commissioner, that Article 218 of the Treaty of Lisbon states, and I quote: 'The European Parliament shall be immediately and fully informed at all stages of the procedure' in the framework of the negotiation or conclusion of international agreements. The AntiCounterfeiting Trade Agreement (ACTA) is precisely such a case, so keep your word and comply with your own treaty! We cannot but worry about

fundamental freedoms. Indeed, interpretation of one offence – piracy – and its punishment will seemingly, in future, no longer be delegated to a judicial authority but to Internet access providers.

What is more, in future, the customs services in those countries that are signatories to the agreement will seemingly be given permission to search telephones, laptop computers and personal stereos on the pretext of combating piracy, in line with the Society for Worldwide Interbank Financial Telecommunication (SWIFT) Agreement, which was meant to combat terrorism. Remember though, Commissioner: Parliament beat you on SWIFT and it will beat you on ACTA if need be.

One therefore wishes to mix together the fight against counterfeiting and piracy, invasions of privacy, infringements of intellectual property and even, in the case of medicines, infringement of the right to health. Commissioner, put this agreement on the table immediately.

Cristiana Muscardini (PPE). – (IT) Mr President, Commissioner, ladies and gentlemen, the Anti-Counterfeiting Trade Agreement (ACTA) is fundamental for achieving full harmonisation of the measures to protect European trade from counterfeiting and piracy. The ACTA negotiations concern sensitive European legislative issues such as guaranteeing the application of intellectual property rights, data transmission and data protection, and this is why we are once again requesting greater transparency.

The Commission must commit itself fully, in accordance with the level of confidentiality. The current negotiating texts must be made available to Parliament so that it can supervise the agreements and possibly offer suggestions to ACTA participants. The Commissioner's words this evening give us hope, but we want those words to be acted on.

Parliament has always fought to defend European consumers and manufacturers against counterfeiting and measures that infringe Internet privacy. That is why it is vitally important for the Commission to continue to play an active role in the current negotiations, attracting a greater number of participants; there are, unfortunately, only twelve at present. We hope that an increasing number of countries – developing and emerging countries alike – will be tempted to take part in the negotiations and to sign the final agreement, so as to allow for a broader perspective on matters.

Countries must abide by and respect their shared obligations so as to combat counterfeiting and piracy more effectively. This economic scourge is destroying many manufacturing sectors that work in compliance with the rules. Therefore consumers, who are exposed to significant dangers to their health as well, must be provided with clear rules because, Commissioner, in the absence of clear and enforced rules, including for Internet use, the Internet will no longer represent an opportunity; rather, it will have a boomerang effect. We must all make a commitment to stop this happening because this is not only a question of individual privacy; it is also a question of our countries' security.

Emine Bozkurt (S&D). – (NL) Mr President, Commissioner, an agreement behind closed doors is not something the European public either deserves or wants. The European Union is currently negotiating a very important trade agreement, the Anti-Counterfeiting Trade Agreement (ACTA), and once again, this is being done in back rooms. The national parliaments and the European Parliament have not had a single opportunity for democratic scrutiny of the substance or scope of the negotiations, as the negotiating parties have agreed on a confidentiality clause.

Therefore, Parliament and the European public are being sidelined again, damaging public trust in Europe once more. This time, it is trade interests rather than the fight against terrorism that are at issue. Do not get me wrong; the European economy must be stimulated, and intellectual property is an important aspect of this. Yet the uncertainty being created at the moment by the confidentiality of the negotiating documents has given rise to many rumours.

I should like to ask how the communication works between the Commissioner for Trade and the Commissioner for Fundamental Rights in this regard. Is Commissioner De Gucht going to inform his colleagues about the substance of the agreement at any stage? Is Commissioner Reding planning, at any stage, to ask her colleague, the Trade Commissioner, to provide transparency? The European Parliament demands such transparency, and now is the time to provide it, before our institution has to endorse this trade agreement.

Eva Lichtenberger (Verts/ALE). – (DE) Mr President, Commissioner, during the hearings of the new Commissioners, transparency was one of the words that was used the most. You have said again today that everything is already transparent and open. I have to tell you honestly that this definition of transparency

is, unfortunately, not one I can go along with. This is clearly the case for a large number of my fellow Members here in this House, too. Transparency is more than simply throwing out a few bits of information and saying 'Well, unfortunately, we cannot disclose the rest because we have promised someone that it will all remain confidential'.

We have entered a new era. It is no longer possible to use international treaties to make blind agreements with trade partners that will then affect European legislation down the line. Now that we have the Treaty of Lisbon in place, that is no longer possible. That means that blind agreements, as well as the secretiveness and the lack of transparency, must stop at the doors of the European Parliament. We need credibility for the protection of innovation that you are putting forward here as the main argument. However, you will not achieve credibility if you negotiate everything behind closed doors and then try to console people by saying that it will not be so bad after all. That, Commissioner, is the wrong way to go.

Catherine Trautmann (S&D). – (FR) Mr President, Commissioner, ladies and gentlemen, let us say this clearly: the way in which the negotiations on the AntiCounterfeiting Trade Agreement are being carried out is unacceptable to the European Parliament.

As a new colegislator on this issue, the Treaty of Lisbon now guarantees us the right to full information at the same time as it is received by the Council. The documents that have 'leaked out' up to now have proved to us that, as far as form is concerned, this dimension absolutely was not respected.

What can be said about the content? The fool's bargain that seems to have been offered to Internet access providers is as follows: should they decide to cooperate in the systematic monitoring of the content carried on their networks, their current nonliability for such content would be maintained. Otherwise, they would be exposing themselves to legal actions by right holders and would be systematically penalised.

I find such a turnaround extremely dangerous, as it would call into question the *acquis communautaire*, not only on the principle of mere conduit – referred to in French as *simple transport* – in the eCommerce Directive, but also in relation to respect for the fundamental rights of the citizens, which was brought up recently in our debate on the Telecoms package.

I will conclude by reminding you that our Chamber has already shown its attachment to these principles by rejecting the Society for Worldwide Interbank Financial Telecommunication (SWIFT) Agreement. I have no doubt about its ability to start again. Therefore, I am anxious to stress the importance of the resolution that is being debated this evening. I welcome the work of our coordinator, Mr Arif, and of all of the negotiators from the Committee on International Trade, who have ensured that the signal that the European Parliament will give tomorrow will be extremely symbolic because it is unanimous.

Georgios Papastamkos (PPE). – (EL) Mr President, counterfeit goods not only harm the competitiveness of European undertakings, but also harbour dangers to human health. The answer is to strengthen the application of intellectual property rights at global level.

We need as many trading partners as possible to join the multilateral agreement being discussed. The agreement being negotiated must be fully in keeping with the relevant Community *acquis*, must respect fundamental freedoms and protect personal data, must safeguard the free flow of information and must not place unwarranted burdens on legal trade.

Finally, Parliament should have full and substantial information at its disposal at all stages of the negotiation, with due regard for reasonable confidentiality.

João Ferreira (GUE/NGL). – (PT) Mr President, Commissioner, something relatively clear has emerged from the obscure process which has been directed by the European Commission, namely, the intention to widen the scope and costs of intellectual property rights, leading to still more profit for large corporations.

Where necessary to achieve this objective, basic rules about democratic, transparent procedures have been disregarded, whilst information has been concealed and has escaped democratic scrutiny and control. Where necessary to achieve this objective, global access to essential goods such as safe medicines, including generic versions, has been restricted and the rights to privacy and confidentiality of correspondence, as well as to the protection of personal information, have been violated.

The omnipresence of the market and the defence of economic interests which aim to achieve their own objectives within their sectors are not compatible with the defence and safeguarding of the common good. The results of this policy are now quite clear to see.

Karel De Gucht, *Member of the Commission*. – Mr President, I must say that, listening to the speeches after I took the floor, it comes to my mind that a lot of you were not listening properly to what I was saying, because I made it very clear that we were going to respect the *acquis communautaire*, that I would try to make sure the other parties to the agreement give their OK to the disclosure of the text that is currently being negotiated; I made it clear that it would only apply to the commercial infringement of intellectual property rights, and I could continue for some time like this. So I am not going to respond again to all these questions that have been put because, honestly, I think I already answered them in my first speech.

David Martin put the question, what happens when somebody is, in fact, leaving not only the European Union but leaving a country that is a party to the ACTA Agreement? That is an interesting question because it depends, of course, on where he is going to. If he is going to a country that is not a party to the ACTA Agreement, then it will depend upon the customs and police of the country concerned, but that is beyond our reach. As far as it is within our reach, we will make sure that this is not happening but, of course, we cannot speak for others.

I do not quite agree with the whole of Ms in 't Veld's reasoning on parliamentary approval and parliamentary control, but let me just say very clearly what I think the case is in the Treaty of Lisbon. The case is that the Council gives a mandate to the Commission, and the Commission negotiates, and the Council has taken a decision on a mandate following their own rules of procedure. Whether or not a minister in the Council of Ministers needs the approval of his national parliament beforehand is not a matter of European law, but a matter of national law, and that differs from one country to another. I know that in your country, for example, for many positions of that kind, they need approval beforehand from the Parliament – OK, but there are other countries where this is not the case. We should not, I think, judge the way the Council takes a decision. Insofar as the Council respects the treaty and their own rules of procedure, I think that it is their business and not directly ours.

You were, to a certain extent, protecting me in that they should not check my iPod. I have no iPod, so there is no problem yet. In fact, I have had one since yesterday, but I have not yet used it and I am not going to New Zealand. It is a little bit too far. For that, you need officials who have a little bit more time to go there.

(NL) I shall leave the whole discussion on the kitchen for Mrs Stassen ...

Interesting question, what about China? Well, China is not, as you know, Ms Roithová, a party to the present negotiations. China is a serious problem because, as you rightly state, they are the number one source of counterfeiting.

Now we have several negotiations with them and discussions with them, also the high-level economic dialogue. Repeatedly, we put emphasis on intellectual property rights, which is one of the main problems, not only within Internet trade but also in a lot of other activities. Once ACTA is concluded, it will be open to all countries to sign it, and I hope that China will come to the conclusion that, for their own industry too, it would be beneficial if there were better protection of intellectual property rights, and sooner or later, that will come. Look at other countries where this also happened in the past: now they have much more interest in intellectual property rights.

I do not quite agree on the interpretation by Mr Le Hyaric and Mrs Trautmann concerning Article 218. What Article 218 says is that Parliament should be informed about all steps in the procedure; well, you are, and even more than that. What we do by way of information goes far beyond what is mentioned in Article 218, far beyond, but I have no problem with that. I made it clear in my introductory statement that we will insist on other parties agreeing that we be in a position to disclose the present draft of the text, but it is not correct that we would not be respecting Article 218.

By the way, let me say to Ms in 't Veld, we sent you Annex 16 to the agreed statement by all ACTA participants about maintaining the confidentiality of documents. That was sent to you by the Director-General, Mr David O'Sullivan, on 21 January 2009. Of course, that was in the previous Parliament, but it is still the same person. Mr O'Sullivan is the same and Ms in 't Veld is the same, so you got it. So it is a little bit difficult then to question me as to what this is all about.

Finally, let me make it very clear that what I have been saying and what I said in the hearing should be taken seriously. I will do my utmost to have the agreement of the contracting parties that we can fully inform you. As long as that is not the case, I cannot disclose to you the drafts of the agreement because that would breach the confidentiality agreement and breaching such an agreement would have effects that are not limited to the ACTA negotiations but would spill over to a lot of other negotiations we have with these countries

concerned. It would breach the confidentiality as such and that makes all negotiations very difficult, if not impossible, but I will do my best to see that you get the stuff.

President. – I have received five motions for resolutions⁽¹⁾ tabled in accordance with Rule 115(5) of the Rules of Procedure.

The debate is closed.

The vote will take place on Wednesday, 10 March 2010.

Written statements (Rule 149)

Françoise Castex (S&D), in writing. – (FR) Whilst Parliament has been demanding access to the texts for months, the AntiCounterfeiting Trade Agreement (ACTA) has been negotiated in the greatest possible secrecy behind the backs of the citizens and their representatives, and that is unacceptable. The Commission itself cannot make head nor tail of it. It tells us that it has already sent us the documents and, at the same time, that it will ask the Council to publish everything: who is it trying to kid?

Beyond the issue of transparency, we wish here to remind the Commission and the Council that they will have to obtain consent from Parliament at the end of the negotiations. From the leaks that have reached us, it would appear that we have a Trojan horse: on the pretext of a wholly legitimate fight against counterfeiting, the Member States, with the French Government at the forefront, wish to vote through a text that could undermine access to medicine, freedom of expression, the neutrality of the Internet and the legal liability of its intermediaries.

The fact is, Parliament will oppose any undermining of the *acquis communautaire*. If the Commission and the Council do not change strategy, we shall protect the individual freedoms of our fellow citizens by rejecting ACTA, just as we rejected the Society for Worldwide Interbank Financial Telecommunication (SWIFT) Agreement.

Ioan Enciu (S&D), in writing. – (RO) I welcome the question submitted to the Commission concerning the transparency and state of play of the negotiations on the Anti-Counterfeiting Trade Agreement (ACTA). In my view, urgent action must be taken to resolve the situation we are in. It is unacceptable for the European Parliament to be excluded by the Commission from the negotiations on drawing up the ACTA, given that we have to give our approval to the provisions of this treaty. As has already been said, the Commission must make public as soon as possible all the negotiations which have taken place in connection with the ACTA, as well as the prospects envisaged for the meeting in April. Issues such as forcing Internet providers to monitor traffic and impose restrictions within their networks may have an adverse impact on the population, both from the perspective of respecting their right to privacy and due to additional costs incurred by users. Such an issue must be debated openly and public opinion must be consulted on it. The stance taken by European citizens and industry on these measures must be known and respected in order to be able to avoid any kind of abusive, anti-democratic behaviour.

Lidia Joanna Geringer de Oedenberg (S&D), in writing. – (PL) Ladies and gentlemen, the Anti-Counterfeiting Trade Agreement, which is currently being negotiated by the European Commission, goes beyond the principle of proportionality, which is enshrined in EU law. This principle says that action taken by the Union must not go beyond what is necessary to achieve the objectives of the treaty. The chapter on the Internet is a cause of particular anxiety. It is being said that the agreement contains regulations which could restrict freedom of speech in the Internet, on the one hand, and commercial activity, on the other. This will be the result of what is said to have been proposed concerning making Internet providers liable for the content of information sent, as well as penal sanctions for downloading files for private use. I say that these things are being said, because information about the content of the agreement does not come from official sources, but only from gossip and leaks, since the Commission does not keep Parliament informed about progress in negotiations. However, the Treaty of Lisbon does, now, foresee such a procedure. In addition, the consent of Parliament, expressed by a majority of votes, is essential for any agreement to be made by the Council. The new treaty also brings in a competence allowing action to be taken in the area of intellectual property, and this belongs equally to Parliament and the Council. Therefore, I add my voice to those of other fellow Members who are demanding greater transparency concerning the current negotiations, and I think

⁽¹⁾ See Minutes

interinstitutional cooperation on the matter of the ACTA should demonstrate that all the institutions are treating the new treaty, which is now in force, seriously. At the moment, this is not the case.

Alan Kelly (S&D), in writing. – The Anti-Counterfeiting Trade Agreement has a mandate which is vital for the protection of Intellectual Property Rights. Post-crisis, there needs to be an incentive for intellectuals and artists to use their creativity and publish new material, without fear, online. This right needs to be balanced against an individuals right to access to information and, furthermore, sanctions should only be targeted at the larger commercial exploiters of copyright material. However that is an issue for another day. Right now, I am most concerned about the level to which this House is being kept informed of negotiations. Under Lisbon, this agreement requires the approval of this House and I would guess from my colleagues that the way the agreement is developing, it will receive a cold reception. Negotiations surrounding ACTA need to be more open, and the Commission and Council need to show their willingness in this by ensuring Parliament has broad access to documents on the issue.

Stavros Lambrinidis (S&D), in writing. – I hope that the written declaration on ACTA that I submitted two weeks ago together with my colleagues, Castex, Alvaro and Roithová, and today's debate will serve as a belated wake-up call to the Council and the Commission. This Parliament will not sit back silently while the fundamental rights of millions of citizens are being negotiated away behind closed doors. We oppose any 'legislation laundering' on an international level of what would be very difficult to get through most national legislatures – let alone the European Parliament. Here, of course, I refer to the infamous 'three strikes' laws. This Parliament firmly believes that intellectual property rights must be protected, but not by giving private companies sweeping rights to monitor indiscriminately every citizen's activities on the Internet – something that we refuse to allow even our police to do when fighting terrorism – and certainly not through the disproportionate penalty of cutting whole households off from the Internet. Access to the Internet is itself a fundamental right. It must be treated and protected as such.

Michael Theurer (ALDE), in writing. – (DE) The European Commission's negotiations relating to the Anti-Counterfeiting Trade Agreement (ACTA) have raised a few questions. Although the agreement deals with justified concerns, namely combating the counterfeiting and smuggling of products and brands, it needs to be more firmly based on our European principles. It must not lead to the harmonisation of copyright law, patent law or trade mark law in the EU – on the contrary, the principle of subsidiarity must remain our most important principle. Trade agreements must not be misused in order to curtail the fundamental rights and freedoms of individuals. Before Parliament can give the approval that is required for the ratification of this agreement, significant improvements still need to be made, and not only in terms of content. Parliament must be involved to a greater degree in the negotiations and the negotiation documents must be made available to us in full.

16. Regulation applying a scheme of generalised tariff preferences (debate)

President. – The next item is the debate on the oral question to the Commission by Daniel Caspary, on behalf of the PPE Group, Kader Arif, on behalf of the S&D Group, Niccolò Rinaldi, on behalf of the ALDE Group, Yannick Jadot, on behalf of the Verts/ALE Group, Joe Higgins, on behalf of the GUE/NGL Group, and Robert Sturdy, on behalf of the ECR Group, on the Regulation applying a scheme of generalised tariff preferences (O-0022/2010 - B7-0018/2010)

Daniel Caspary, author. – (DE) Mr President, Commissioner, ladies and gentlemen, with the Generalised System of Preferences (GSP), the European Union is currently granting market access by way of reduced import duties to 176 developing countries. These are benefits that we as the European Union offer without expecting anything in return from our partners. There is also GSP+ for certain countries facing particular challenges and for those that fulfil special conditions.

What is our starting position? We will need a new regulation from 1 January 2012 onwards because the old one will have expired. We need time for a proper procedure that gives us the opportunity to have two readings. On behalf of my group, I therefore expect the Commission to submit a new proposal as quickly as possible. As I said, we need sufficient time for a procedure with two readings and it would be unacceptable if we, as the European Parliament, were to have to take dubious decisions under pressure. We also need an evaluation of the existing system. I hope that we will very soon receive facts, figures and data that reveal how successful the existing system has been in practice. Has the existing system really facilitated trade for the States that benefit from it? Have the export figures also risen? Are the right countries benefiting from this system? I will throw this question out to everyone here: is everything in order with the existing system? For example, if

countries like Qatar, whose per capita income is higher than that of 25 Member States of the European Union, are included in the GSP system, I am certain that we need to take a very critical look at this when reviewing the whole system.

There is one thing I would ask of my fellow Members from all of the groups in respect of the vote tomorrow: we should keep the resolution very general, as agreed in the original draft. I would be very grateful to my fellow Members if we did not mention in the resolution the specific cases that have been discussed.

David Martin, *deputising for the author*. – Mr President, like Mr Caspary, I welcome the three preference regimes we have under the GSP – Everything But Arms, GSP and GSP+.

It is right that the 49 poorest countries in the world should get open access to our markets for everything but their arms. It is right, as Mr Caspary has said, that the 176 developing countries should be given preferential access to our market. It is also right that 16 countries should get even better access to our market, through GSP+, in return for setting up and implementing 27 specified international conventions on human rights, co-labour standards, sustainable development and good governance.

However, it is also right that we expect those 16 beneficiary countries to apply and respect their commitments under those conventions.

If we allow countries to get away with not applying their commitments or respecting the laws under those conventions, then we lose the incentive that GSP+ is supposed to give. That is not all, as we in effect punish the other GSP countries by eroding their preferences and giving preferences to 16 countries not respecting their rights.

That is why I welcome the fact that Sri Lanka has been investigated by the Commission, which has also proposed action against Sri Lanka. That is also why I believe strongly that the Commission should launch an investigation into Colombia's respect or otherwise of the 27 conventions. That does not mean that we would take action against Colombia. It simply means that we would investigate it, as we did with El Salvador but decided that there was no need for action.

I have three questions for the Commissioner.

Does the Commission accept that, in the future, Parliament should be given the right to call for investigations under GSP+?

Secondly, in the meantime, will the Commission present to Parliament the requested report on the status of the ratification and implementation of the conventions by the existing GSP+ beneficiaries?

Finally, when does the Commission plan to transmit to Parliament the revised regulation for the next phase of GSP? We were promised it by June and we would like to see it delivered by June.

Niccolò Rinaldi, *author*. – (IT) Mr President, Commissioner, ladies and gentlemen, shortly after this Parliament was voted in, we were immediately faced with the issue of suspending the Generalised System of Preferences (GSP+), in particular, with regard to the application or nonapplication of this mechanism to Sri Lanka and Colombia.

In the first case, we witnessed a series of errors, some serious, being committed by Sri Lanka, a country which has the extenuating circumstance of having emerged from a very long civil war against a terrible terrorist organisation. The Commission, in my view, acted rather hastily in this case, and this quickly gave rise to the proposal to suspend the GSP+. However, Sri Lanka had no 'guardians', if we may call them such, in the Council, and so the decision was taken. As for the European Parliament, it had no role to play: nobody asked our opinion.

In the second case, we have a country that has to combat terrible internal guerrilla warfare and where there have been serious human rights violations, including the frequent killings of trade unionists. Up to now, the Commission has not expressed an opinion on the timeliness of opening an investigation and, in actual fact, it has continued on the path of the free trade agreement, which I personally am in agreement with. In the Council, we know that there are governments that are very active in protecting the interests of the Colombian authorities and, once again, the role of the European Parliament has been nonexistent: nobody has requested Parliament's opinion, despite the fact that it has to listen to the opinions of the others nearly every day.

In both cases, we have had no impact studies on the occupational and economic consequences of the possible suspension. However, among all the inconsistencies, there is one common element: the marginal role of the

European Parliament. Yet these decisions are eminently political, not technical, and I find this unacceptable. We therefore need a new regulation, taking advantage of the end of 2011 expiry date, and I believe that these two concrete examples demonstrate this. In the meantime, however, it would also be beneficial to discuss what has been happening in recent months in these particular countries.

For example, it would be interesting to know what threshold of human rights violations the Commission believes must be surpassed before it launches an investigation in Colombia or in another country, and what concrete steps the Sri Lankan Government should take, for example, such as suspending martial law, to halt the suspension.

Commissioner, we are asking for the following: a new proposal, if possible by June; clear criteria regarding the eligibility of beneficiary countries, bearing in mind that the GSP is a development instrument and that we have some countries on the list that are frankly not really developing countries; the signing and application of the 27 International Labour Organisation conventions in the beneficiary countries; transparency of the rules on their conduct; a system by which to assess the impact of the GSP; and a communication to Parliament. As Mr Martin also mentioned, Parliament must have a full role in the event of suspension, since this is, I repeat, an eminently political decision.

Nicole Kiil-Nielsen, *deputising for the author*. – (FR) Mr President, our debate today is motivated by three aspects concerning the generalised system of tariff preferences.

First, the current regulation expires on 31 December 2011. To allow the European Parliament to exercise the powers it possesses under the Treaty of Lisbon, the Commission must give us a new draft regulation by June 2010 at the latest.

Secondly, the way the Generalised System of Preferences+ (GSP+) operates is anything but perfect. Who decides the list of beneficiary countries and on the basis of which criteria? Amazing! Who actually monitors the implementation of the 27 international conventions on social and environmental issues that are a requirement for becoming a beneficiary of the GSP+? We do not know.

What results has the GSP+ shown? Has it resulted in sustainable development, the diversification of production and the creation of respectable employment, or rather in the proliferation of short-term contracts, an increase in the number of abandoned farms and the concentration of large holdings dedicated to export? We have no idea.

Therefore, a thorough reform of the regulation is required to guarantee democratic control and to ensure that the measures taken do indeed achieve the desired objectives.

However, the real reason for the debate this evening is the regrettable case of Colombia. Until today, the Commission has refused to launch an investigation into the very serious human rights violations in that country. Such an investigation is, however, provided for in the regulation.

It is inconceivable, given the values advocated by the European Union, that, in seeking profits in the dairy, automotive, pharmaceuticals, telecoms and banking sector for our own multinationals, the EU should abandon GSP conditionality and, in the past few days, rush into a free trade agreement with Colombia. This is a fatal blow to Colombia's trade unions, small farmers and consumers and to its national industrial production.

Joe Higgins, *author*. – Mr President, the system whereby the EU gives preferential treatment in trade to some countries has been in place since 1971. It is supposed to be a mechanism to resolve trade imbalances between developed capitalist countries and the poorer countries of the world and to contribute to sustainable development.

Commissioner, will you agree that in that respect, it has been really a dismal failure and that EU trade agreements have mainly benefited EU-based transnational corporations who use their superior resources to batter small local producers in many poorer countries, causing serious dislocation, including loss of local employment and environmental destruction? Is that not the real meaning of the EU Commission's document strategy paper on 'Global Europe: competing in the world', published only three years ago?

And, Commissioner, what hope have the working people of Africa, Asia and Latin America when your Commission, only in recent weeks, cravenly bent the knee to the criminal speculation of free-booting hedge fund merchants seeking massive quick profits through outrageous speculation against the euro and Greece in particular? And you handed over the working class of Greece and the poor of Greece to the tender mercies

of these parasites – criminals in fact. What hope have the poor and working people outside the borders of Europe in view of that situation?

Now the question asks how the EU Commission evaluates whether the states that benefit from preferential trade agreements with the EU protect workers' rights and protect human rights. Please tell us that.

And how can you continue relations with the government of Colombia where, quite clearly, government-controlled agencies, especially the army, are ongoingly guilty of the most heinous crimes, as only recently shown in the horrific discovery of the mass grave of innocent murder victims in La Macarena.

And, finally, what is the Commission's up-to-date view with regard to continuing GSP+ with Sri Lanka, considering that, after the election, the policies of Mr Rajapaksa's government continue to be against human rights and workers' rights in that country?

Syed Kamall, *deputising for the author*. – Mr President, I think we all understand that one of the aims of the GSP system was to integrate the poorer countries into the global trading system. Granting preferential treatment was seen as a positive way of tackling some of the trade imbalances between the richer countries and the poorer countries.

As someone who has many friends and relatives in many of these poorer countries, I think we have to look no further than the governments of many of these countries: poor governance issues; state monopolies and corrupt governments that are preventing entrepreneurs in these countries from creating wealth; the fact that they find it difficult to import the materials that they need to add value and create wealth; also the fact that many citizens of the countries are denied access to goods and services that we take for granted here in the EU and in many richer countries.

Let us also recognise that the best way to help people out of poverty is to help the entrepreneurs. The entrepreneurs will create the jobs, they will create the wealth and they will take poor people out of poverty.

During recent negotiations on the economic partnership agreements, many Members right across the political spectrum were concerned about the Commission's one-size-fits-all approach to the EPAs.

In one case in which I was concerned, the Commission official, when questioned in committee, said that the EPAs are not only about trade; they are also about regional integration and exporting the EU model. But when we asked whether some of the ACP countries that had specific concerns could be given GSP+ as an alternative, we were told this was not possible because they violate certain of the conventions and therefore do not qualify for GSP+.

Going forward, surely we should look to be more flexible in our application of GSP+, perhaps as an alternative to the EPAs. We can treat this in a number of ways. We can either impose sanctions on countries that do not meet standards or we can engage in ongoing dialogue to ensure that conditions in these countries are improved, and understand that Rome was not built in a day and neither were Europe's superior high standards. It is time to engage and to help entrepreneurs in developing countries rather than to over-politicise the issue.

Karel De Gucht, *Member of the Commission*. – Mr President, the current GSP scheme expires on 31 December 2011. The Commission is already working on a substantive updating and review of the current scheme. Later this month, I will launch a wide public consultation on possible improvements and changes followed by a thorough impact reassessment. The Commission proposal for a successor regulation can therefore be expected to be ready during the first quarter of 2011. This proposal will, of course, be subject to the ordinary legislative procedure, which may well last beyond the expiry date of the current scheme, 31 December 2011.

You will all agree that we must avoid a situation whereby GSP beneficiaries lose all their preferences on 1 January 2012. We will therefore submit, in parallel with the launch of this essential preparatory work for a new GSP scheme, a proposal to extend the current regulation granting continuity until the new scheme is in place. This should give you the time to work in earnest on the successor scheme whilst ensuring that GSP beneficiaries are not left out in the cold. You should receive this document in April.

I have noted your question on all concerns as regards the way in which the Commission monitors beneficiary countries' compliance with the current criteria for GSP+ treatment. The basic criterion for GSP+ is the ratification and effective implementation of 27 international conventions in the fields of human rights, core labour standards, sustainable development and good governance. It is the Commission's task to closely monitor all beneficiary countries' compliance with these criteria.

The Commission is obliged and determined to operate GSP in a fair, objective manner. In this respect, we base our monitoring and evaluation of effective implementation of the GSP+ arrangements as much as possible on the findings and reports of international organisations such as the United Nations, the ILO and other relevant agencies, as well as on the monitoring mechanisms envisaged in the conventions themselves.

This provides for an unambiguous and impartial review process. The monitoring is also supported by the Commission's bilateral dialogue with the GSP+ countries on implementation issues. If such reports contain information that GSP criteria are not being fully respected, the GSP regulation provides for the possibility that the Commission undertake an investigation to clarify the factual situation and propose appropriate action.

This investigation tool is a serious instrument that should be deployed when the situation justifies it, but launching an investigation is not a step to be taken lightly as it may impact on our wider relationship with the partner countries. Think, for example, of the recent case with Sri Lanka.

As the objective of the GSP+ scheme is to incentivise countries to adhere to international good governance standards, GSP+ countries should first be given the opportunity to prove their commitment to the GSP+ objectives, their willingness to cooperate with international monitoring bodies and to address the shortcomings identified.

This approach gives credit for the steps already taken by those countries and is in line with the general incentive-based approach that underpins the GSP+.

I am eager to engage with you in a debate on the future of the GSP scheme and of the GSP+ in particular. In preparing the review of the current scheme, which will also concern the GSP+ criteria and the monitoring of respect, the themes raised by the European Parliament will be carefully looked at.

Since this review will now follow the ordinary legislative procedure, the European Parliament will be in an equal position with the Council in determining the final shape of the new GSP scheme.

Laima Liucija Andrikiienė, *on behalf of the PPE Group*. – Mr President, following on from what has been said by our colleague Daniel Caspary, whom I fully support, I would like to stress a few points. First of all, the entry into force of the Treaty of Lisbon in many ways reshapes the role of Parliament in the formulation of EU trade policy. The GSP is one of those areas where Parliament will have a bigger say and more leverage.

Commissioner, I would also like to urge you to look favourably on the increased role of Parliament in the domain you oversee. I therefore urge you to consult Parliament when it comes to the conclusion or the review of the GSP and GSP+ beneficiaries list.

Thirdly, Parliament should also be drawn into the process of monitoring whether the GSP beneficiaries uphold – not only ratify but also effectively implement – the 27 ILO and United Nations conventions. The Commission should, at least, consult Parliament on this issue and it is, of course, our duty in Parliament to make sure that we develop mechanisms inside our relevant bodies, our committees, to contribute to such monitoring. On a final note, I would like to reiterate the call expressed in the draft resolution we will be voting on tomorrow. The Commission should draft the new regulation on GSP as soon as possible.

Last but not least, I disagree with what has been said by some colleagues on Colombia. Colombia is a country like many countries in the region and we cannot ignore positive developments, achievements in the field of human rights and on the situation of human rights defenders in this country. There is no need to name and shame this particular country, as our resolution is on the new regulation and the need to have a new regulation.

Vital Moreira, *on behalf of the S&D Group*. – (PT) Mr President, Commissioner, it is good to hear Commissioner De Gucht guarantee that, in short, the Commission will send Parliament the legislative initiative aimed at revising the scheme of generalised preferences so that the legislative process can be given enough time to prevent the expiry of the present scheme of generalised preferences, which is due to finish at the end of next year.

This system must be reviewed. In the first place, it is an instrument of development aid, providing countries with privileged access to the European market, without any reciprocity. Secondly, this scheme is also an instrument for improving the human rights situation and good governance in those same countries, given that its granting is subject to conditions which must be fulfilled by the beneficiary countries.

For these two reasons, the European Union must renew the use of this instrument, which places trade at the service of development and of human rights. Even so, renewal must make use of an evaluation of the results of the previous period.

On the other hand, the new regulation should observe the following requirements, which are based on practice up to now. Firstly, keeping the provision of the generalised preferences scheme temporary so that it can be withdrawn when it is no longer necessary. Secondly, deepening and refining the methods of differentiating and selecting beneficiary countries, based on the level of development of each one and its external competitiveness. Thirdly, and finally, improving mechanisms for monitoring compliance with the conditions related to the generalised preferences scheme, especially with respect to the observance of human rights.

Finally, Commissioner, it was beneficial that Parliament's opinion has been taken into account from the start of the legislative process.

Georgios Papastamkos (PPE). – (EL) Mr President, the treatment which derives from the generalised system of preferences, as an exception to the WTO principle of most favoured nation, must be targeted; in other words, it must be accepted by the developing countries, as they have the greater need. The new list of beneficiary countries must reflect the real economic standing and competitiveness of developing countries.

Besides, the lack of differentiation between developing countries ultimately operates to the detriment of the least developed countries. It is logical for the proposed review to be preceded by an evaluation of the impact which the system had on beneficiary countries during the previous period of application.

Trade policy, especially commercial conditionality, can, without doubt, contribute to more effective global governance through the exercising of mild power. It can contribute, by providing incentives, to the promotion of the social dimension of globalisation in the broad sense: decent work, viable development and democratic accountability.

The European Parliament should have the facility for creative participation within the framework of the new, revised system and for effective monitoring of the application of contracts by beneficiary countries.

Bernd Lange (S&D). – (DE) Mr President, Commissioner, we all know that GSP is a good system and that GSP+ is a very good system. We also need to ensure their extension and so we need your proposal so that we can have a proper debate in Parliament. So, Commissioner, please speed things up.

Even for GSP+, we may be able to introduce a few improvements. In this regard, there are five points that I would like to make concerning areas where we may be able to make further improvements. Firstly, who determines how the 27 standards are actually implemented, not only recognised in practice, but formally implemented? Is that the task of the ILO alone, or do we not need an assessment committee to provide specific support during implementation?

Secondly, how are we involving civil society? I would like to see the coordination of civil society in the country in question in the assessment of the implementation of GSP+, just as we have now agreed in the agreement with South Korea.

Thirdly, who actually initiates an investigation if any problems are detected? Parliament needs to be involved here, because I have the feeling that, in the Council, interests other than actually having an investigation carried out come into play. Parliament should also initiate an investigation in this connection.

We surely also need clear structures for the next steps that we are to take as well as clearer structures for withdrawal, but perhaps we can talk about this in detail another time.

Thomas Mann (PPE). – (DE) Mr President, GSP mainly grants trade privileges to developing countries and emerging economies. This modern kind of development aid from tariff reductions to tariff relief on the markets of the industrialised nations has achieved a great deal. The GSP+ special arrangement is intended to bring about the implementation of social and environmental standards. It is also the reason for the increase in the signing of UN and ILO conventions.

However, Commissioner, how does the Commission control the implementation of these criteria? Is the withdrawal of privileges carried out consistently when goods are exported that have been produced by forced or slave labour, when dishonest trade practices are discovered and when no control of the originating products is guaranteed? Moreover, should the improvement in human rights that is intended to be achieved through

GSP+ not also ultimately include larger States? I am thinking of China, for example. All of our resolutions, the demonstrations and the bilateral negotiations between the EU and China have brought no improvement in the human rights situation. As a result, hundreds of thousands of people will take to the streets tomorrow, the International Tibet Memorial Day, and Tibetan flags will be hoisted in ten thousand cities and communities in the European Union. We will express solidarity with the people who are fighting for their cultural, linguistic and religious autonomy.

Commissioner, do you share the view that human rights standards, social standards and environmental standards need to be removed from the special arrangements and incorporated in the list of GSP criteria? Cooperation with our trade partners must not be restricted to purely economic concerns.

Gianluca Susta (S&D). – (IT) Mr President, ladies and gentlemen, this is an important opportunity to reaffirm, above all, the importance of the Generalised System of Preferences. Both the basic GSP system and the GSP+ system, which are both linked to the 'Everything But Arms' initiative, contribute to reducing poverty, in strict accordance with the primary obligation of ensuring respect for human rights. It is the violation of these basic principles of coexistence that recently led the European Union to withdraw Sri Lanka's preferential tariff benefits following a detailed investigation by the Commission.

The new institutional framework must, however, fully include Parliament in the legislative process aimed at modifying the legislation in force. We therefore hope that it will include a complete review of the regulation, in accordance with the ordinary procedures, since it has several shortcomings, including on the very subject of investigations. The next step will be the joint resolution.

The effectiveness of the regulation depends on its credibility, the objectiveness of the criteria upon which it is based and the strictness with which it is applied. In a Europe in which the vast majority of citizens do not agree with exporting democracy at gunpoint, trade and traderelated aid are essential vehicles for disseminating principles of coexistence based on respect for fundamental human rights. It is our duty not to lapse into indifference – which would be wrong – but also to avoid making hasty judgments about certain parties, judgments which sound like irrevocable sentences, as is the case with Colombia.

This is why I do not feel able to support what are almost one-sided inflexible attitudes to one country or another, but I do strongly support the need for enhanced monitoring of all of the problematic situations, in the spirit of the legislation in force and according to the principles of the rules on which we want to base the legislative review that we are demanding.

Christofer Fjellner (PPE). – (SV) Mr President, the Generalised System of Preferences that is being debated today is an extremely good and important instrument, because it makes it easier for some of what are perhaps the poorest countries of the world to export to and trade with Europe. Many of the countries of Europe have built their wealth in this way, which is why it is important for us to try to extend this to other countries.

In a debate such as this and in the forthcoming work on reviewing the Generalised System of Preferences, we have to think about and focus on the basic task and the basic aim of the Generalised System of Preferences, which is to combat poverty. Trade is, by far, the most effective way to combat poverty and create economic growth, and it is important that we remember this.

Of course, the Generalised System of Preferences is also a good way of putting pressure on countries to get them to abide by international agreements and conventions as well as commitments concerning human rights and so on. We must not forget, however, that the aim is development. Naturally, the EU must be able to refuse or remove this preferential treatment from countries that do not meet their commitments, but it is important to remember that we tread a fine line. A country that is denied greater freedom to trade and new export opportunities will not find it any easier to meet the commitments and the demands that we make of it.

There is a connection: corruption, poor working conditions and poor respect for human rights contribute to poverty, but poverty also makes it harder to fight corruption, human rights problems and poor working conditions. I would like to know the Commissioner's view on paragraph 22; in other words, the risk that withdrawal of trade preferences will make it harder for countries to get away from situations such as poor working conditions.

Then I would also like to note that we are now demanding that a number of countries ratify 27 ILO and UN conventions and implement these in full. I would like to see a genuine analysis of whether all the EU Member States have fully implemented and ratified all these UN and ILO conventions. I think it is at least unlikely

that all have been fully implemented, and it is important to bear that in mind when we start making demands of others.

Rareș-Lucian Niculescu (PPE). – (RO) I have a simple question for the Commissioner. According to Regulation (EC) No 732/2008, states which wish to obtain preferential terms as part of the GSP+ system have the opportunity to submit applications by the end of April this year. Given that the deadline is approaching, I would like to ask the Commissioner, if he has this information available, which states have applied so far and whether we should grant preferential terms to some new states when we are preparing to change the required criteria. I also add my support to my fellow Members who have emphasised that the European Parliament should be consulted on the application of the Generalised System of Preferences.

Thank you.

Karel De Gucht, Member of the Commission. – Mr President, several questions have been asked on Sri Lanka and on Colombia, and on why, in one case, we decided to have an enquiry and take a decision and in the other case we did not.

In the case of Sri Lanka, the Commission's attention was drawn to publicly available reports and statements from the United Nations as well as to other relevant sources, including non-governmental organisations, indicating that Sri Lanka was not effectively implementing various human rights conventions, in particular, the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of the Child.

However, unlike Colombia, Sri Lanka's general approach was to deny the existence of any problems and not to cooperate with the Commission at any stage of the investigation.

In the case of Colombia, the United Nations and ILO monitoring results show that there are question marks on the degree of effective implementation of certain UN and ILO Conventions, but it is also clear that Colombia has engaged with the ILO and the United Nations bodies and has made substantial changes to its legal system, and that steps are being taken by the government to amend its legislation and improve its implementation on the ground. There is an ongoing dialogue in cooperation with the United Nations and the ILO.

With regard to the question put by Mr Moreira, I would like to say that in the review of the GSP regulation, we are working to find a balance between the different requests that have been made here. We have been asked to do that as soon as possible, and will do so. We were asked to have an impact assessment and will receive the 2009 GSP data only in July this year, which will be followed, of course, by consultation of Parliament.

I would also like to recall the commitment I made to the Committee on International Trade at the time of my hearing and subsequently to provide a timetable for our legislative proposals that will be submitted to that committee in the coming months. As you will know, we are scheduled to meet tomorrow. We will try to work something out together that gives Parliament the maximum possibility to discuss in all openness the different dossiers, including the new GSP regulation and the roll-over system, which we should introduce as early as April.

President. – I have received two motions for resolutions⁽²⁾ tabled in accordance with Rule 115(5) of the Rules of Procedure.

The debate is closed.

The vote will take place on Wednesday, 10 March 2010.

17. Agenda of the next sitting: see Minutes

18. Closure of the sitting

(The sitting was closed at 23.40)

⁽²⁾ See Minutes