

THURSDAY, 22 OCTOBER 2009

IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

Vice-President

1. Opening of the sitting

(The sitting was opened at 09.00)

2. Transfers of appropriations: see Minutes

3. Documents received: see Minutes

4. Problem of limited access of developing countries to some vaccines (debate)

President. – The first item is the oral question to the Commission from Mr Goerens, on behalf of the Group of the Alliance of Democrats and Liberals for Europe, on the problem of limited access of developing countries to some vaccines (O-0100/2009 – B7-0214/2009)

Charles Goerens, author. – (FR) Mr President, within the context of this question to the Commission, I would like to help explore the routes likely to put an end to an injustice that consists in denying 80% of the world's population access to the A (H1N1) flu vaccine in particular, and to vaccines in general.

The problem is not new. In fact, the question comes up every year in connection with the flu season. Generally speaking, new seasonal flu viruses first appear in developing countries. From then on, laboratories in the industrialised countries start producing a new vaccine. They can only begin production if they have previously obtained strains from the country – generally a developing country – where the new type of flu first emerged. Once developed, the vaccine is only just enough to protect the populations of the industrialised countries. The result is that the populations of the South are unprotected against pandemics.

I am addressing the Commission in order to ask it what it intends to do to end this injustice. Is it morally defensible to have the level of health protection available to a population depend on the financial resources its country has? I would therefore like to know whether the Commission can tell us what resources it is able to mobilise to fill this gap. What, if need be, would be the Commission's strategy, and what partnerships would it establish with the states concerned and with the institutions of the United Nations' system, or with the private sector, in the effort to enable citizens in developing countries to have access to the vaccine?

Does the WHO's system of protecting intellectual property, which I did not mention in my written version, constitute an obstacle to the production of vaccines by developing countries? If so, would the European Union be prepared to initiate a debate within the WHO aimed at removing that obstacle?

I would like to add one final question. Can the Commission outline the measures to be taken to improve the standard of health infrastructure in developing countries, an essential precondition for fairer access to vaccines?

Leonard Orban, Member of the Commission. – (RO) I would like to thank the distinguished MEP Charles Goerens for his question, which gives me the opportunity to deal with both the aspects relating directly to the influenza A (H1N1) pandemic and wider aspects concerning the European Commission's contribution to improving health infrastructures in developing countries.

The Community has taken action against the influenza A (H1N1) pandemic both internally and externally. In fact, we are dealing with a crisis requiring a global approach, both for reasons of effectiveness in terms of protecting our citizens and from considerations linked to solidarity with less developed countries.

We talk about effectiveness in terms of the rapid alert systems, the close monitoring of the development of the pandemic and actual virus itself, as well as the assessment of the effectiveness of the preventive and curative measures adopted in the countries where the pandemic first occurred, which are all vital elements in preparing and adapting our own responses. However, we also talk about solidarity because the Europe

Union, as a main financier of public development aid and a key partner of a large number of developing countries, must support these countries in facing these new threats.

In our response to these threats, the Commission and the European Union as a whole are not starting their efforts from scratch. Based on the precedent of bird flu, resulting from the H5N1 virus, the EU has been able to introduce, along with international organisations such as the World Health Organisation, the World Bank and others, effective procedures for exchanging information and coordinating technical assistance, as well as financial instruments such as a trust fund at the World Bank. As Mrs Chan, Director-General of the World Health Organisation, says, the world has never been so well prepared for a pandemic. The Commission has already played and continues to play a particularly important role in these systems whose components have now been extended to cover every type of flu threat.

As regards the developing countries' generalised access to vaccines, the new flu pandemic has revived the debate which has been going on for well over two years within the WHO and the working party making the preparations for the flu pandemic, set up at the request of the World Health Assembly, following the decision made by Indonesia, referred to by Mr Goerens.

This week in Geneva, the WHO is presenting its first recommendations from the group in which the Community has played an active role. In accordance with the World Assembly's resolution, the final recommendations must be presented to the WHO's Executive Council, which will meet at the end of January. At that juncture, the best possible balance must be identified between, on the one hand, boosting the research into and rapid development of new medical products largely derived from private sector research, for which intellectual property rights nowadays provide a key form of incentive, and, on the other hand, fairness in terms of providing access to the products developed from this research.

The European Community has reservations regarding any restriction on the exchange of biological material required to carry out the relevant research activities. Active international collaboration on a transparent basis and coordinated by legitimate institutions, such as the WHO and its network, is crucial to the rapid development and distribution of solutions for responding to the pandemic.

In the specific case of influenza A (H1N1), for which there were no vaccine stocks available, there has also been the issue of production capacity and who has first option on this capacity when huge orders are placed by the countries which have the necessary resources. The commitment made by some vaccine manufacturers and, more recently, by some countries to earmark 10% of their production or orders for donations or sale at a reduced price to developing countries is an encouraging sign of global solidarity.

As far as the Commission is concerned, the provision of assistance to third countries in tackling the pandemic is vital and must not just be limited to access to vaccines when they are available. It is of paramount importance to continue the support provided by the Commission and Member States in various forms, aimed at consolidating health infrastructures, along with assistance for projects, sectoral or general budget support for partner countries, and even support for international organisations.

Respect for the principle of allowing countries to assume responsibility for their own development and the commitments to provide effective aid will need to be guaranteed by ensuring, in particular, that attention will continue to be focused on priority diseases and interventions. The response to a pandemic is actually based, first and foremost, on having health infrastructures that are better equipped and treat cases early in order to have available, in a fair manner, preventive resources when they are available.

In the event of a severe crisis, the European Commission will be able to mobilise its humanitarian and emergency intervention resources and will also be able to demonstrate flexibility in its use of the resources already allocated to partner countries which have requested assistance. During such severe crises, non-governmental organisations and, in fact, major institutional networks will definitely have an important role to play. The Commission therefore knows that it can count on these agencies also effectively swinging into action.

Gay Mitchell, *on behalf of the PPE Group*. – Mr President, the inevitable arrival and recurrence of a flu pandemic has thrust the issue of vaccination to the forefront of the news agenda. However, this has been a long-standing and persistent problem for the developing world. The oral question this morning raises an excellent point about the hypocrisy and inequity of the Western world demanding materials for vaccines from developing countries to protect their rich citizens, and then having the audacity to sell the selfsame vaccines back to the poor.

Above and beyond the need for the developing world to have similar access to flu vaccinations, we must strive to set up a system whereby the poorest people of the world, who are almost invariably more exposed to disease, have the opportunity which we in the West take for granted to protect themselves from preventable diseases. Tuberculosis is a good example of the contrast between us and our neighbours in the developing world. In Europe, children are routinely given the BCG vaccination, which has greater than 80% effectiveness. This has led to a situation in Europe where TB is not the persistent threat it once was.

Contrast this with the developing world, where 26% of avoidable deaths are caused by tuberculosis. The effect of TB in these countries is exacerbated by the fact that it is a highly infectious airborne disease that spreads easily within confined spaces such as the squalid shanty towns so prevalent in many developing nations. Add to this the fact that 50% of AIDS patients in sub-Saharan Africa where HIV/AIDS is rife will develop TB, and we can see how lucky we are to be in the relatively controlled immunised area, having programmes such as we do.

For a shining success story of the power of immunisation and the need for development aid in general, look no further than the example of measles in Africa, where, largely due to vaccination programmes, deaths from the disease fell from 90% between 2000 and 2006.

Mr President, it is clear that vaccination works and it is clear that we have a responsibility to the people who are suffering from the absence of vaccinations. I urge that we in this House keep the pressure on to ensure that this facility is made available to the poorest of the poor.

May I make a point of order before I sit down: please do something about the lifts in this House. I was going up and down in the lift when the doors jammed and I could hardly get here in time for the debate. Everybody complains about it. Something has to be done.

President. – (ES) Mr Mitchell, with respect to the issue of lifts, which you have raised, I would like to reveal something which may be a secret part of the Bureau's debates. At the most recent Bureau meeting, I criticised the situation you have just described and which, shamefully, is not merely a problem in Strasbourg. In Brussels, too, there have been weeks during which it really was impossible to move around the various labyrinthine Parliament buildings, because the lifts were out of order.

The Bureau shall pass this matter on to the relevant services, so that the lift service can be improved, by one means or another.

Michael Cashman, on behalf of the S&D Group. – Mr President, I would like to bring the House away from lifts and back to vaccines which prevent deaths. I think that is exactly what we should be focusing on. Of course I support the call that we have heard relating to the A (H1N1) virus but I want to look much wider: in fact, Commissioner, there are systems that work, and vaccines do work. Look at pneumococcal disease. It is a bacterial infection that causes pneumonia, meningitis and sepsis, and is relatively unknown despite its deadly status as the leading vaccine-preventable killer of children under five worldwide.

Pneumococcal bacteria are the leading cause of pneumonia, which takes the lives of two million children every year. This is a global health challenge with solutions. It might interest you to know that the Commission and many Member States have already made pledges to support immunisation in the world's poorest countries by supporting GAVI, the International Finance Facility for Immunisation, and the pneumococcal Advance Market Commitment (AMC), something you did not mention.

But we can and we must do more to prioritise pneumococcal disease within existing health and development efforts and to work with developing countries to do the same. The pneumococcal AMC offers an unprecedented opportunity for countries to protect their children from this preventable killer. Yet the sad fact is that, of the 71 countries that are eligible, fewer than 20 have applied for AMC funding that will save so many lives.

I would remind the House that expanded access to essential vaccines is a key lever to achieving Millennium Development Goal 4: a two-thirds reduction in child mortality by 2015. We must make sure that we put these vaccines in the hands of countries that need them most. It is a simple step that will quite simply save millions of children's lives. There is before this House a written declaration on this matter, including the pooling of patents. I urge Members to sign this and do something that matters.

Frédérique Ries, on behalf of the ALDE Group. – (FR) Mr President, as we know, this is the week in which most of our Member States are launching the first wave of influenza A vaccinations whilst, at the same time,

we are forced to recognise the meagre progress made in this area in terms of access to the vaccine by developing countries.

This has just been said: millions of people, and primarily children, die each year in these countries from a whole host of diseases, as was mentioned in particular by my fellow Member, Mr Mitchell, earlier.

I am not saying that the solution is simple, especially – not only, but especially – because the question of access to the vaccine is in no way comparable to that of access to medicines, for at least two specific reasons: the small number of producers and control of the refrigeration chain, which is still difficult. There are positive elements, however: the fact that, for the time being, the virus is not mutating and the announced availability of three billion doses each year. These are obvious facts and they demand, they encourage the launching of a strategy on a worldwide scale.

In the limited time granted to me, I shall conclude, Mr President, by saying that I therefore think that the European Union must wholeheartedly support the call by the WHO for a fair distribution of vaccines, first and foremost, in the areas of high mortality, and that we must also create the conditions for, and encourage the development of, private and public partnerships so as to effectively combat the shortage of vaccines in the world.

Marisa Matias, *on behalf of the GUE/NGL Group.* – (PT) Mr President, Commissioner, I would first of all like to stress the importance of the question that was asked by Mr Goerens, which is a matter of basic justice. We are all perfectly aware that, in an influenza A pandemic situation, it would be southern countries that bear the brunt of this problem and the consequences of the spread of the virus, and not northern countries. Every year, we sit idly by as thousands of citizens die as a result of pandemics that have already been eradicated or are treatable in northern countries, and there is a very long list: malaria, dengue fever, yellow fever, tuberculosis. The list is endless, yet we watch and do nothing about this problem.

In fact, we use the southern countries as suppliers of samples of new strains of viruses, free of charge, so we can improve treatment in northern countries, but we do not provide an effective response to these problems. I would therefore just like to add some more questions to those that were asked.

Do we actually want to treat this problem as a public health problem or as a business? If we want to treat it as a public health problem, then we have to ensure equal access to treatment in all regions of the world and we therefore have to be more effective in our efforts. That being said, I would like to ask, and I hope that it is not the case, if we are waiting for there finally to be surplus stocks of vaccines in Europe or for the side effects to prove too harmful before we show our generosity and suddenly start sending the necessary vaccines to southern countries.

Lastly, I would just like to ask if the European Union, if we Europeans, and if the Commission feels comfortable with a system or with a model whereby northern countries deal with pandemics by means of a prevention model and southern countries are given palliatives or simply leftovers.

President. – It is now Mr Guerrero Salom's turn to take the floor, and I would like to say that I am very pleased, and somewhat moved, to be able to give the floor, for the first time, to someone who has been a great friend and colleague for many years.

Enrique Guerrero Salom (S&D). – (ES) Thank you for your kind words, Mr President. It is an honour to work for the institution of which you are currently the Vice President.

I have taken the floor to support the interest raised by this issue, namely providing support to developing countries to prevent and combat the H1N1 influenza pandemic.

However, beyond the matter of the pandemic, I would also like to point out that diseases currently have more of an impact on developing countries than on developed ones. Many diseases, which have been eradicated in developing countries, still claim the lives of tens of millions of people in the developing world.

These countries have to protect the health of their inhabitants, the health of their citizens, but they lack the means to do so. In order to fight against AIDS, tuberculosis, malaria and other infectious diseases, these countries need vaccines to which they currently do not have access and which they cannot buy.

I would like to encourage the Commission, in the way that the Commissioner has described, to seek to make alliances, promote programmes, motivate donor countries and work towards ensuring that developing countries have access to generic drugs at prices which their citizens can afford.

Leonard Orban, *Member of the Commission*. – (RO) In addition to what I said at the start of my speech, I would also like to emphasise the following points. The European Commission permanently provides financial assistance for health-related matters to numerous developing countries as part of projects, programmes and budget aid.

In order to comply with national priorities, the Commission will examine, along with its partners, the way in which it can use these resources to reinforce the methods used to combat the pandemic. What I have already said implicitly I am going to repeat explicitly: the European Commission does not have the technical and financial instruments to purchase the vaccines itself.

However, by cooperating closely with the World Health Organisation and forming alliances and signing agreements with different stakeholders, we will work together in preparing the responses to the requests made on this subject.

President. – That concludes this item.

5. Financial and economic situation in Moldova (debate)

President. – The next item is the Commission statement on the economic and financial situation in Moldova.

Leonard Orban, *Member of the Commission*. – (RO) The elections that were re-run on 29 July in the Republic of Moldova were a crucial test of the country's ability to consolidate its democratic development and continue to progress towards rapprochement with the European Union. We are pleased that the elections were held in a calm, orderly atmosphere and that the new government has not only expressed its firm intention to favour a pro-European course, but has also adopted a number of measures pointing in this direction.

On the other hand, the new authorities in the Republic of Moldova are facing enormous difficulties. One of the most serious crises and biggest difficulties is the need to tackle the consequences of the economic and financial crisis. Among the European Union's neighbours to the east, the Republic of Moldova is probably in the most precarious economic situation. Trade and industrial production have collapsed not only as a result of the crisis, but also due to the political unrest triggered by the parliamentary elections in April.

The amounts of money transferred from abroad by Moldovan citizens, which accounted, up until last year, for over a third of the country's GDP, have dropped far below the usual level. Exports and imports have fallen dramatically. The same applies to domestic demand and industrial production. A sharp drop is forecast for 2009, by even more than 10% of GDP.

Given that the Republic of Moldova is already the poorest country in Europe, this decline will hit particularly hard and will exacerbate even further the difficulties the population is struggling with, especially the most vulnerable people in society. In order to provide aid to the Republic of Moldova and its population, the European Union is prepared to support this country by offering it macrofinancial assistance, on top of whatever may be provided by the International Monetary Fund, and as part of a coordinated effort with the latter. In addition, we will provide specialist assistance and speed up payment of our usual aid to this country.

With regard to macrofinancial assistance, as is necessary for this type of assistance, our support will depend on concluding an agreement on a support programme between the Republic of Moldova and the International Monetary Fund. Representatives of the IMF are currently in Chişinău, and we await their report with interest. We cannot go ahead with preparing a macrofinancial assistance programme before launching the programme with the IMF. Therefore, it is too early for us to be able to know what form the macrofinancial assistance programme which the European Commission might provide will take

We expect the country's authorities to ask for help, not only to consolidate their currency reserves, but also to cover their budget deficit. I must also mention that the Republic of Moldova is eligible for both grants and loans. The final composition of this assistance package will depend, of course, on the needs which will be identified.

In the meantime, the European Commission has already sent a mission of experts to Chişinău, headed up by the Directorate-General for Economic and Financial Affairs, DG ECFIN, to provide the authorities in the Republic of Moldova with help in drawing up their economic programme. The mission's objective deriving from the recent meeting with the authorities in Chişinău was to help them evaluate the country's response to the current economic situation. The Commission's services have been used on this occasion to gather the information required to prepare a macrofinancial assistance programme.

The Commission remains available to continually offer the authorities in Chişinău specialist consultancy in this area. At the same time, we are endeavouring to speed up the payments from the budget support operations featuring as part of the European Neighbourhood and Partnership Instrument. In September, the European Commission approved an increase from EUR 30.5 million to EUR 34.5 million of the ceiling for payments earmarked for budget support this year. Of course, the aim of our assistance in the form of budget support is, first and foremost, to encourage reforms in the agreed sectors, and not only to plug gaps in the budget.

However, in the current situation, it is more than a means of supplementing the limited budget resources. It is also a way of helping the population of the Republic of Moldova to overcome the real difficulties they are facing.

We welcome, in particular, that Members of the European Parliament have requested urgent support for the Republic of Moldova. In the coming months, we will call on you to support the efforts we are making in this area. We are confident that Parliament will promptly approve the macrofinancial assistance package for the Republic of Moldova when it is tabled before it. This will enable us to ensure that this assistance is provided in good time.

Before I conclude my speech, ladies and gentlemen, allow me to refer briefly to the situation in Transnistria. I would first of all like to stress how important it is for us not to lose sight of this problem against the backdrop of the significant political changes which are taking place in the Republic of Moldova. The talks aimed at resolving the conflict should be resumed as soon as possible in the 5+2 format. We are optimistic about this as the new government has reaffirmed its support for this principle in its programme. The European Union has an increasingly important influence in this process.

We are counting on the new government in Chişinău to adopt a proactive approach to this problem, which will help resolve the conflict. As far as we are concerned, we have just launched two project packages, with financing from the European Commission, for strengthening confidence in the health, environmental protection, social and economic sectors. This action is part of our constant wider efforts aimed at resolving the conflict.

Ladies and gentlemen, the Republic of Moldova is at a crossroads, both politically and economically. We are fully committed to supporting the country's future development. We will continue to do our utmost, at this particularly critical juncture, to ensure that our support is substantial and effective and that it is delivered at the right moment.

Marian-Jean Marinescu, *on behalf of the PPE Group*. – (RO) The Republic of Moldova is going through a serious economic, financial and institutional crisis caused by the global economic and financial climate, and especially by eight years of Communist government.

The early elections held in July 2009 and the victory of the Alliance for European Integration mark an important step towards fulfilling the European aspirations of Moldova's citizens. The victory was achieved through the effort of the parties in the Alliance against Communist methods and against both the influence of the situation in Transnistria and the influence of the Russian Federation. We must admire those who achieved this victory almost single-handedly by successfully gaining the trust of Moldova's citizens.

Moldova needs help. The stability of the new government in Chişinău depends on this, as does the future development of this former Soviet state towards the west or east. I strongly believe that Moldova will receive assistance from a number of quarters. This must include us.

The European Union has no option other than to respond positively to the efforts of the Alliance for European Integration in Moldova. This specifically means negotiating as soon as possible an association agreement between the European Union and Moldova, initiating very quickly a constructive dialogue aimed at introducing a visa waiver for Moldovan citizens and providing the Republic of Moldova with financial support so that it can cover the budget deficit. The European Commission must provide Moldova as soon as possible with the macrofinancial assistance it so desperately needs.

Commissioner, I listened closely to what you were saying and I am pleased that the Commission is paying attention to the Republic of Moldova and that you are preparing a macrofinancial assistance package, except that it all depends as well on collaboration with the IMF. What I would ask is for you, the Commission and the IMF not to deal with Moldova in parallel, but to collaborate with each other so that we do not end up with the scenario where the IMF is expecting the Commission to act and vice versa.

Kristian Vigenin, *on behalf of the S&D Group*. – (BG) It gave me particular pleasure listening to Mr Orban talk about the European Commission's intentions for and its approach to Moldova. I believe that we need to give Moldova very clear signals from the European institutions and the European Union as a whole, and provide the necessary support, both financial and economic. However, I must stress that political support is also required for the current government and its attempts to extricate Moldova from the difficult situation the country is in. After two successive elections, this government will obviously endeavour to address the population's real problems, something which appeared to have been given a back seat during these last months, if not for years. In addition to this, we must bear in mind that at the moment, the political situation in Moldova, even if it seems more stable and positive, can very quickly shift in a different direction. I believe that it is still completely unclear as to whether Moldova will manage to elect its president and if this does not happen, the country will obviously go ahead with new elections next year. This would be the worst possible development, not only for the country itself, but also for the people of Moldova.

This is why we support the Commission's efforts. I believe that our group and Parliament will support the European Commission's intentions. In addition to this, we must very clearly warn Moldova, its government, and the current opposition that it is time for Moldova to face up to the population's real problems, and that there must be no political games at its citizens' expense. It seems to me that such a strong warning will be understood in Moldova by the opposition as well at the moment. We also support the idea of quickly signing an Association Agreement which, as mentioned by Mr Marinescu, should also include a visa waiver, a serious problem that has been causing tension between Moldova and Romania, and this should include the creation of a free trade area too. We think that, apart from the urgent measures being proposed by the Commission, we must get the Eastern Partnership, launched in the middle of this year, to start operating properly. We must also show real results in line with this European Union policy.

Cristian Silviu Buşoi, *on behalf of the ALDE Group*. – (RO) The Republic of Moldova is in an extremely difficult economic situation. The financial crisis in the European Union has also affected the countries adjoining us, and it is our duty to help them.

The economic crisis in Moldova is not only a consequence of the global crisis, but is primarily due to a lack of immediate action that was required when this crisis broke out in the Republic of Moldova. In fact, because of the elections, the former Communist administration distorted local budgets by making preferential allocations to authorities controlled by Communists. In addition, the decision was also made to keep an artificial exchange rate between the leu and euro, at a level which had to ensure that the population in this country next to us was not affected by the crisis. So now, with winter approaching, local authorities are at risk of being unable to pay for thermal energy, and the government will have problems paying salaries and pensions.

We welcome the initiation of negotiations between the government of the Republic of Moldova and the IMF and World Bank. I am confident that they will be concluded with an agreement which will take into account the economic, political and social realities in the Republic of Moldova. The Republic of Moldova does not need to have conditions imposed on it that are impossible to fulfil, given the delicate political and economic situation in the country.

In April, we had a few occasions where we discussed the Republic of Moldova in the European Parliament. We all agreed that the European Union must provide financial support. This is all the more important now when liberal, pro-European forces are in power. This is why, on behalf of the Group of the Alliance of Liberals and Democrats for Europe, I am clearly asking the Commission to ensure that the proposal it is going to draft includes specific offers of macrofinancial assistance because the Republic of Moldova needs help immediately to be able to cover the budget deficit, which is likely to reach 14% of the country's GDP by the end of 2009.

In the medium term, the Eastern Partnership may serve as an important instrument, but it must become operational as soon as possible and be allocated sufficient funds. We are also asking for a proposal to be included in the future association agreement on creating an expanded, comprehensive, common free trade area, along with a proposal on a visa waiver for Moldovan citizens.

Werner Schulz, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, possibly the political situation in Moldova will relax tomorrow as a result of the election of a president supported by the Coalition for European Integration. Otherwise, as we have heard, new early elections will have to be held and, if it comes to that, the EU should provide constructive help.

This cannot, of course, be limited to observing the elections and I should like here to address the problem of how voter participation can be increased and the result can be made more transparent. Around one million Moldovans work and live abroad in the west, especially in Italy, Portugal and Austria. Their percentage of participation in the elections was in single figures at the last elections and there are logical reasons for that. For example, in Italy, it was only possible to vote in Rome and Bologna and numerous Moldovans scattered around the country did not make use of this opportunity due to the cost involved.

We, the European Parliament, the Commission, the Council and also the Moldovan Government, should ensure that more ballot boxes and special polling stations are set up at the next elections, so that Moldovans living abroad can take part in these elections, because it is from them that we can expect a clear commitment to Europe, which is why I should like to direct your attention, your focus, not only to economic and financial support, but also to the need for us to provide conscious and constructive political support.

Charles Tannock, *on behalf of the ECR Group*. – Mr President, Moldova is Europe's poorest country and is also landlocked, but has recently had a successful democratic election. The new parliament must now choose its president wisely.

However, it would undoubtedly be more prosperous and secure if it did not suffer from an artificial territorial division. Very little progress has been made towards a resolution of the frozen conflict in Transnistria – a problem which goes back some 17 years. This is largely because Russia bankrolls the illegal regime in Tiraspol and continues to garrison troops in Transnistria.

We can usually judge Russia's sincerity by its degree of commitment to resolving conflicts like this one, but the fact is that in Transnistria, as well as in Georgia and Ukraine, Russia cannot resist interfering. Russia maintains that Moldova, as a former Soviet Republic, is in its sphere of influence. Such concepts are outdated. Moldova, as a manifestly sovereign and European country, could one day join NATO and even the EU.

The EU must redouble efforts now to resolve outstanding issues in Moldova and give it the appropriate financial assistance it requires, but this will not happen by naively resetting relations with the Kremlin.

Jiří Maštálka, *on behalf of the GUE/NGL Group*. – (CS) I would like to talk about both of these problems and also about the following report on Georgia. We are given too little time to assess such complex issues. I feel obliged to state that Czech President Václav Klaus was not mistaken in his statements either on the situation in Moldova or on the border conflict between Georgia and Russia. That is all in the past, of course, while we are facing a new set of problems today, despite the fact that we have a Commission President but no new Commission.

I would like to applaud the report on the Georgia-Russia conflict at least, and its effort to make an objective assessment of the entire situation. We have announced the ambitious Eastern Partnership programme and I would like to make some brief proposals in relation both to Moldova and Georgia. Firstly, the Eastern Partnership project must not be regarded as a policy instrument against Russia, but as an instrument for resolving issues jointly with Russia. Secondly, the question of the territorial integrity of both Moldova and Georgia must be resolved in accordance with international law, and not through the so-called Thessaloniki-Kosovo variant. Thirdly, both countries have expressed interest in closer cooperation with the European Union and this must involve appropriate financial support as well as real political support, for example, by relaxing the visa regime. Fourthly, both countries need a lot of help in the area of consultancy, particularly in relation to the running of public institutions such as the offices of the president, the parliament, the public prosecutor and so on. Fifthly, both countries have an urgent need for assistance, particularly over the establishment of a legal framework for freedom of expression and a free media, through which they can give their own citizens a greater feeling of confidence.

In order for all of this to be fulfilled, the European Union must be ready and able to complete the job of integrating these countries into the new Europe through political and financial support and other mechanisms as well. Failing this, the Eastern Partnership will be regarded simply as a piece of geopolitical manoeuvring and it will remain just an empty idea. Failing this, we risk simple disillusionment and more words spoken at the end of our election period about the need for new orange, pink or whatever other revolutions. We may indeed provide funding for these but they will not amount to a real resolution of the situation or an improvement in the lives of the inhabitants.

Bastiaan Belder, *on behalf of the EFD Group*. – (NL) Mr President, the financial and economic situation in Moldova can be summed up in a few words. It is a total disaster, as Dr Aneli Gabani, one of Europe's leading experts on Moldova, informed me yesterday. A new government team may have taken office in Chişinău on

25 September with a promising name and programme – the Alliance for European Integration – but the Communist Party remains strong and is already preparing its return to power by forcing new elections, as expected.

If the European Union wishes to support the current Moldovan Government's European course, Brussels must attend to this very quickly. Therefore, the Council and the Commission must urge the IMF to come to Moldova's assistance as quickly as possible without immediately demanding social austerity. Let us allow the reform-minded cabinet a political breathing space. It goes without saying that the European Union itself must also provide generous funding in this case. After all, Moldova's political future is on the European agenda here today.

Cristian Dan Preda (PPE). – (RO) I, too, wish to welcome the Commission's intention to support the Republic of Moldova. The Republic of Moldova needs support that has to target the country's population. This is the only way in which the Republic of Moldova's citizens will be able to acquire the confidence they need to find a path towards stability and growth.

The macrofinancial assistance package which was agreed on here must obviously be put together as urgently as possible. Action must not be delayed because, if there is any delay, we will end up with disappointment in Moldova instead of confidence. In addition to this, I believe that the government in Chişinău must be supported politically because, after a long period of time, the country is, at last, genuinely opening up to the European Union. The name chosen by the government coalition is certainly no coincidence. It is made up of parties who really want a different option to the one that has been chosen by Moldova until now.

This political support is vital, all the more so as there is a risk, and I strongly emphasise this point, that Moldova will be regarded as a local problem, at the very limit, a problem for the Romanians inside the European Union. It is anything but this at all. It is a European problem, and I am pleased that there are Members with a whole variety of perspectives speaking on this subject. After all, Moldova is close to Europe and must be supported at a time when this opening is present there. Otherwise, we risk falling back into a cycle of delays and procrastination, which was typical of the Voronin administration.

Democratic developments and support from the EU may actually also lead to a resolution of the situation in Transnistria because this region was in stalemate. This was because the government in Chişinău was reluctant to end the stalemate and adopted an ambiguous, unconstructive position on this.

On a final note, Moldova's citizens require visas. The situation there is by no means any worse than the situation in the Western Balkans, and citizens from the Republic of Moldova must therefore enjoy freedom of travel.

Cătălin Sorin Ivan (S&D). – (RO) As I also said here on Monday in the European Parliament, Moldova needs concrete actions, not promises. Moldova is currently in the most difficult economic situation among all the states on our continent. This is precisely why the institutions of the European Union must identify solutions for providing immediate macrofinancial assistance to the Republic of Moldova.

This aid is intended to cover the budget deficit equivalent to 14% of GDP. There has been a need for a very long time to initiate negotiations for a new agreement with Moldova. They have now become a possibility and we hope that they will be conducted at the fastest rate possible. However, the parliament in Chişinău is in a difficult position. The risk of new elections is still present. The election of a new president, initially scheduled for tomorrow, had to be postponed for another 10 days.

I am delighted at the enthusiasm with which the Commission announced the start of these negotiations and I hope this enthusiasm continues. We cannot afford to disappoint the Moldovan people. They need us, they need Europe.

Ryszard Czarnecki (ECR). – (PL) Mr President, in our discussions in this House on Moldova, a lot of attention has been paid to the country's very poor economic situation, but frankly speaking, the situation today is far better than it was a year ago. We see Moldova making clear progress towards an economy capable of providing for its citizens' well-being. Paradoxically, Moldova is now in a better situation than it was a year ago, while Ukraine, which was held up as an example for all to follow, is in a worse situation.

We can see progress in what Moldova and its government are doing. The European Union must hold out a clear European perspective to this country and give firm support to the present authorities to prevent the old political nightmare from returning. Moldova's current situation is the result of eight years of rule by

communists, and if we do not want to be instrumental in returning that incompetent team to power, let us help the present Moldovan Government and the Moldovan people.

IN THE CHAIR: MRS WALLIS

Vice-President

Lena Barbara Kolarska-Bobińska (PPE). – Madam President, I would also like to thank the Commissioner and the Commission for all the declarations concerning Moldova and the steps the Commission wants to take in the future. Being from Poland, I know how important such steps are and the declarations on strengthening weak democracy in transition in their countries. The developments in Moldova are important for its people but are also very important for the entire region. This is what I want to stress.

During the transition process, the reforms are very fragile in many post-Soviet countries and the successes in Moldova will be an important example and an important signal to other pro-reformist groups in the post-Soviet region.

Talking about the fragility of the government right now and the situation in Moldova, we have to remember experiences at the beginning of the 1990s in this country, when the difficult economic situation led to a failure to pay pensions and salaries and to a break in reforms. Right now, we are talking about helping the economic situation but we also have to remember the need to strengthen institutions. At the heart of all democracies are the institutions: political institutions, institutions concerning the rule of law, the judiciary system and the freedom of the press.

Poland has recently done much to help Moldova during the elections and prior to them, but I think we particularly have to use the Eastern Partnership as an appropriate measure because it offers many possibilities. I think that not only is the Commission taking important steps but we in Parliament – when we receive all the documents – also need to speed up our process and our decisions to help resolve the situation.

Monica Luisa Macovei (PPE). – Madam President, the pro-European Government in the Republic of Moldova cannot be left to become victim of the serious economic situation. I call for more substantial assistance than the package already agreed to by the Commission and I insist on this.

Financial assistance must support the population and must support the reforms which the country has to implement, as encouraged by the Union. These reforms need to be backed by enhanced and quick financial support from the Union, coupled with a monitoring mechanism to ensure and support the proper management of its funds. Finally, the new agreement with the Republic of Moldova should be an association agreement as in the case of the other countries under the European neighbourhood policy. Visa liberalisation should be negotiated and helped to happen.

Elena Băsescu (PPE). – (RO) The economic crisis is also being strongly felt in the Republic of Moldova. Romania and the Republic of Moldova have particularly close economic relations. My country is the number one destination for Moldovan exports and the second biggest source of imports. However, these commercial exchanges have been hit hard by the harmful introduction of a visa scheme by the former Communist administration. However, these exchanges have been resumed following the removal of this scheme.

The granting of the EUR 100 million credit promised by the Commission must be speeded up. With this in mind, an IMF mission may visit Chişinău in the near future. Poland has also promised to provide substantial aid. The European Union must take into account that the outcome voted for by the citizens of the Republic of Moldova in July showed that they are opening up to Europe.

Considerable intervention is required now from the European Union before the onset of winter so as not to allow any chance for the anti-European forces to take advantage of the difficult situation the Republic of Moldova is currently in. So far, not a single euro has reached the Republic of Moldova.

Victor Boştinaru (S&D). – (RO) The will of Moldovan citizens has brought about a radical change in Chişinău with a pro-European government that sincerely wishes to commit to a proper project for the Republic of Moldova, a European project.

Moldova is currently facing serious economic and social problems, and the European Union must demonstrate that this symbolic word of 'solidarity' does not only apply during election campaigns. We must show that we, the European Union, are up to fulfilling the expectations of the citizens in this country. Faced with the disastrous situation left by the Voronin regime, the effects of the economic crisis, not to mention the onset

of winter, the Republic of Moldova needs help now. We must not forget, talking about the IMF, that many European Union Member States are major players in the International Monetary Fund, and the decision must be made now.

Zigmantas Balčytis (S&D). – (LT) I was, in fact, an observer during the elections in Moldova, and am familiar with this situation. It is a state with a rather complicated historical past – there is Trans-Dniester, Gagauzia, Moldova and many other matters. Almost all post-Soviet system states firstly require a certain amount of financial support. Therefore, I would really urge you to begin talks as soon as possible and to initiate talks with the International Monetary Fund, as we all really ought to support this state and this government that has been formed since the last elections and which is following the path to democracy. I think my colleagues were quite right in what they said on specific steps for the future, that is, on opening the opportunity for a free trade zone, on the visa regime. These are everyday matters that we will also have to solve in the future.

Agustín Díaz de Mera García Consuegra (PPE). – (ES) Madam President, I would like to put on record the reasons for my vote.

I am in favour of the European Union providing support to Moldova to deal with a critical situation. I am in favour of financial support provided by the International Monetary Fund and the European Union, namely urgent support and financial aid to the people of Moldova. I am in favour of providing political support to the coalition government in Chişinău, as this move will open the gates to hope. These gates need to be held open with financial aid.

The people of Moldova must be able to leave their country and travel, which is why I am in favour of a proper visa policy. I am also strongly and decisively in favour of the agreement being an association agreement. Madam President, EUR 100 million does not seem to be a sufficient sum. We desperately need to provide immediate and urgent assistance.

Ioan Enciu (S&D). – (RO) The increasingly encouraging messages which the European Union has been sending Chişinău recently are being welcomed there with great enthusiasm. This is because the majority of this country's citizens are pinning great hopes on becoming part of Europe. These aspirations are easy to understand.

The European Union has demonstrated on more than one occasion its ability to get its members out of difficult economic situations and that it has the mechanisms required to do this. However, there are motives which arouse a certain concern, linked to the danger of the Moldovans' enthusiasm waning. The primary reason for this is that the model of the agreement being proposed to Moldova does not offer the same guarantees on integration as the Stabilisation and Association Agreement offered to states in the Western Balkans. On the other hand, the negotiations on the agreement will require more time, which was already stated from the start.

I believe that the European Union also needs to propose quickly an alternative option, such as a huge economic aid plan, perhaps even a mini-Marshall Plan for Moldova.

Leonard Orban, Member of the Commission. – (RO) I have made one extremely important observation: the political support is there in Parliament for strengthening ties with the Republic of Moldova and bringing this country closer to the European Union.

I must specifically reply to some of the issues that have been raised just now. One of the most important of these related to the coordination between the European Commission and International Monetary Fund on granting macrofinancial assistance. As I have said before, we work closely with the IMF on coordinating our assistance procedures. It is still too early for us to say how these agreements will turn out, but we think that the European Union may wish to ensure that the adjustment programme also includes a series of reforms that we regard as essential to ensuring good governance and sustainable growth in the future.

Based on the experience gained from macrofinancial assistance programmes for other countries, it is possible that, as part of the negotiations on the exact procedures involved in providing this aid, certain conditions may crop up specifically linked, for instance, to good governance, which was mentioned by several speakers, and to harmonisation of the European Neighbourhood Policy. I want to emphasise once again the following fact: based on the rules which we need to follow, we are not able to grant macroeconomic assistance alone. Therefore, an agreement needs to be concluded between the authorities in the Republic of Moldova and the International Monetary Fund. Without this agreement, the macrofinancial assistance which we have spoken about more specifically cannot be provided.

On the other hand, I want to assure you that we are coordinating our actions with the International Monetary Fund. An IMF delegation is currently in Chişinău. As I have already told you, our colleagues from DG FIN are also in Chişinău, coordinating the dialogue with the International Monetary Fund, as well as with the authorities in the Republic of Moldova.

Another issue that was mentioned concerns what other assistance the European Union can give the Republic of Moldova that is geared towards the population, to show that we actually want to support not only the authorities in the Republic of Moldova, but the population as well. Let me give you just a few examples. This Community assistance has brought and will continue to bring specific benefits to the population.

We are cofinancing road infrastructure projects, the modernisation of Chişinău airport, the expansion of the Republican Clinical Hospital in Chişinău, which is the largest in the country, as well as the consolidation of primary medical assistance. In spring this year, we supplied medical equipment with a value of EUR 4.5 million to 60 clinics in the Republic of Moldova.

This country is the largest per capita beneficiary of Community assistance after the Palestinian Territories. As part of the European Neighbourhood Policy, the assistance budget, which rose to EUR 40 million in 2007, increased this year to EUR 62 million, and is forecast to continue growing.

We cannot clearly quantify at the moment the size of the financial assistance package as part of the macroeconomic support and the other programmes and types of support we are going to provide. A figure for this will be given when we reach the stage of concluding an agreement with the authorities in the Republic of Moldova, one which will specifically meet the needs that this country has.

There were two further issues raised. One of these concerns the timetable for the negotiations for concluding a new association agreement with the Republic of Moldova. I wish to tell you that last week, the European Commission sent a delegation to Chişinău for technical consultations with the authorities on negotiating a new agreement.

The agenda for these talks includes the format, objectives and timetable for the negotiations, as well as the components in the future agreement. We are therefore in negotiations on this issue.

The last matter I would like to mention is about the issue of the visa waiver. According to the joint declaration made on 7 May 2009, which marked the launch of the Eastern Partnership, the European Union is going to adopt measures that gradually move towards a visa waiver, with the long-term objective of achieving this for every country which is a member of this partnership. The conditions for this are fulfilment of the requirements relating to good governance and security, and guaranteeing security of movement.

At the present juncture, the European Commission is waiting with particular interest for the Council discussion about initiating a structured dialogue on a visa waiver with the Republic of Moldova. Until then, we have been and are still giving strong encouragement to the authorities in the Republic of Moldova to continue their reforms in the areas of justice, freedom and security, which will undoubtedly facilitate the discussions about easing the visa regime.

President. – The debate is closed.

Written statements (Rule 149)

Sebastian Valentin Bodu (PPE), in writing. – (RO) The European Commission's report on the economic and financial situation in the Republic of Moldova is completely unequivocal. The government in Chişinău is going through difficult times caused not only by the global economic recession, but also by economic decisions which were wrong or put off for too long by the previous government. Apart from this, the certainties that we are dealing with at the moment are that the Republic of Moldova has clearly declared itself in favour of the European option and it wants to be much more than a mere state bordering the European Union.

At present, Moldova is looking for support in getting out of the economic downturn, as well as for allies. Moldova is inextricably part of Europe and the support from the Community could take the form of specific measures, apart from giving encouragement and making statements of support and rapprochement. We are living in an interconnected, global Europe where no government can work miracles on its own, especially when they are expected overnight by a people forgotten for far too long by their own leaders.

A hand of cooperation extended by Europe to Moldova and a greater rapprochement between Chişinău and Brussels will instil greater confidence in the investors in this country. This will then be reflected in the long term by stability and growth.

George Sabin Cutaş (S&D), *in writing*. – (RO) The Republic of Moldova's path towards democracy has been difficult and it has now turned towards Europe. However, the new government majority in Chişinău is in a fragile position as it is also getting over the postponement of the vote by its parliament on the appointment of the President of Moldova.

At the same time, the difficult economic situation facing the new government may have serious social and political repercussions. In these circumstances, what is needed is urgent, huge support from the European Union in many areas, including the three strands in the future Association Agreement: the political agreement, the free trade agreement, and the visa waiver.

Financial support is crucial for ensuring this state's stability and encouraging democratic and economic reforms. Indeed, the EU and IMF must allocate considerable macroeconomic aid to cover the budget deficit and social costs for the subsequent period.

I must express the hope that the presidential election in Moldova and the changes which will occur in the European Commission and EU Presidency will not affect the priority that must be given to European assistance for this state in our immediate vicinity, on whose territory the closest unresolved conflict to the EU's borders is taking place. This factor must not be overlooked because it directly affects the stability of Eastern Europe and the security of Europe's borders.

Rafał Kazimierz Trzaskowski (PPE), *in writing*. – (PL) The Republic of Moldova is a very important partner for the European Union, and the situation within the country reflects on the stability of the entire region. The new government would like to join the European Union in the future, which is why we should support it to keep the changes the country is undertaking on the right track. In this context, it is very important to use the opportunities afforded by cooperation in the framework of the Eastern Partnership, which would involve signing an association agreement and liberalising visa policy. The European Union needs to remember how important it is to support post-Soviet states trying to democratise their political life.

Iuliu Winkler (PPE), *in writing*. – (RO) The announcement made by the Swedish Presidency about initiating as soon as possible negotiations on a new agreement with the Republic of Moldova, intended to replace the current Partnership and Cooperation Agreement, is more than welcome in view of the new political situation in this state. The Republic of Moldova's European destiny has been reinforced by the pro-European majority government formed in the parliament in Chişinău.

I believe that especially now, at a time when the effects of the economic crisis are being felt deeply, the Republic of Moldova must be supported by the European Union, which also means financially, while identifying mechanisms that will help encourage reforms in the Republic of Moldova which, in turn, will bring this state closer to fulfilling its desire of joining the EU. Mechanisms involving economic cooperation and commercial agreements are powerful instruments for making the Republic of Moldova's European destiny become a reality.

The preferential commercial terms granted by the European Union in early 2006 and Moldova's participation in CEFTA in 2007, along with all the Western Balkan states, some of which are EU candidate states, link the economy of this country to the European single market. This is the point where it can await the prospect of its integration into the EU. I believe that the European institutions must attach particular importance to not only political relations with the Republic of Moldova, but to economic and commercial relations as well.

6. Report of the Independent International Fact-Finding Mission on the Conflict in Georgia (debate)

President. – The next item is the Commission statement on the report of the Independent International Fact-Finding Mission on the Conflict in Georgia.

Vytautas Landsbergis (PPE). – Madam President, on a point of order, I wish to protest against manipulation by somebody in the secretariat. A list was provided for the debate on the fact-finding mission to Georgia, but names of certain speakers, including mine, have been deleted. I therefore request my speaking time in accordance with what had been arranged until the last minute. I request the floor after Mr Kasoulides.

President. – Mr Landsbergis, it appears that there are only speakers on behalf of the groups, and you already have a speaker on behalf of the PPE Group. However, what I can offer you is to take you under the catch-the-eye procedure.

Leonard Orban, Member of the Commission. – (RO) I am pleased to have the opportunity today to discuss Georgia with you. Less than one year after the armed conflict with Russia, Georgia is facing numerous challenges which are of direct interest to the European Union, and we must give this country our undivided attention.

The report from the Independent International Fact-finding Mission on the Conflict in Georgia, overseen by the Swiss ambassador, Heidi Tagliavini, was compiled at the European Union's request based on the Council's decision. However, it is totally independent and the European Union has not been involved at all in the process of drafting it, nor had anything to do with its content. Consequently, I will not go into detail on its results.

We believe that the report has achieved its main aim, which was to provide explanations for the events which took place in August 2008, as well as for the main causes of the conflict. The report clearly highlights, as often happens in conflict situations, that no single party is to blame for the conflict. Both Georgia and Russia are criticised for their actions. Another lesson identified in the report is the need for quicker and more decisive action by the international community in extremely tense situations which may degenerate into violence.

The European Union firmly maintains the commitments it has assumed with regard to Georgia's territorial integrity. At the moment, we should focus our efforts on avoiding future conflicts and resolving ongoing tensions peacefully, as this is the only way to long-term prosperity and stability in the region.

Ladies and gentlemen, the war has left a profound impression on Georgians and the country is still facing fundamental problems, such as meeting the basic needs of thousands of displaced persons. As a result, I am pleased to say that the implementation of the package of post-conflict assistance prepared by the European Commission with support from Member States and other parties is working well. As you are aware, the European Commission's package provides assistance of up to EUR 500 million for the 2008-2010 period. Some of the areas which the package focuses on include the needs of displaced persons inside the country and on economic measures aimed at generating economic growth and stimulating job creation. In addition, the European Commission has proposed that Georgia should benefit from macrofinancial assistance amounting to EUR 46 million to help this country overcome the impact of the financial and economic crisis.

At present, the European Union monitoring mission in Georgia is still the only international presence monitoring the situation in the country. This mission plays an essential role, but we would still like to see its activities extended across the whole territory. The talks in Geneva, co-chaired by the European Union, OSCE and the UN, offer a unique opportunity for political dialogue with all the partners. We will continue to undertake every effort to promote constructive discussions which will lead to concrete results.

At the moment, the working party for displaced persons inside the country and humanitarian aspects, co-chaired by the European Commission and UNHCR, is discussing a set of measures intended to be accepted for returning refugees and displaced persons within the country and other displaced persons. At the same time, in Abkhazia and South Ossetia, the two mechanisms for preventing and responding to incidents are yielding some positive results in terms of reducing the number of incidents and facilitating the crossing of the borders by these persons.

Taking into account the events of the recent past, it is important to reinforce stability, security and prosperity in Georgia. The need for economic and political reforms in this country is greater than ever. The Eastern Partnership, launched in Prague in May, is an important framework for strengthening the support we give Georgia, both bilaterally and through multilateral cooperation with other partners in the region. One key element is the proposal to establish stronger political and commercial relations. According to the Eastern Partnership, the External Relations Council agreed in September that the directives on negotiating new agreements must be prepared for all three countries in the Southern Caucasus, including Georgia.

Apart from strengthening our political relations, we will propose that the new agreement with Georgia should include the creation of an expanded, comprehensive free trade area. It is important to mention that such an area would ensure the gradual alignment of Georgia's economy with the EU internal market. It goes without saying that this ambitious long-term objective will still require Georgia to make and support efforts aimed at implementing reforms. Negotiations on an expanded, comprehensive free trade area will only start after the necessary conditions have been fulfilled.

Allow me to add that, as far as relations with Georgia are concerned, our action to step up contacts between people is making progress. The Commission has concluded the negotiations on an agreement to facilitate a visa waiver and ensure readmission, the text for which is available in the Council. We hope that the procedures can be finalised as soon as possible.

Ladies and gentlemen, I believe that we all agree that Georgia is a key player in our neighbourhood. Consequently, it is of paramount importance for us to keep our commitments in this country in order to help it resolve the numerous challenges it is facing, particularly with regard to pursuing its reform programme. As Georgia makes real progress in implementing political and economic reforms, the EU's relations with Georgia will become deeper and closer.

Ioannis Kasoulides, *on behalf of the PPE Group*. – Madam President, first of all, we take note of the report just given to us on the independent fact-finding mission. It is very difficult in circumstances like these to say who started things and who followed. What is important is that the facts remain on the ground a year after this conflict, and that they violate a number of principles which the European Union has to support.

First, as you said Mr Commissioner, there is the principle of support for the territorial integrity of Georgia. All our diplomatic and other actions should never encourage UDIs or separatisms. *Faits accomplis* created by the use of force are not acceptable and can never be acceptable.

Secondly, there is the right of displaced persons to return to their homes and properties: the basic freedom of movement, as you said, to cross the dividing lines. Ownership of property and settlement should be at the centre of our policies and initiatives need to be undertaken to address these humanitarian and human rights issues independently of the outcome of any political settlement.

Thirdly, the hostilities in South Ossetia have proven that there is no such thing as a frozen conflict. The term frozen has a notion of appeasement. A lack of interest on the part of the international community may lead to chronicity and an unsettled conflict is a potential threat to peace and stability. One year after the conflict, I underline once more the successful role of the European Union and the French Presidency in achieving a speedy ceasefire and the mission which monitors it. The presence of European monitors is a guarantee that no side can claim from now on arbitrarily that the other has started hostilities. Efforts now should be diverted towards a political settlement, however difficult this is, and the political negotiations launched in Geneva immediately after the hostilities should be encouraged to continue.

We support the efforts for a new association agreement, under the framework of the Eastern Partnership, which goes beyond opportunities for trade and investment. We also support an agreement to facilitate the procedures for issuing short-stay visas and on readmission between the European Community and Georgia, and we are satisfied with the post-conflict assistance package, which is operating well.

Zoran Thaler, *on behalf of the S&D Group*. – (SL) Madam President, ladies and gentlemen, representatives of the Commission, we welcome the impartial and independent investigation of, and the subsequent report on, the 2008 conflict in Georgia, conducted by the International Fact-Finding Mission headed by the Swiss diplomat, Heidi Tagliavini. Before the outbreak of hostilities in South Ossetia on the night of 7 to 8 August 2008, which claimed many civilian lives, we had been witnesses to months of provocation from all sides. The Russian military intervention, including its invasion of Georgia, was disproportionate and unjustified. Both sides to the conflict were guilty of breaches of international humanitarian law, which has also been confirmed by the report and by various organisations, such as Human Rights Watch.

What are we to do now? Russia must fully honour the peace accord. First of all, it must withdraw from the areas it has occupied since 7 August 2008. It should provide immediate, free and unlimited access to South Ossetia to members of the EU Monitoring Mission and international agencies, including the UN, so that they are able to supervise the ceasefire and deliver humanitarian aid. Approximately 25 - 30 000 Georgians remain displaced in South Ossetia and the *de facto* authorities of South Ossetia must facilitate their return to their homes.

Georgia's territorial integrity must remain beyond question. There are, however, worrying signs of authoritarianism in Georgia. The abuse of the legal system by President Saakashvili, the mounting hostility towards any opposing views, the steadily diminishing freedom of speech and the sometimes confrontational nationalist rhetoric are all to Georgia's detriment. Georgia will only be able to return to the pro-European and democratic path and become attractive to other countries in the region if it upholds the ideals it embraced during the Rose Revolution. All actors should avail themselves *bona fide* of the opportunities presented by

the Geneva negotiations. The situation in the Caucasus must be given serious attention at the next EU-Russia Summit.

Kristiina Ojuland, *on behalf of the ALDE Group*. – (ET) Madam President, ladies and gentlemen, speaking on behalf of the Group of the Alliance of Liberals and Democrats for Europe, I have the opportunity to convey my approval to the rapporteur. The report has an extremely important role even if it only refutes the widespread myth – a myth spread by the Russian Federation – that Georgia started the war. At the same time, this report is balanced, and criticises both sides in the conflict, even saying that they could not prevent the conflict. The report is certainly significant because it very clearly states the fact that the Russian Federation – right from the start of the conflict – organised training on South Ossetian territory, and provided the South Ossetians with military technology and also other military equipment.

Another essential moment in this report is definitely the question of 'passportisation', which the Russian Federation has been implementing for many years, both in Abkhazia and in South Ossetia, and thus creating a conflict with international law, not to speak of the undermining of good neighbourly relations. Though the report says very clearly that this passportisation has not made the people living in South Ossetia or Abkhazia into citizens of the Russian Federation, only *de jure* are they still Georgian citizens and also because of this, the Russian Federation's claim that they were protecting or sending people to protect their citizens in South Ossetia definitely does not hold water. Another important part of the report is certainly the fact that it speaks of the ethnic cleansing on South Ossetian territory in the Georgian villages. This is a very important moment. Unfortunately, however, the report does not deal with the ethnic cleansing which the Russian Federation carried out in Abkhazia from 1991 when, because of Georgia's independence, almost a quarter of a million Georgians were forced to leave Abkhazia, their own country.

Also, finally, Madam President, I would like to say that the most important thing of all is, of course, the reference in the report to the fact that Georgia's independence, autonomy, sovereignty and territorial integrity must be respected. For us, the question today is can this really be done, and if we now, before long, are celebrating 20 years since the fall of the Berlin Wall, then I would like to ask, ladies and gentlemen, when will we be able to celebrate the day when Abkhazia and South Ossetia are united with Georgia?

Ulrike Lunacek, *on behalf of the Verts/ALE Group*. – Madam President, I would like to join the previous speakers in warmly congratulating Mrs Tagliavini and her team for the report they were able to deliver.

The report made it very clear that both sides were responsible for the escalation to the conflict that finally took place in August 2008. It is clear that Russia had been building up a military presence in South Ossetia, which was Georgian territory. However, it is also clear that those provocations led to an overreaction by Georgia's President Saakashvili. It is important to have said that both sides were responsible, and we now have to look at how things can develop in the future. That was the very big achievement of this report. I also agree very much with everybody who has said that the territorial integrity of Georgia, and of all countries, has to be respected. International law has to be respected.

However, it is also important to look into some of the reasons: the aggressive language, xenophobic language and nationalistic language that were part of the build-up to this conflict. Another thing is to ask what the EU will do now. We have a monitoring mission, which is important, but it has to have access to all parts of Georgia in order to support displaced persons and others.

In our discussions now - the member of the Commission has suggested moving to a free trade zone with Georgia, and Parliament will be discussing microfinancial assistance for Georgia - it is clear that the EU also has to consider placing conditions on Georgia, for example, to reduce the amount of its military budget. The defence budget has been building up over recent years in Georgia, which is then short in other areas, such as social issues, civil society and media freedom. The EU has to monitor that very closely. In brief, it is important that the EU supports efforts to tone down the aggressive language, and financial assistance has to come with conditions.

Milan Cabrnoch, *on behalf of the ECR Group*. – (CS) Madam President, ladies and gentlemen, on behalf of the ECR Group and on behalf of the delegation of the European Parliament for cooperation with the Parliament of Georgia, of which I am the chair, I welcome the report which the Commission has submitted. The report is credible and has not been questioned by any of the parties to the conflict. We are monitoring the situation in Georgia closely and we are also monitoring details of the preparations for Georgia's membership in NATO. We fully back the territorial integrity and sovereignty of Georgia as an independent state. We cannot accept the idea that Georgia or any other country lies within the exclusive sphere of influence of the Russian Federation or of any other country. In connection with the military conflict which took place in Georgia a

year ago, we are monitoring with great unease the situation in South Ossetia in particular. We are uneasy about the situation regarding adherence to ceasefire agreements and we are particularly uneasy about the situation of the refugees who were forced to leave their homes and who are unable to return. The EU's humanitarian assistance is unfortunately not getting through to Abkhazia and South Ossetia at the moment. Both ethnic Georgians and other inhabitants are suffering in these areas at present. It is also a matter of great regret to us that the independent peace observers sent to Georgia by the EU have not even been able to work in these areas.

The report states that both sides in the conflict violated international law. It is not our role to judge, but nonetheless it is clear from the report that the steps taken by the Russian Federation go far beyond the general concept of necessary defence. We are extremely concerned by the information on the ethnic cleansing and violence against civilian populations which took place both during and after the conflict, according to the report. In the future work of the inter-parliamentary committee, we will be supporting an immediate end to all violence, an immediate lifting of blockades preventing the delivery of humanitarian aid to those who really need it, access for international peace observers and the greatest possible alleviation of the impact of the conflict on innocent civilians. We will support all steps that lead to an ending of the conflict and to a restoration of the territorial integrity and sovereignty of Georgia.

Bastiaan Belder, *on behalf of the EFD Group*. – (NL) Madam President, 'there are no winners,' says the worthwhile report by the commission of investigation on the armed conflict in Georgia in the summer of 2008. I do not share this conclusion.

Of course there was, and is, a winner: Russia. With the help of the Georgian President, the Kremlin is completing, resolutely and by military means, the political annexation of Abkhazia and South Ossetia. The loser is the Georgian State although, incidentally, it can console itself with the support of the Russian Orthodox Church, which continues to assert that Abkhazians and South Ossetians are Georgian citizens. I should like to emphasise this commendable stance on the part of the Moscow Patriarchate, which I am sure is an example for wavering Member States to follow.

The Tagliavini commission rightly criticises the mass provision of Russian passports to Georgian citizens in Abkhazia and South Ossetia as being contrary to international law. This erosion of Georgian sovereignty is currently being mirrored exactly by the erosion of Ukrainian national sovereignty in the Crimea, where Russia is handing out new passports liberally to Ukrainian citizens.

Therefore, an important political lesson that the European Union should draw from the Tagliavini report is that it should actively assist Kiev in the defence of its national independence against any of its neighbours. European projects in the Crimea are an excellent opportunity to do so, and the same is true in Georgia.

Franz Obermayr (NI). – (DE) Madam President, the conflict in the Caucasus in 2008, also called the 5-day war, was a regrettable armed military conflict on Georgian territory between Georgia and Russia, which also affected the so-called 'renegade provinces' of South Ossetia and Abkhazia.

Due to what was unfortunately often one-sided reporting by the international media on the facts and background to the war, I should like to clarify a number of points: the US sharply condemned Russia's military action, describing it a demonstration of pure intimidation and power and defended Georgia's stance. The first thing that needs to said here is that Russia was not the aggressor and reacted to the war started by Saakashvili. He knew full well when he implemented his reunification programme that he was facing an all-powerful adversary, but he was counting on NATO and the US to cover his back, which is why he decided to wrest renegade provinces back by force.

Russia's reaction was doubtless excessive, but was taken in accordance with international law in a so-called self-defence situation. Thus, US support for Georgia was obviously not only aimed to protect the democratic right of self-determination, but also – it must be said – had military and political objectives, especially as Georgia was functioning as a strategic vassal state in the Caucasus on the Russian border.

The Georgians should be cautious in allowing the US to cover their back. You only have to think of Hungary in 1956, when the US again offered their support, as we know. In any event, the outcome was devastating: the Hungarians were abandoned by the western world in their fight for freedom.

Finally, I should like to refer to the report of 30 September 2009, in which the investigation committee set up by the EU Council of Ministers argued in detail that the justification under international law cited by the Georgians for the attack is invalid.

Vytautas Landsbergis (PPE). – Madam President, Ms Heidi Tagliavini, head of the mission, wrote the following comments in a separate press summary: ‘It must be said that the conflict of 2008 was predictable and preventable’; ‘But the international community looked the other way, as if it had given up not only on solving the underlying conflict, but also on upholding an increasingly fragile cease-fire.’ Who would prefer to uphold increasing uncertainty and armed violence with an openly approaching tragic outcome?

Ms Tagliavini noted three legal personalities as defining the indifferent international community: the United Nations, the OSCE and the European Union. Now we, the European Parliament, are among the three great hypocrites who saw, knew and did not want to prevent the recent bloody stage of that 17-year war.

Other main conclusions of the mission remain of global importance as well. They are: no more peacekeepers from a neighbouring country as they usually defend particular *zones d'état* but not peace. The impact of a great power's coercive politics and diplomacy against a small and unsubordinated neighbour should be considered, not to mention eventual loss of important parts of territory through creeping annexation. There are no winners in this conflict. When the international community is among the big losers, the political culture of cooperation has suffered.

Two more quotations: ‘Established principles of international law such as respect for sovereignty and territorial integrity of states were ignored’; ‘falling back from civilised standards of political interaction in Europe is a consequence’.

(The President cut off the speaker)

Jelko Kacin (ALDE). – (SL) Madam President, Commissioner, I had the opportunity of visiting Tbilisi myself in September last year. The question of Georgia's territorial integrity and stability has a strong bearing on the stability of the region at large, which unfortunately has a stable history of instability. There is no one truth, there are several truths and they often contradict each other. When decision-making politicians lose hold of their senses, the consequences are unpredictable and wide-ranging. Direct and collateral damage is huge, but the consequences will affect innocent people first and foremost.

Neither interference by the major powers nor support for this or that side can lead to success. We need action that will restore and strengthen confidence, which is currently non-existent. The Caucasus is a complex region and, like the Balkans, has more history than it is able to digest and cope with. Quick fixes and xenophobia will never be a path to success. However, while disrespect for the rights and legitimate freedoms of minorities is the main cause of conflict, the causes are wider than that and include those of an economic nature, primarily energy and geopolitics. However, geopolitics demands that the major powers act responsibly, because grass always grows sparsely where the elephants roll. We have to teach those elephants the lesson that not all the grass is, or will ever be, theirs.

Paweł Robert Kowal (ECR). – (PL) Madam President, I believe that the present debate has fallen into the pattern of focusing mainly on curing the symptoms resulting from the grave situation in Georgia. Georgia is currently a country where the European Union's reputation as a major force on the international scene is being decided. The truth of the matter is that nobody has honoured Mr Sarkozy's plan, and it has already been consigned to the historical archives; that Russia is persisting in its military integration of Abkhazia and Ossetia; and that the European Union will not be able to build its status as a power whose word commands respect as far as the situation in Georgia is concerned. The best evidence of this is that Commissioner Ferrero-Waldner is absent from today's debate, and only Mr Orban is putting forward the Commission's position. Mrs Wallis evidently does not believe the matter is sufficiently important, judging by the strict limits she has imposed on the speaking time allowed for this question.

Csaba Sógor (PPE). – (HU) This is an issue that concerns the major powers, although it is a human rights situation. As pawns in the major powers' games, civilians, minorities and democracy are always the victims in this situation. Where there is separation and division, security is replaced by uncertainty and guns do the talking instead of having negotiations. What can be done? The European Union must show some credibility. The EU must adopt a minorities policy which guarantees minorities the right to use their mother tongue, promote their culture and enjoy autonomy in France, Romania, Greece and Slovakia as well. The key to the situation in Russia, Georgia, South Ossetia and Abkhazia lies in the EU. The EU must come up with a solution and be able to set an example for these countries.

Charles Tannock (ECR). – Madam President, although it is factually correct that President Saakashvili did indeed launch an attack on South Ossetia in 2008, this was only after provocation including severe economic sanctions and a build-up of Russian troops in the occupied territories.

The report does not seem in my view to fully reflect the fact of the disproportionate response by Russian forces, which involved bombing civilian areas of Georgia like Gori, and allowed systematic ethnic cleansing of Georgians from South Ossetia and the occupation of Georgian territory by Abkhazian forces.

Saakashvili, in my view, was indeed intemperate in seeking to regain control of sovereign Georgian territory, and made a terrible political mistake – though it was, after all, Georgian sovereign territory. However, Russia now is determined illegally to establish a sphere of influence in other countries in its neighbourhood, the so-called ‘near abroad’, which are, of course, sovereign territories which should be respected in international law.

Tunne Kelam (PPE). – Madam President, there is one conclusion to draw from the conflict, which is that the international community has, for far too long and too readily, agreed to the existence of so-called frozen conflicts which, as my colleague, Mr Kasoulides, has put it, equals appeasement. The central fact of this conflict is that Georgia did not invade Russian territory, whereas Russia invaded Georgian territory with massive military force and was about to occupy its capital. It was an unprecedented breach of international law and undermines the credibility of Russia as a reliable partner.

As international reaction to this invasion has remained ambiguous, Russia can feel itself a winner, which means that there is a likelihood of similar aggressions, for example, in the Crimea or even in the Baltic Sea area. Therefore, we need a clear commitment from the EU to be present in Georgia and to guarantee its free choice and territorial integrity. It will be of utmost importance to have a presence there.

Leonard Orban, Member of the Commission. – (RO) I would like to be very brief and start by saying that, as very many speakers have mentioned, the principle of Georgia’s territorial integrity is crucial to the actions we carry out. It is a fundamental issue which we bear in mind in every measure we take.

I want to make it very clear by saying that the Commission will still continue in many different areas to support cooperation and ties with Georgia, enabling this country to advance and move closer to the European Union. This support and these efforts will be implemented, as has been said, in many areas.

We will continue to be present at the negotiations in Geneva where there is a political dialogue in which all the parties are involved. This is essential to resolving this situation. We will also continue to provide assistance to displaced persons. We are in the process, as well, of initiating negotiations on the association agreement, including a free trade agreement, which obviously includes issues related to easing the visa regime.

I would finally like to say that in preparing for these negotiations, we certainly want the authorities in Georgia to fulfil certain conditions and certain obligations deriving from the rule of law and from respect for human rights and for fundamental rights, definitely along with other economic conditions, and which are linked to trade exchanges.

President. – The debate is closed.

(The sitting was suspended at 10.55 and resumed at 11.05)

IN THE CHAIR: MR BUZEK

President

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Ana Gomes (S&D). – (PT) Mr President, pursuant to Rule 151 of the Rules of Procedure, on personal statements, I would like to say that I feel that my name is used abusively in amendments to the budget regarding coercive abortion, which were tabled by Mr Deva and Mr Szymański. The amendment to which they refer, and which I submitted in an opinion on the report ‘A special place for children in EU external action’, said the following, and I quote:

‘Calls on the EU to firmly pursue the elimination of all forms of discrimination against girls (since conception) and commit adequate resources to overcome the subsequent asymmetries’.

(PT) My text seeks to protect girls from discrimination before birth, namely against selective abortion based on sex, but does not aim to prevent all activity linked to termination of pregnancy.

My text is different, in its wording and in its aims, from that of Mr Deva and Mr Szymański in the amendments to this budget. It is therefore not right to draw a parallel between them and, still less, to mention my name in this regard, which I feel is a reprehensible attempt at political manipulation.

I shall vote against Amendments 727, 732 and 734, tabled by Mr Deva and Mr Szymański.

7. Sakharov Prize 2009 (announcement of the winner)

President. – I would like to start with some important information about the Sakharov Prize for 2009. This morning's Conference of Presidents of the European Parliament awarded the Sakharov Prize for 2009 to Memorial, the organisation of Oleg Orlov, Sergey Kovalev and Lyudmila Alexeyeva and all other defenders of human rights in Russia whom it represents. We have awarded this year's prize to Memorial. We sincerely hope that by doing so, we will contribute to ending the circle of fear, uncertainty and violence surrounding human rights defenders in the Russian Federation.

We also hope to advance our message that civil society activists everywhere must be free to exercise their most basic rights of freedom of thought and freedom of speech and freedom of the written word. We need to be free to follow our thoughts because this is essential in getting at the truth.

Let me share with you my great satisfaction in being able to announce this prize as the President of the European Parliament and, in particular, as a man who comes from Solidarity. At one time, we had serious problems very similar to those that our colleagues and partners in the Russian Federation have today. I am very pleased that truth and freedom will always win in the end. This is how it was in many countries of Central and Eastern Europe. The fact that the Russians who are seeking the truth today are unable to go about their business freely is a major problem for the whole of Europe as well as a personal tragedy for themselves. The purpose of this prize is for us Members of the European Parliament to express our great support for their activities.

(Applause)

I would like to make a couple of general points: since 1988, which is over 20 years ago now, the European Parliament inaugurated the annual Sakharov Prize for freedom of thought to honour persons or organisations for their contribution to the development of human rights and fundamental values.

We should also remember today all those extraordinary people who, through their own efforts and dedication, opposed the harsh realities of oppression, persecution and exile. They are often 'ordinary' people who show exceptional courage and dedication. They often risk a great deal, even their lives. We have awarded the prize to writers, journalists, politicians, professors, lawyers and organisations fighting for freedom of labour, and even associations of women fighting enforced disappearance. Freedom of thought is a universal value.

I would like to use this occasion to say that the two nominations that did not receive the Sakharov Prize this year do enjoy our great support, and that we should also mention their names as persons who have made a particularly strong impression on us. The fact that we mentioned their names, the fact that they were with us in so many debates, speaks a great deal of our great support for what they have done. It is not just the winner of the prize but also the nominees who deserve our great respect and deep recognition.

(Applause)

The prize giving ceremony will be on Wednesday, 16 December in Strasbourg.

8. Voting time

President. – The next item is the vote.

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

8.1. Draft general budget of the European Union – 2010 financial year (vote)

- Before the vote:

László Surján, *rapporteur*. – Mr President, in the Committee on Budgets, we voted on more than 1 100 amendments to the 2010 draft budget. Inevitably, there are a small number of technical adjustments that I hereby request be put to the vote in plenary.

Regarding the European Economic Recovery Plan, the Committee adopted two new paragraphs to be added to budget lines 06 04 14 01, 06 04 14 02 and 06 04 14 03. They should be in addition to the existing budget remarks but, due to a technical error, they are shown as replacing them. Amendment 832 should, therefore, be adjusted accordingly.

After verification of the margins, the vote in committee left a margin of EUR 1 775 000 in Heading 3b. I propose allocating this amount to the Europe for Citizens programme. This would mean that Amendment 889 on budget line 15 06 66 should be modified to give total commitment appropriations of EUR 32 255 000 and the retabled Amendment 547 is therefore covered.

The words 'sustainable and environmentally-friendly actions ... (Green New Deal)' should be added to the remarks instead of the words 'Green New Deal' in the remarks adopted on the following budget lines:

04 02 17 ESF – Convergence

04 02 19 ESF – Competitiveness

13 03 16 ERDF – Convergence

13 03 18 ERDF – Competitiveness

Similarly, on the budget line 13 03 20 ERDF – Operational technical assistance for the European Regional Development Fund, the first two new paragraphs should be replaced by the following:

'Part of the appropriation is intended for financing sustainable and environmentally-friendly actions (Green New Deal) that provide for reconciling economic, social and environmental development requirements and for recovery of European regions after the economic and financial crisis'.

The budget line number of the Pilot Project on an all-inclusive cooperation between public authorities, commercial firms and not-for-profit enterprises on integrating people into society and employment should be changed to another line, 04 03 12, for technical reasons.

The budget line number of 'Preparatory Action – Erasmus for journalists' should be changed to 09 06 05 for technical reasons.

If Amendment 943 on the EPSO budget line 26 01 20 is adopted, the corresponding budgetary annex for this Office should be adjusted accordingly.

I ask the Sitings Service to make the necessary corrections in the Minutes – if the plenary will support me. Thank you for your attention.

Mr President, just allow me to say a word of thanks to the Secretariat for the enormous work they have done. This adjustment list usually features every year and represents good work from the Secretariat. We discussed it with the groups and coordinators and I received support for this change, which is in the spirit of the general proposal.

The most important thing is that we in the Committee on Budgets were united in using all the legal possibilities that we have to fill up the margin almost in each heading, which means that any vote which gives additional money is risking the legality of the budget. I draw your attention to this and I hope that the spirit of cooperation will remain. We have slightly different views but this is normal.

(Applause)

(The oral amendments were adopted)

- Before the vote on Amendment 870:

Helga Trüpel (Verts/ALE). – Mr President, according to the voting lists, Amendment 464 from the Green/EFA Group will fall if Amendment 870 from the Committee on Budgets is adopted. The voting list follows the rule introduced in formulae by Thomas von der Vring, according to which the amendments adopted by the Committee on Budgets shall be put to the vote first in plenary, and if these are adopted, all other amendments to the same budget line fall.

However, this practice, which is not included in Parliament's Rules of Procedure, was introduced for the sole purpose of ensuring that the overall position on the budget adopted by Parliament would remain within the financial limits set for the European Parliament. As Amendment 464 only proposes to place funds in the reserve, it definitely cannot pose a problem of exceeding the limits. In fact, the two amendments are in no way mutually exclusive and can therefore definitely both be voted on.

I therefore urge you to apply Rule 161 of the Rules of Procedure and also allow a vote on Amendment 464.

(Applause)

President. – Ladies and gentlemen, the order was set previously and was carefully checked, but I would ask the rapporteur to take the floor. I ask you, as the most knowledgeable, to say a few words on this matter.

László Surján, rapporteur. – Mr President, it is not usually the rapporteur who decides on whether something is incorrect or not. We have a practice and a custom. I must inform the plenary that if we vote first on the Committee on Budgets amendments, which were not questioned by the Verts/ALE Group, then their subsequent amendment will decrease the European Regional Development Fund by EUR 300 million in payments.

So that is a real contradiction. On the one hand, there would be an increase, and on the other hand, a decrease. We should stick to our decision, for it is written clearly in Amendment 464 that the payment is not increased. There is zero increase. Therefore, it is in conflict – there cannot be an increase of EUR 300 million and, at the same time, no increase.

President. – (...) so that we may proceed to the vote. That is the opinion of our services which investigated the matter, and of the rapporteur. I therefore propose that we proceed to the vote.

- Before the vote on Amendment 812:

Luis Manuel Capoulas Santos (S&D). – (PT) Mr President, I should like to ask for the floor pursuant to Rule 173 of the Rules of Procedure, which deals with failure to respect the Rules of Procedure. I would like to ask for an amendment to the order of voting, since it seems to me that the order according to the voting list violates Rule 161 of the Rules of Procedure.

I therefore ask that Amendment 70, which proposes an appropriation of EUR 600 million to support the milk sector, which is facing an extremely serious situation, as we all know, be voted on immediately before Amendment 812, which proposes an appropriation of 300 million. I would point out that this appropriation of EUR 600 million was unanimously approved in the Committee on Agriculture and Rural Development and won broadly majority support in this House, in the last sitting on 17 September, when we voted on a resolution on supporting the milk sector and the crisis it is facing.

President. – Thank you. It is clearly a matter of the financial resources available to us, which means that the decision on this matter is a serious one. We would indeed like assistance, but we have to know what is available. The proposal here is to vote on Amendment 812 first, that is the proposal. I would like to ask the rapporteur to take the floor on this matter. How are the finances, what are the financial possibilities?

László Surján, rapporteur. – Mr President, again, the order of vote is not my decision. It was stated by my colleague, Mrs Trüpel, a few minutes ago that there is a so-called informal rule that the Committee on Budget's amendment is to be voted on first. Why? Because the Committee on Budgets is the parliamentary body in which we can measure whether we have leeway or not.

It is not in our interest to change the rules during the voting procedure, and I am against that. The voting list has been distributed. The groups have decided how to vote. Any change will result in confusion and later on will produce a lot of difficulties. If we change our rules for one case, for whatever reason, we will be lost. Each body should respect its own customs, rules and regulations.

- Before the vote on Amendment 445:

María Paloma Muñiz De Urquiza (S&D). – (ES) Mr President, a technical error has occurred. I intended to vote against Amendment 444.

Bruno Gollnisch (NI). – (FR) Mr President, I perfectly understand the argument stated by the rapporteur, leading us to vote firstly on Amendment 812.

If, however, this is merely an argument about procedure, the vote in favour of Amendment 812 did not necessarily imply that Amendment 70 had lapsed.

It is customary in parliamentary assemblies to vote first, as Mr Capoulas Santos requested, on the amendments furthest removed from the initial text. We are making an exception for the reasons outlined by the rapporteur...

(The President cut off the speaker)

President. – Thank you. We understand. We have a definitive voting procedure in place. I ask the rapporteur to take the floor. According to the services and in our view, this second amendment falls. Can the rapporteur confirm this?

László Surján, rapporteur. – Even after the vote there is no reason to start the debate again. We are now in favour of voting.

- Before the vote on Amendment 603:

Michael Cashman (S&D). – Mr President, this is just to be helpful. Some of us have been hearing different numbers being called. So that we avoid any misunderstandings, can we pay attention to the screen up here? Just in case there are any problems with us hearing or with communication. I am not blaming anyone, but let us be clear and watch the screen.

President. – Ok. We will all go by the screen. It may be that I am reading the numbers too fast. I shall read them more slowly. Thank you.

- Before the vote on Amendment 937:

Godfrey Bloom (EFD). – Mr President, I rise very quickly and on a point of order. You said a few minutes ago that you were bound by the rules, and what can you do when you are bound by the rules? I fully understand that, and so does the House.

Can I assume, and can we assume, that you will be bound by the rules of this House for your whole term of office? Because your predecessor felt he was not bound by the rules, and on the basis of explanations of vote he tore the rule book up because he did not feel bound by it. I leave it with you, sir.

President. – Thank you very much. Ladies and gentlemen, particularly during the vote, we can only take the floor on points of order. Please do not raise matters other than points of order, because if you do, we cannot hold the vote. That is a great inconvenience to all of us.

(Applause)

8.2. Draft general budget 2010 (Section III) (A7-0038/2009, László Surján) (vote)

8.3. Draft general budget 2010 (Sections I, II, IV, V, VI, VII, VIII, IX) (A7-0037/2009, Vladimír Maňka) (vote)

8.4. Adjustment of basic salaries and allowances applicable to Europol staff (A7-0040/2009, Claude Moraes) (vote)

8.5. Common organisation of agricultural markets and specific provisions for certain agricultural products (single CMO Regulation) (vote)

- Before the vote on paragraph 79:

Syed Kamall (ECR). – Mr President, I would first of all like to apologise to colleagues for this intervention, but I wonder if someone could explain what ‘CMO’ actually stands for.

President. – It stands for ‘common market organisation’, although it will be slightly different in different languages!

8.6. Progress of SIS II and VIS (vote)

8.7. Democracy building in external relations (vote)

8.8. The institutional aspects of setting up the European External Action Service (A7-0041/2009, Elmar Brok) (vote)

- Before the vote on Amendment 3:

Elmar Brok, rapporteur. – (DE) Madam President, I should like to propose an oral amendment to the Greens. If they accepted it, I would recommend a 'yes' vote. If we introduced the sentence *'There should be no duplication of external service in the Council or in the European Council'*, I would recommend that plenary vote in favour.

(The oral amendment was adopted)

- Before the vote on Amendment 56:

Corien Wortmann-Kool (PPE). – Mr President, we could vote en bloc. I propose we vote from 56 to 28.

(Applause)

(Parliament did not accept the proposal)

8.9. Preparation of the TEC meeting and the EU/USA Summit (2 and 3 November 2009) (vote)

IN THE CHAIR: MR WIELAND

Vice-President

9. Explanations of vote

Oral explanations of vote

- 2010 financial year

Daniel Hannan (ECR). – Mr President, at a time when the national governments are having to trim their budgets and when all our constituents are having to make savings in their household budgets, how typical that the European Union, uniquely, should presume to be substantially increasing its budget.

This is going to have immediate and tangible fiscal consequences in the Member States. In my own nation, for example, our budget contributions will rise by 60% over the next 12 months. To put that in context, my last party conference saw our party pledging to make annual savings of GBP 7 billion a year across the whole of government spending. We are spending twice that simply on this one item of our gross contributions to the EU budget.

You can disguise it as stimulus spending and a reaction to the credit crunch and all the rest of it, but you know that is not true. What we are actually doing is taking money out of people's private pockets or purses and spending it on their behalf through bureaucracies. If that had been the more efficient way of allocating resources, we would have lost the Cold War. We now see the truth, which is that the core function of the EU is the employment of its own employees, which is why its budget always rises.

Diane Dodds (NI). – Mr President, I would like to make it clear that I supported draft Amendments 732 and 733 and it is a pity that this House did not support them. I welcome any measure that prevents the funding of family planning programmes which will involve a course of abortion programmes and forced sterilisations.

Furthermore, the mandating of those receiving funding to actively combat sex-selective gender imbalance for babies born in certain Asian countries is to be welcomed. This amendment would have given the opportunity for the EU to back up its words of condemnation with positive action and to deny support for such schemes.

- Report: László Surján (A7-0038/2009)

Zuzana Roithová (PPE). – (CS) Mr President, I too would like to express my irritation that we have not managed to agree today on the condition that European funding in the development aid budget must not go towards activities such as family planning through enforced abortions or mandatory sterilisations. I would like to protest against methods under which, particularly in many Asian countries, women are forced to have abortions, especially in cases where they are carrying female babies. It is said that 35 million girls have been disposed of in this way. We must not support those who organise this kind of thing and we must stop sending them any funding from Europe. The underhand voting we have seen today from liberals, communists and some socialists in the adoption of our budget has blocked such an assurance.

Zoltán Balczó (NI). – (HU) The multitude of proposed amendments included a textual amendment which hit the nail on the head. It says: 'rejects the idea of using the Community budget to finance a more militarist and neo-liberal EU.' Parliament rejected this amendment. It thereby demonstrated that it had not learnt from the crisis of recent years and had not learnt from the conclusion reached even by the former advocates of the liberal market that it is no longer possible to continue along this path. The European Union's budget always relies on the supremacy of the liberal market, which can cause Europe's population such serious harm, as we have already experienced in the recent past.

Bruno Gollnisch (NI). – (FR) Mr President, whilst various institutes and programmes, which are all along the politically dominant lines of communication and the education or re-education of populations, have received billions of euros, a procedural trick has deprived our milk producers of the aid they were entitled to expect.

Indeed, two amendments were submitted to us: Amendment 812, which perhaps had the Council's backing, for only EUR 300 million, and Amendment 70, for EUR 600 million. It makes sense that Amendment 70 should be put to the vote first. Moreover, this is very clearly stated in Rule 161(2) of our Rules of Procedure: 'If two or more mutually exclusive amendments have been tabled to the same part of a text, the amendment that departs furthest from the original text shall have priority and shall be put to the vote first'.

The rapporteur cited an informal rule, but the formal rule takes precedence over supposed informal rules, and this procedure has been used to declare lapsed the second amendment that brought this allocation up to EUR 600 million.

It is a scandal!

- Report: Vladimír Maňka (A7-0037/2009)

Vilija Blinkevičiūtė (S&D). – (LT) I voted for the 2010 budget, because the funds which are earmarked in this budget really will ease the situation a little for citizens of EU Member States affected by the economic, social and financial crisis. Moreover, in this budget, more funds have been earmarked for social needs, and this is particularly important at the current time. I also supported those provisions that set aside additional funds to increase employment and secure jobs. It is also very important that we allocated specific funds for the dairy sector. Of course, we could have allocated more money to the dairy sector, as representatives of the Social Democrat Party proposed, but it is good that at least some of the funds in this draft have been set aside for this.

Peter van Dalen (ECR). – (NL) Mr President, I voted against the budget because all the items have either remained the same or been increased, when all Member States are grappling with decreasing revenue. And here we are spending more money in Europe! That is beyond me.

I also voted 'no' because it is now laid down that, in addition to his or her salary and the reimbursement of travel and other costs, each MEP is entitled to EUR 4 202 for general expenditure. Members are supposed to spend this substantial amount on office and telephone costs, for example, but not one of them is obliged to account for the way this sum is spent. This means that, every month, each MEP is receiving a blank cheque that would surprise even Santa Claus.

I find this utterly reprehensible. If this House takes itself seriously, it must stop this practice. This can be done by joining me in voting against the budget, and I would also call on each Member to voluntarily scrutinise the way this EUR 4 202 is spent.

- Modification of Regulation (EC) No 1234/2007 (the 'Single CMO Regulation')

Krisztina Morvai (NI). – (HU) I obviously voted in favour of the proposal intended to alleviate the crisis in the dairy sector. I want to emphasise again that this is just a handout which is not even enough to put out the fire. However, I would have considered it wrong to vote against this. I am disappointed and sad that I did not receive any reply, even after repeated attempts, to my three questions. The first question was about what the European Union wants to do to ensure that it does not continue in the future to lurch from one crisis to another, be it in the dairy sector or with similar crises elsewhere. What lesson has the European Union learnt from this awful crisis which has ruined and is ruining the lives of many families? My second question to the Commissioner, when she was here, and therefore to the Commission as well, was how this money can be distributed to Member States or whether it is possible to do so in such a way that small producers whose livelihoods are at risk will be the first to receive it. My third question which I did not receive an answer to was about what action new Member States want to take against the discriminatory situation they are in. 100% of our market had to be...

(The President cut off the speaker)

Peter Jahr (PPE). – (DE) Mr President, I should like to make three comments on the resolution on the dairy sector: firstly, I expressly welcome the fact that the Commission can now react more quickly to market disruptions in the dairy sector. Secondly, I am delighted that we have together managed to grant European dairy farmers financial support. Thirdly, precisely because money is not everything, we must now use our time to prepare for the period after the milk quota. That is why I hope for intensive dialogue between politicians and the industry, because the question of how we are to configure the dairy market for dairy farmers post-2015 has still not been answered and that, from my point of view, is the main problem.

Zuzana Roithová (PPE). – (CS) I fully support extending the scope of Article 186 to include the milk and dairy products sector. This will make it possible to react flexibly to sudden changes in the global and European milk markets in order to avoid negative impacts on producers or a distortion of economic competition. I am doubtful, however, about the effectiveness of using quota purchasing financed from the budgets of individual Member States to solve the crisis in the milk sector. Not all EU states have the same possibilities when it comes to financing this measure. I believe that this will undermine the competitiveness of farmers in these states and therefore, of course, economic competition too. As an MEP from the Czech Republic I would therefore prefer in this case to see quota purchasing financed from the Community budget, which can be used by all states on an equal basis. I have therefore abstained from the vote.

Czesław Adam Siekierski (PPE). – (PL) Mr President, after many months of waiting, after long discussions in the Committee on Agriculture, after massive farmers' protests in various Member States, we have approved additional forms of support for dairy farmers. Yet this is not enough, as these farmers have suffered huge losses, with many on the brink of bankruptcy, which has undermined the authority of the European Union, and of us MEPs.

Did it have to be this way? Why the Commission's belated response? Does it mean that we are not monitoring the market properly? If so, it speaks poorly of the state of administration in the European Union. We MEPs have been the ones raising this issue for months on end.

Let us not forget that belated intervention is far less effective, and ends up costing more. We should learn lessons for the future from this. We need long-term stability for the difficult, labour-intensive and costly activity of milk production. It is our duty to our hard-working farmers.

President. – Thank you, Mr Siekierski. I have received another two explanations of vote, both of which are from new Members. I should point out that, under Rule 170, no further requests to give explanations of vote shall be accepted once the first explanation of vote has begun. I shall allow these two explanations as an exception, but I should like to ask the services to bring this to the attention of the groups in a suitable manner once again. Unless we proceed to some extent by the book, then things will get out of hand.

Mr Seán Kelly has the floor.

Seán Kelly (PPE). – Mr President, firstly I would like to say that I, too, am delighted that we have today voted through the budget funding for the dairy sector, which does show that the European Union listens and reacts – obviously within the limits of its budget. It would be better if we could have more money to give to the dairy sector but hopefully we can improve that matter in the future. Half a loaf is better than no bread at all.

Secondly, I would like to point out that in the English interpretation today, a number of mistakes were made. Mr Buzek very kindly said that it may have been because he was speaking too quickly. It does not matter, and it is not a question of blaming anybody, but 908 was called 909, 444 was called 445, and 440 was called 444, so, if there are queries subsequently, that matter should be taken into consideration. Of course, the screen unfortunately did not work for a while either, but that was an electronic error, not a human one.

Jarosław Kalinowski (PPE). – (PL) Mr President, I voted to amend the Regulation establishing a common organisation of agricultural markets, although I have my doubts as to whether the new way of calculating penalties for exceeding national quotas should be effective from April 1 this year. It means rescinding laws retrospectively, which undermines the principle of legal certainty. However, I have voted in favour, as this amendment will release EUR 280 million of funding for milk producers and holds out the hope that the milk producers have weathered the worst of the storm.

There remains, however, a fundamental question regarding the future of milk production in the European Union, and within this area the most important issue is the future of milk quotas. At the moment, there are contradictions in the actions of the Commission. On the one hand, there is a proposal to increase quotas and eliminate quotas in 2015. On the other hand, the motion tabled today is that supply be reduced. We have to decide one way or the other. I am for a continuation of quotas.

- Motion for a resolution RC-B7-0118/2009

Daniel Hannan (ECR). – Mr President, the French philosopher René Descartes famously conjectured that all our senses might be being manipulated by a malicious demon.

Sometimes when I listen to these reports, I get the impression that we are inhabiting that Cartesian universe, a world in which the European Union stands only for the values of democracy and freedom and justice and extends its values through trade accords, rather than war. And then, back in the real world, what is the European Union doing? It is cosy up to the tyrants in Beijing and isolating Taiwan. It is refusing to talk to the anti-Castro dissidents in Cuba. It is trying to jolly the ayatollahs out of their nuclear ambitions. It is the chief paymaster of Hamas-controlled Palestine.

There is no connection between this report about spreading democracy and the actual behaviour of our institutions. I do not say that the European Union is hypocritical because, of course, we apply the same standards within our own borders, happily swatting aside referendum results when we deem them to have gone the wrong way. Externally, as well as domestically, we disdain representative government and we are contemptuous of the democratic will. Let me repeat that the Lisbon Treaty should be put to a referendum. *Pactio Olisipiensis censenda est!*

Syed Kamall (ECR). – Mr President, I do not think anyone can disagree with the need to promote and support democracy throughout the world, and outside the EU as well as within the EU. However, if you look back at lessons from history, I remember when the United States used to go and promote democracy around the world and people would say, 'What about your own backyard, what about the African-Americans who cannot vote or who are denied the ability to vote?' Years ago, Britain and other colonial masters used to say to the colonies 'Let us spread democracy', yet denied the vote to women.

Now you look at what the EU is doing. The EU is talking about spreading democracy across the EU, and my colleague Mr Hannan has already given many details of such hypocrisy. But there is one thing that we should remember. When we talk about spreading democracy, let us make sure we have our own house in order. When the French and the Dutch voted 'no' in the referendum on the Constitutional Treaty, we said we would have a period of reflection, and then we ignored the votes. When the Irish voted 'no' first time round, we said 'Oh, tell you what, we agree with democracy but only if you vote the right way. We will give you another chance.' It is time we put our own House in order.

- Report: Elmar Brok (A7-0041/2009)

Daniel Hannan (ECR). – Mr President, once again I find myself having to remind colleagues that the European Constitution or Lisbon Treaty is not technically in force. Every clause, every article of the Brok report is based on that Treaty already having justiciability, which of course it does not.

I have to say there is something a little bit suspicious about having held back this report until the Irish referendum was safely in the bag and all the votes counted, and then suddenly coming out with a proposal to have EU embassies around the world answerable to this House and a single European diplomatic corps.

Of course, we all know the reality that an EU foreign policy exists *de facto* if not *de jure*. We have delegations around the world, which dwarf any of the national missions; we have, in all but name, EU ambassadors; and now once again we see that a report is belatedly regularising what had become practice over many years in the European Union.

So now, when we object, we are told there is no point in complaining now because this has been common practice for many years. Thus, do European policies go from being unthinkable to inevitable without any intervening stage?

- Motion for a resolution RC-B7-0095/2009

Zigmantas Balčytis (S&D). – Mr President, I supported this resolution because I attach great importance to the upcoming EU-US Summit. At the recent G20 meeting, many promises were given which will be difficult to achieve if countries act on their own.

In this regard, the EU and the US should take the leading role in the implementation of G20 commitments. Therefore, we need better and more effective coordination between the measures taken by the US and the EU. We do not need to have a strategic EU-US partnership. I hope that the Commission will take this request by the European Parliament on board.

Syed Kamall (ECR). – Mr President, I would like to thank everyone for their patience and I include all the interpreters, who do a wonderful job. We all agree on the importance of the EU-US relationship and I think we all welcome the summits and discussions at the TEC level and the various other transatlantic dialogues. But it really is important that we recognise that the whole world looks at these summits and looks at the moral leadership that we can offer, not only at EU level but also the US Administration. Surely one of the best ways of stimulating our economies, particularly in this time of crisis, is to make sure that we really live the word when we talk about open trade.

I have been very disturbed when we look at our common agricultural policy, and we seem to be supplementing our common agricultural policy and increasing protectionism, which does great harm to farmers in the developing world. Also, if you look at the Obama Administration and its recent tariffs on Chinese tyres, we are descending into a spiral of protectionism. It is about time we went back to our principle of open trade to stimulate the world economy.

Written explanations of vote

- 2010 financial year

Maria Da Graça Carvalho (PPE), in writing. – (PT) The contribution of the European budget for 2010 to encourage economic growth, competitiveness, cohesion and job protection is a vital response to the recent economic crisis.

As a specific stimulus for the European economy, I would highlight the European Economic Recovery Plan, which encourages, among other things, projects in the energy sector (electricity grid, natural gas grid and carbon capture and storage projects), finances measures relating to broadband Internet, extending the so-called information highways to rural communities, creates a fund for the dairy farming sector, as a new challenge of the common agricultural policy, and other Community aid programmes, such as distribution of fruit and milk in schools.

I would particularly like to highlight the amendment to the draft general budget for 2010 tabled by the Group of the European People's Party (Christian Democrats), which makes promoting first-time employment for young people, by means of training in association with businesses, traineeships and entrepreneurship courses, an additional objective of the Erasmus programme.

Lena Ek (ALDE), in writing. – (SV) The group of amendments to the EU's budget for 2010 which make up 'Block 3' contains interventions and support measures that I oppose as a matter of principle. This includes various storage measures, for example, for alcohol, and extensive EU support for the wine sector. It also includes EU support for milk and fruit in schools, which may well be important, but it is not something that the EU should be taking decisions on. At the same time, the group contains important investments in animal welfare and the control of animal transport, for example, which I welcome. However, since the voting procedure forces me to take a view of the group of amendments as a whole, I have chosen to abstain from voting on Block 3.

Amendment 886 has a commendable purpose – investment in sport. However, this matter does not belong at EU level. I therefore voted against it.

Amendment 905 is based on an attitude to migrants that I cannot accept on principle. For example, funds are to be provided to explain to people living in Africa how dangerous it is to get to Europe. We should not build walls around our continent. I therefore voted against this amendment.

Amendment 909 contains resources for monitoring European citizens. This is something that I cannot accept and I therefore voted against it.

Nigel Farage (EFD), in writing. – UKIP members voted in favour of these amendments fundamentally because we oppose ANY increase in the budget and because the limitation in the use of these budget lines, as proposed by the ECR, may result in a reduction in payments out of the budget. However, we wish to emphasise also that EU-money, which is amply funded by the British taxpayer, should not be used to impose policies, such as coercive abortion, on minority- and other populations, which are suffering under anti-democratic regimes. Such use is against the law in the UK. It is also against the law in other client-states of the EU, and in contravention of the Universal Declaration on Human Rights of the United Nations, to which the UK is a signatory, and against the European Convention on Human Rights, to which the UK is also a signatory. Whether or not the sum involved runs into millions, the local populations affected would have been justified in associating the UKIP with the tyranny of their own governments, if the UKIP delegation had voted against these amendments.

Patrick Le Hyaric (GUE/NGL), in writing. – (FR) I voted in favour of Amendment 812 of Block 3 so as not to penalise the aid for dairy farmers, however ridiculous it may be (EUR 280 million). However, it is unacceptable that the adoption of this amendment should lead to the rejection of Amendment 70, which grants aid of EUR 600 million instead of EUR 280 million, as Parliament's Committee on Agriculture and Rural Development is requesting. I protest against this rule of the lowest budget proposal at the expense of farmers.

Maria do Céu Patrão Neves (PPE), in writing. – (PT) I believe the measures announced by Commissioner Fischer Boel at the end of the meeting of the Council of Agriculture Ministers in Luxembourg, and in the Committee on Agriculture and Rural Development in Strasbourg (on 19 October), are inadequate. The package, which is still to be approved by the Ecofin Council on 19 November, amounts to EUR 280 million and will be provided to Member States in the form of a financial envelope, based on production and annual quotas. According to the calculations, Portugal will receive a financial envelope of EUR 6 to 7 million to tackle the drop in producer prices, which is more than 50% in relation to 2007-2008 prices. I believe that EUR 0.003 per litre of milk produced in Portugal (calculations provided by producers) is a pittance for a problem that has been dragging on now for so many months, especially if the Minister for Agriculture uses this money for the expected reforms, as he has already announced.

This sum of EUR 280 million sends an important signal from the European Commission, but it is inadequate compared with what producers actually need to overcome the crisis.

Nuno Teixeira (PPE), in writing. – (PT) Negotiation of the budget is among the most important Community processes in which Parliament, the Commission and the Council share decision-making power. Today, on completion of the first reading, Parliament is reasserting its role as budgetary authority by successfully increasing both commitment appropriations and payment appropriations in relation to the Council's proposal, though still by less than we would like. Crucial issues that the Group of the European People's Party (Christian Democrats) has been supporting with regard to reviving European economies in the context of the current crisis have now been endorsed, by means of an emphasis on the cohesion policy to promote growth and competitiveness, especially of SMEs, the main driving force of job creation.

As a Portuguese Social Democrat MEP, I have reason to be particularly pleased with the approval, by a large majority, of an amendment from our delegation, which is aimed at creating an Erasmus programme for first-time employment, one of the proposals that we tabled in the last European elections. Support for milk producers and a guarantee of more security for citizens, including with regard to energy supply, have also been safeguarded. This is not the end of the process, as the three institutions will have to reach a common position that will be voted on at second reading in December.

- Report: László Surján (A7-0038/2009)

Regina Bastos (PPE), *in writing*. – (PT) Against the current backdrop of economic, financial and social crisis, it was essential for the budget of the European Union for 2010 to place a special emphasis on this situation and for it to become an effective tool to overcome the crisis. I therefore voted in favour of the draft EU budget for 2010, as I believe that it comprehensively responds to these needs.

Parliament is determined to do all it can to guarantee adequate financing for all activities and policies which encourage growth and job creation, and which provide solutions for European citizens. More specifically, this means improved energy security, increased support for research and innovation, particularly in the area of clean technologies, promotion of small and medium-sized enterprises and increased support for lifelong learning. In this regard, as proposed by the Portuguese Social Democrat MEPs, I wish to highlight the importance of creating an Erasmus employment programme, aimed at young people seeking first-time employment, to help achieve these goals.

Lastly, I must stress that I do not agree with the Council's additional reductions in the budget headings in support of the Lisbon Strategy, given that such cuts go against what should be done to encourage growth and economic recovery.

Sophie Briard Auconie (PPE), *in writing*. – (FR) Whilst cohesion policy plays an essential role in efforts to combat the economic crisis and climate change, the Council had proposed substantially reducing the payment appropriations allocated to it in 2010. Aware as we are of the importance of European funds and of the expectation that exists on the ground, it was essential for we MEPs to re-establish, or even in some cases increase, the amounts suggested in advance by the European Commission.

This vote is the expression of the political Europe that we need, one that is capable of taking budgetary decisions that ensure a good future for solidarity, competitiveness and growth, for the benefit of its citizens. The MEPs have today confirmed their support for a European cohesion policy that really does have the resources to meet its ambitions. Approving also of the general direction of the reports by Mr Surján and Mr Maňka on the European Union's draft budget for the 2010 financial year, it is therefore with determination that I have voted in favour of their adoption.

Carlos Coelho (PPE), *in writing*. – (PT) I support the Surján report as a possible compromise with regard to the EU budget. I regret that the Council has reduced yet further the Commission's preliminary draft budget, which, in my opinion, already fell short of what is needed. We cannot have more Europe with a meagre budget that is clearly inadequate. I particularly disagree with the cuts made in the budget headings in support of the Lisbon Strategy. The discrepancy between the public declarations to prioritise tackling the economic crisis and supporting 'competitiveness for growth and employment', and the appropriations provided for in this draft budget, could not be greater. I welcome the increased appropriations in the area of freedom, security and justice and I would stress that building a Europe of citizens also depends on proper implementation of these budget headings.

Vasileica Viorica Dăncilă (S&D), *in writing*. – (RO) I did not vote in favour of creating a EUR 300 million fund and for immediate support targeted at milk producers as I believe that the producers of dairy products are facing a collapse in prices, which is causing insecurity. In fact, the position adopted by the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament (S&D) for a EUR 600 million fund would have been a quicker and more effective means of combating the causes and, above all, the effects which have led to a significant decline in the dairy product market, which is continuing in the context of the current economic crisis. I also believe that the set of support measures adopted by the European Commission has come too late. Indeed, the EUR 600 million fund would have provided real support for the Member States facing this crisis.

Lena Ek, Marit Paulsen, Olle Schmidt and Cecilia Wikström (ALDE), *in writing*. – (SV) The group of amendments to the EU's budget for 2010 which make up 'Block 3' contains interventions and support measures that we oppose as a matter of principle (in the same way as we are critical of – and vote against – EU support for tobacco growing). This includes various storage measures, for example, for alcohol, and extensive EU support for the wine sector. It also includes EU support for milk and fruit in schools, which in itself is important, but we believe this matter should instead be dealt with at national level. At the same time, the Block 3 group of amendments contains important investments in animal welfare and the control of animal transport, for example, which we would, in principle, welcome, as we strongly support these issues in other contexts, but since the voting procedure forces us to take a view of the group of amendments as a whole, we have chosen to abstain from voting on Block 3.

Diogo Feio (PPE), *in writing*. – (PT) I believe the increases proposed by Parliament for the different headings and the amount of EUR 1.5 billion to finance the European Economic Recovery Plan are vital for the EU to recover from the economic crisis we are in, as well as to strengthen the European Union's role on the world stage.

As I have said before, I believe it is particularly crucial to allocate necessary funds so that small and medium-sized enterprises, which are among the main victims of the crisis, have support that enables them to survive this crisis. The increase relating to the Competitiveness and Innovation Framework Programme will make it possible to promote the enterprising spirit and the innovation vital for the EU to assert itself in the global market and for socio-economic development in the internal market.

I regret, however, that only EUR 300 million has been allocated for the creation of a fund for the dairy farming sector. In my view, the serious crisis that the sector is currently experiencing would justify the allocation of more funds, initially EUR 600 million, to help producers overcome the difficulties they are currently facing. I therefore believe that EUR 300 million is inadequate and I hope that allocation of this sum can still be substantially revised, in light of the needs of the parties affected by this decision.

José Manuel Fernandes (PPE), *in writing*. – (PT) As regards Parliament's position, I would like to highlight: a) the amendments to reallocate the funds tabled by the Commission and later withdrawn by the Council; b) the European Economic Recovery Plan as a priority for the European Parliament, which must provide 'fresh' money for its funding; c) the proposals to step up funding for energy security, research and development, support for SMEs, and lifelong learning; d) the creation of a fund for the milk sector to the value of EUR 300 million, an inadequate amount, but the maximum sum possible (I believe it is vital to have a mechanism to regulate and maintain milk quotas); e) funding of broadband for rural communities from the margin available under heading 2; f) the draft amendment we tabled to strengthen and change the Erasmus programme, to make it also an instrument to create first-time employment opportunities for young people.

I hope that the total budget with payment values in the order of EUR 127 billion is used in full, given that there is a delay in implementing funds equal to a financial year.

João Ferreira (GUE/NGL), *in writing*. – (PT) In the midst of an economic and social crisis, with drastic effects for jobs and people's living conditions, the draft Community budget for 2010, which we are discussing today, falls very short of what is required and, once again, shows what 'European solidarity' really means. Instead of responding to the social crisis, a significant portion of the budget is set aside for increasing military spending and for supporting economic and financial groups, in keeping with the escalation of the European Union's militaristic and neoliberal tendencies.

Although it represents an increase in relation to the draft budget of the Council and of the European Commission, Parliament's proposal still falls short of what was allocated for 2010 in the Multiannual Financial Framework 2007-2013 by around EUR 6 billion, while the final amount – to be decided in December – is still unknown. We welcome, however, the approval of our proposal to create a new budget heading for actions in the textile and footwear industry, with a view to creating a Community programme for the industry. This proposal is aimed at tackling the crisis in the industry, resulting from the exponential increase in imports from third countries, particularly in the regions most dependent on the sector.

Gunnar Hökmark (PPE), *in writing*. – (SV) Regarding the EU budget for 2010, we support the basic principles behind it and wish to emphasise that it needs to give people good value for money. The framework set up under the financial perspective should be respected, and we therefore welcome the fact that the budget will be kept well within this framework. We want to cut back on agricultural and regional aid dramatically and reduce the total budget. We want to put more of our shared resources into research and development, growth, infrastructure and security.

Paulo Rangel (PPE), *in writing*. – (PT) I would like to begin by expressing my regret that the Council has reduced yet further the Commission's preliminary draft budget and that, despite the assumption that the priority of the 2010 budget is citizens and tackling the economic crisis, there is not adequate funding under heading 1a – Competitiveness for Growth and Employment. The budget cuts made by the Council take funds away from implementation of the Lisbon Strategy, which runs counter to tackling the current economic crisis.

I would, however, like to welcome the fact that the amendment made by the Portuguese Social Democrat MEPs, which was an election promise to Portuguese voters, has been approved, in that it concerns the creation

of the Erasmus first-time employment concept as a way of promoting employment for young people and helping tackle the economic crisis.

Lastly, I disagree with the cuts made by the Council in heading 1b – Cohesion for Growth and Employment, at a time when the Structural and Cohesion Funds are important to encourage growth and economic recovery, but also because a large number of important policies aimed at fighting climate change and supporting growth and employment are funded under this sub-heading.

Daciana Octavia Sârbu (S&D), *in writing*. – (RO) I voted in favour of setting up a new fund for dairy products which will provide support to producers in their efforts to overcome the crisis in this sector, although this support should have been envisaged much earlier. I regret that we could not vote to obtain EUR 600 million as was envisaged by the own-initiative report voted for on 1 September by the Committee on Agriculture and Rural Development, and as the S&D Group would have wished. If EU farmers cannot enjoy more support from the EU, this is down to ill feeling from the European right.

Georgios Toussas (GUE/NGL), *in writing*. – The proposed anti-grassroots EU budget for 2010 reflects every aspect of its reactionary objectives, proving yet again that the EU is a transnational imperialist union in the service of capital. The capitalist crisis is being used to make deep, reactionary, capitalist restructurings at the expense of the working classes and to increase the profits of monopoly undertakings. Programmes are being financed to overturn labour relations, trample on labour and social rights, promote flexible forms of work and overturn the terms of collective agreements.

Systems of insecure work and holding young people to ransom with internships and lifelong learning rather than jobs are being strengthened. The concentration of land and the uprooting of farmers from the application of the CAP are being strengthened for the benefit of the food industry and trade. The means and mechanisms of prosecuting and repressing the labour movement, such as Frontex, Europol and Eurojust, are being increased and strengthened, as are personal databases and mechanisms for imposing the EU's imperialist policy, the common foreign and security policy, and military infrastructures.

The vote in favour of the EU budget by the centre right and centre left parties in the European Parliament marks an all-out attack on the working classes. We voted against the EU budget because it serves big business, causing even greater hardship for the peoples.

- Report: Vladimír Maňka (A7-0037/2009)

Robert Atkins (ECR), *in writing*. – British Conservatives continue to believe in better value and greater accountability within the European Parliament budget.

However, once again the Parliament has sought to greatly increase the budget beyond that set by the Council of Ministers. Therefore, Conservatives have voted to decrease many areas of EU spending.

We continue to support areas where the EU adds value, such as research into new technologies, access to information for EU citizens, the European Ombudsman and the Court of Auditors. However, we have also voted against a large number of other budget lines which are unjustified and wasteful in a time when we should all be showing economic prudence.

Specifically, we have voted against funding for the Committee of the Regions, and we have supported moves to scrap some of the most profligate budget lines such as tobacco subsidies, as well as a number of other lines regarding agricultural subsidies and schemes, and waste in administration.

Martin Callanan (ECR), *in writing*. – The ECR Group believe in better value and greater accountability within the European Parliament budget.

However, once again, the Parliament has sought to greatly increase the budget beyond that set by the Council of Ministers. Therefore, the ECR have voted to decrease many areas of EU spending.

We continue to support areas where the EU adds value, such as research into new technologies, access to information for EU citizens, the European Ombudsman and the Court of Auditors. However, we have also voted against a large number of other budget lines which are unjustified and wasteful in a time when we should all be showing economic prudence.

Specifically, we have voted against funding for the Committee of the Regions, and have supported moves to reduce some of the most profligate budget lines regarding agricultural subsidies and schemes, and waste in administration.

Diogo Feio (PPE), *in writing*. – (PT) In this debate on the general budget of the European Union, I am in favour of the specific conditions of the crisis that we are currently experiencing being taken into account when we discuss the allocation of funds to the various sectors of the European economy.

I would like to draw attention to the pressing need to create a fund for the dairy farming sector in view of the difficult circumstances faced by producers, and I hope that effective support measures are adopted for this sector of activity.

It is vital to allocate the necessary funds so that small and medium-sized enterprises, which are among the main victims of the crisis, have support that enables them to survive this crisis. The increase for the Competitiveness and Innovation Framework Programme will make it possible to promote the enterprising spirit and the innovation that are vital for the EU to assert its position in the global market and for socio-economic development in the internal market.

José Manuel Fernandes (PPE), *in writing*. – (PT) I welcome the fact that the policy of zero-based budgeting at the beginning of each legislative term, which I tabled on behalf of the Group of the European People's Party (Christian Democrats), has been adopted. As a result, Parliament's budget will reflect real needs and will increase transparency, budgetary discipline and efficiency. I also support a distinction between fixed costs and variable costs, with the latter justified by a cost-benefit analysis. In areas such as communication policy, this cost-benefit analysis is important to ensure better results and resource management.

I would stress that this draft budget does not take account of requirements arising from the future entry into force of the Treaty of Lisbon, which will probably require the drafting of an amending budget. I would highlight that excellence in lawmaking should be Parliament's main priority, and the necessary resources should be allocated to this end. I also believe that it is vital to adopt a long-term policy on buildings, which should take account of building maintenance costs.

Sylvie Guillaume (S&D), *in writing*. – (FR) I voted in favour of the first reading of the 2010 budget, that is EUR 127.5 billion in payments, whilst hoping that the second reading will enable us to achieve more ambitious results, in particular, regarding the resources afforded for a recovery plan that is in proportion to the challenges to be confronted in terms of jobs, social cohesion, climate change and the fight against poverty. It was for me, above all, a matter of defending support for microcredit, which is a priority for the socialists, by providing resources for the social economy whilst maintaining the PROGRESS programme in its entirety. The resources for this budget are indeed limited, due in particular to the restricted financial perspective of which it forms part. Serious efforts will need to be undertaken in the discussion of the new budgetary perspective.

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) I welcome the fact that the total amount of Parliament's budget is below the self-imposed limit of 20% of expenditure under heading 5 (administrative expenditure) of the multiannual financial framework. In a year of crisis, it is important for Parliament to project an image of discipline and cost control.

The approved budget does not include adjustments that may be necessary if the Treaty of Lisbon enters into force, particularly with regard to legislation. In this regard, there may have to be an amending budget should the Treaty of Lisbon enter into force. It is important to note that Parliament's main priority is its legislative role (in the opinion of the Group of the European People's Party (Christian Democrats)) and that Parliament should be allocated the necessary resources so that it can do excellent work.

As regards information policy, I welcome the agreement on funding for political parties at European level and for political foundations at European level, which should help improve communication with citizens and their participation in EU political life. It also calls for a more in-depth discussion on the long-term budgetary principals in this area.

I voted in favour of this report.

Paulo Rangel (PPE), *in writing*. – (PT) I would like to welcome the fact that the total level of Parliament's budget is below the self-imposed limit of 20% of expenditure under heading 5 (administrative expenditure) of the multiannual financial framework. It is important, however, to note that the entry into force of the Treaty of Lisbon, and the consequent increase in Parliament's responsibilities, means an amending budget will have to be drafted and the limit of 20% of administrative expenditure will be difficult to maintain.

Parliament's main priority should be excellence in lawmaking and the necessary conditions should be created for this to become a reality.

I would also like to applaud the work carried out by the shadow rapporteur of the Group of the European People's Party (Christian Democrats), José Manuel Fernandes, who was instrumental in making this report a document of great importance for Parliament. Of his work, I would like to highlight the proposal, which has just been approved, to implement a policy of zero-based budgeting at the beginning of each legislative term, which will enable Parliament's budget to reflect only real costs, and will increase transparency, budgetary discipline and efficiency.

- Report: Claude Moraes (A7-0040/2009)

Carlos Coelho (PPE), *in writing*. – (PT) Since 1998, Parliament has consistently rejected all initiatives submitted to it when consulted about detailed issues relating to Europol, so long as Europol has remained intergovernmental in scope, subject to neither democratic nor legal control. Now that this decision to turn Europol into an EU agency, funded by the Community budget, has been approved and Parliament's supervisory role has been enhanced, it is no longer necessary to maintain this course of action.

I therefore voted in favour of this initiative by the Czech Republic, which is aimed at responding to an administrative issue, namely adjusting the basic salaries and allowances applicable to Europol staff, so as to adapt them to the increase in the cost of living in the Netherlands. I would highlight, however, that any decision on adjusting the salaries of Europol employees must be made unanimously by the Council.

Elisabeth Morin-Chartier (PPE), *in writing*. – (FR) I voted for this proposal for a decision aimed at adjusting the basic salaries and allowances applicable to Europol staff. This report thus aims to adjust their remunerations to the increase in the cost of living in the Netherlands, as well as to the changes in salaries in the public service in the Member States. This support has been even more necessary since Europol became a European Union agency funded by the Community budget.

- Modification of Regulation (EC) No 1234/2007 (the 'Single CMO Regulation')

Luís Paulo Alves (S&D), *in writing*. – (PT) I voted in favour of including milk in Article 186 in order to enable the Commission to respond rapidly to crisis situations, since it introduces an instrument that is important to use. However, use of this instrument must not distance Parliament from this process, all the more so as codecision draws closer, which is why it is vital that the Commission oversees these actions.

As regards voluntary adjustment of the additional levy scheme, commonly referred to as 'fines', intended to secure internal funding to restructure the dairy farming sector, I believe that it is a measure that creates national responses although, in my view, it would be more appropriate to adopt European responses to a crisis that concerns Europe as a whole.

In conclusion, I believe that having fought so hard over recent months to have measures put forward by the Commission, we are in no position to reject any contribution at this very difficult time for European milk producers and their families.

Richard Ashworth (ECR), *in writing*. – I voted in favour of these changes to the Single CMO because I believe that the EUR 280 million package is realistic and will be positively received by the dairy industry. I am therefore persuaded that it will be necessary to grant temporary powers to the Management Committee under Article 186 in order to deliver this support. However, I believe that the Commission should enjoy these powers for only a maximum of two years in order to ensure the smooth delivery of this package.

I cannot, however, support the national milk quota buy-back scheme that the Commission also proposed and which included plans to raise a superlevy on producers exceeding quota. We should not be penalising the efficient, who are the future of the industry. This package is a short-term measure to address a short-term solution, yet the industry needs a clear long-term strategy for the future.

Anne Delvaux (PPE), *in writing*. – (FR) With regard to the inclusion of milk under Article 186 and the quota buy-back scheme, I am delighted that the implementation of this decision has not been deferred to a later date... something which, at a certain point, we might have feared on the part of some because the milk year (which runs from 1 April to 31 March) is already well under way! Whilst I am in favour of the measures that have been suggested, I would nevertheless like to go further: indeed, these measures are still far from being adequate, especially since, with regard to the buy-back quota, the ball is again back in the court of the Member States and national funding. What is more, we are talking here about medium- and long-term measures.

However, there is an urgent need for short-term Community measures. This is essential: expectations in the field in this regard are very high. Finally, within the context of Article 186, it will, in future, be necessary to monitor the annual renewal of the mechanism and to afford the Commission the opportunity of renewing this measure automatically each year. This will also enable Parliament and the Council to put greater pressure on the Commission.

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the proposal for a 'Single CMO' regulation since, in view of the serious crisis that the milk sector is experiencing in Europe, urgent measures are required to restore market balances and to guarantee an adequate income for farmers, as stated in the objectives of the CAP, which were reaffirmed in the Treaty of Lisbon.

João Ferreira (GUE/NGL), *in writing*. – (PT) These proposals are an acknowledgment of the failure of the Commission's policy for the dairy farming sector. There are several reasons why we voted against: 1) the amount proposed by the Commission to stabilise the milk market is clearly insufficient and will only be made available in 2010, therefore not making it possible to tackle, to the extent that would be required, a clearly urgent situation, particularly in the case of small and medium-sized producers; 2) inclusion of milk and dairy products under Article 186, which appears in this proposal, guarantees the Commission power, assigned by Parliament and by the Council, without specifying the actions that will be developed; 3) the proposed measures do not change the objectives of the last CMO reform to completely liberalise and dismantle market regulatory instruments, quotas and production rights – guidelines that lie at the root of the current crisis; 4) the approved funds are, above all, intended for restructuring of the sector which, for the Commission, means thousands of producers abandoning their activity, with all the social and environmental consequences that go with it; 5) the proposal will exacerbate existing imbalances in the distribution of funds among producers and among countries, which will only make things worse for countless producers.

Sylvie Guillaume (S&D), *in writing*. – (FR) I voted in favour of new anti-crisis measures on the price of milk in order to support the producers who are currently struggling in a particularly difficult environment for their profession. These measures were slow in coming, even though milk producers have been talking about their problems since last spring. The EUR 280 million budget proposed by the Member States is inadequate; we must show that we are more ambitious and support an aid package of EUR 600 million to allow our producers to emerge from the slump in which they find themselves. I am extremely concerned about the future of this sector since nothing is being done to free producers from the grip of market mechanisms alone, even though the European Court of Auditors has announced the need for tools to manage the milk market, at the risk of undermining milk production in a large number of vulnerable areas and of failing to see that it is through high added-value products that Europe can position itself in the world market.

Alan Kelly (S&D), *in writing*. – Dairy farmers are under serious pressure right now. In Ireland, where the dairy industry is strategically important, almost every dairy farmer in 2009 will be making a loss. This is not a sustainable situation for one of Europe's key industries. I voted on today's amendment to show solidarity with the farming community at a time of crisis. My only regret is that we are not voting to give them EUR 600 million instead of EUR 300 million as was originally suggested by this house. However the vote on that matter was blocked at committee level by the centre right parties in the parliament. EUR 300 million is better than nothing but more drastic action is needed in future to support this industry.

Kartika Tamara Liotard (GUE/NGL), *in writing*. – I abstained in the final vote on the Single CMO Regulation (Rule 142) because the proposed measures from the Commission do not go far enough in my opinion.

The crisis in the dairy sector is a problem that needs urgent action, and that is also why I voted in favour of the urgent procedure under Rule 142 for the Single CMO Regulation adjustments. However, the current Commission proposal is too weak and I would like to see, in the very short term, adequate and supporting measures that are effective in combating the crisis in the dairy sector. Voting in favour of this proposal would preclude any future, more effective, measures.

Astrid Lulling (PPE), *in writing*. – (DE) The crisis in the dairy industry has brought numerous farmers to the brink of bankruptcy. After months of waiting for better milk prices, the European Commission has finally taken emergency measures to save dairy producers.

Aid for private stocks of cheese is to be increased to EUR 15 million, which will mainly benefit the Italians.

The intervention period for milk powder and butter is to be extended and export refunds are to be increased. These measures should stabilise milk prices in the medium term.

A milk fund of around EUR 280 million is to be distributed to the Member States in order to finance national aid measures. However, this is little more than a drop in the ocean.

The Commission is offering the Member States a voluntary quota buy-back scheme in order to motivate milk producers to partially or definitively give up milk production. Productive operations that deliver too much are to be asked to dig deeper into their pockets. These measures involve a high national cost because in times of general economic crisis, there is no margin left in the national budgets. I have no high hopes here.

The most tangible measure in the crisis package is the inclusion of milk in Article 186 of Regulation (EC) No 1234/2007, so that the Commission can take fast measures to combat the crisis. However, it would seem questionable to me to limit this measure in time. With this reservation, I voted in favour of Parliament's position.

Willy Meyer (GUE/NGL), in writing. – (ES) I voted against the resolution on the dairy sector, as I think that the Commission's proposal of allocating EUR 280 million to the sector comes too late to be implemented this year and, in any case, this measure will not be sufficient. For this reason, I have given my support to the proposal to allocate EUR 600 million to the sector. On the other hand, including milk and milk derivatives in Article 186 grants certain powers to the Committee set up by the European Parliament and to the Council, although no specific indication has been given of what practical action is to be taken. Nevertheless, the measures adopted do not change the aim of the most recent reform of the CAP, namely the complete liberalisation of the dairy market, which our Group rejects. These measures favour the agro-food industry and the large distribution chains, to the detriment of smaller and medium-sized producers, and contribute to the concentration of production and an increase in the profit made by the industry, which has grown in recent years, thanks to a drop in the prices paid to milk producers and an increase in the final purchase price.

Elisabeth Morin-Chartier (PPE), in writing. – (FR) I supported the creation of a 'milk fund' to help the sector in crisis, and specifically to come to the aid of those farmers facing the most urgent problems. In particular, I voted for the amendment requesting EUR 20 million more than the amount announced by the European Commission, bringing it up to EUR 300 million. This is an amendment to the Single Common Organisation of Agricultural Markets (CMO) Regulation enabling, in particular, the European Commission to take emergency measures on its own initiative in the event of serious disruption in the milk market, as has been the case for several months now. This budget is clearly not enough to get all the producers out of the tricky situation they are in. However, given the current budgetary margins, it would unfortunately have been irresponsible to have asked for more. In addition, in asking for more, we also ran the risk of getting nothing at all. I would point out that these are only foundations that have been laid. The debate continues with regard to the regulatory structure that will need to be put in place after 2013 and, on this matter, the European Parliament will pursue its efforts to arrive at an effective, responsible framework for the agricultural markets. In addition, the Treaty of Lisbon will provide us with new weapons in this regard.

Maria do Céu Patrão Neves (PPE), in writing. – (PT) Reports have been adopted in Parliament's plenary sitting in Strasbourg containing three specific measures (EUR 280 million in direct aid for producers, a temporary rule for calculating buy-back of quotas and inclusion of milk in the CMO under Article 186 (emergency measures)). I believe that these measures are important, but they are inadequate, one-off measures for a problem that has already taken on very serious structural proportions. The sector needs useful and effective management mechanisms so it can intervene in the market when necessary, as opposed to the approach recommended by the European Commission, which supports liberalisation and deregulation.

This crisis in the dairy farming sector has plainly shown that the CMO for milk still requires instruments, particularly the quota mechanism, in order to tackle market imbalances.

The package, which is still to be approved by the Ecofin Council on 19 November, amounts to EUR 280 million and will be provided in the form of a financial envelope to Member States, based on production and annual quotas. According to the calculations, Portugal will receive a financial envelope of EUR 6 to 7 million to combat the collapse in production prices, which is more than 50% in relation to 2007-2008 prices ...

(Explanation of vote abbreviated in accordance with Rule 170 of the Rules of Procedure)

Georgios Toussas (GUE/NGL), in writing. – (EL) The Commission's and the governments' measures for the crisis in the livestock farming sector go hand in glove with the more general anti-grassroots CAP and, more importantly, the decision taken by the EU on the full liberalisation of the dairy market. The most serious thing is that the proposed headings are being used to speed up restructurings to boost the profits of the food

industry, thereby strengthening the business groups of the dairy sector at the expense of livestock farmers. The measures do not address the acute problems that small and medium-sized dairy farm owners have been demonstrating against: namely, the high costs of production and derisory producer prices.

More to the point, they do not address the acute problems of all livestock farmers, in cattle breeding, in meat production and in sheep- and goat-farming. Industrialists and merchants are doubling their profits, both from derisory producer prices and from the exponential prices paid by workers for these staple foodstuffs. We voted against the proposal, because its objective is to further concentrate production in this sector. The solution for poor and medium-sized farm owners is to fight against the monopoly-friendly policy of the EU and for a different type of development which liberates livestock farmers from exploitation, guarantees them an income and future and generally serves the nutritional needs and well-being of the people.

- Motion for a resolution B7-0097/2009

Bruno Gollnisch (NI), *in writing*. – (FR) Mr President, ladies and gentlemen, the fact that the European Union's internal borders were abolished without, at the same time, and even beforehand, external border controls being strengthened and the initially envisaged security instruments, however minimal, being fully operational, presents a real problem. Subject as we are to the principle of reality, we will not oppose this resolution, in which concern is expressed about the delays incurred by the new systems for exchanging information on criminal and visa-related matters. However, all that is, in fact, just a pretend problem: the real problem is Schengen itself, its pseudo-*acquis* now included in the treaties, and the policies conducted by Brussels in relation to visas, immigration and the movement of persons...

Today, Europe is awash with legal and illegal immigrants, and crime, which is becoming increasingly violent, is soaring, because the nations have been stripped of the right to control their own borders. Schengen has encouraged a boom in cross-border crime and in the illegal flows of persons and of goods, which themselves are sometimes legal and sometimes not, without any real benefit for Europeans. Therefore, until these systems become operational, at least invoke the safeguard clause and re-establish the controls!

Joanna Senyszyn (S&D), *in writing*. – (PL) I fully support the resolution on the situation as regards SIS II and VIS. The development of SIS II has overrun, and numerous technical hitches have already delayed the entry of new countries into the Schengen system. This calls for constant monitoring by the European Parliament of progress in the establishment of SIS II and VIS.

SIS II is a key political project for the entire Union. Its long-awaited implementation and proper operation is essential for the further expansion of the Schengen area, and for the resulting free movement of people within the EU by the next citizens to be entitled to do so (Bulgaria, Romania, Cyprus and Liechtenstein). SIS II is also a key element in combating crime and illegal immigration. Polish border guards managed to detain 50% more illegal aliens in the first half of 2008 compared with the same period the previous year thanks to Poland joining the Schengen area (from a 2008 report of the Ministry of the Interior and Administration).

Over 350 people wanted under the European Arrest Warrant (EAW) have been arrested on Polish territory and some 600 people wanted by the Polish justice system have been detained abroad. The database of missing children, which was not in SIS I and is planned for SIS II, is particularly important. Our trustworthiness in the eyes of our citizens depends on major projects such as these. A united Europe cannot afford further delays and negligence.

- Motion for a resolution RC-B7-0118/2009

João Ferreira (GUE/NGL), *in writing*. – (PT) Adoption of this resolution cannot fail to prompt a couple of comments on its aims and content. Firstly, the European Union, instead of claiming to be a champion of democracy, which it is not, and making 'practical recommendations' to other countries, should, first of all, concern itself with the state of democracy within the EU. The process of ratification of the Treaty of Lisbon is a recent example, among other possible examples, of how the so-called 'European project' goes against the democratic participation of the European peoples and against their interests, wishes and aspirations, pressuring them, blackmailing them and disregarding their decisions regarding the route they want their collective future to take. Secondly, in terms of its external relations, instead of promoting the revival of the arms race and militarisation of international relations, EU countries should contribute to democracy by promoting a genuine policy of peace and international cooperation, based on respect for the sovereignty of each country and the principle of non-interference, as well as respect for international law and the United Nations Charter. We are, unfortunately, a long way from this contribution being made. An EU with an

increasingly stark democratic deficit cannot set an example and, much less, help 'consolidate' democracy in the world; hence our vote against.

Bruno Gollnisch (NI), *in writing*. – (FR) Mr President, ladies and gentlemen, this resolution exposes, as usual, the so-called good intentions of this House regarding human rights: the European Union's role is seemingly to enlighten mankind as a whole as to its notions of democracy, to finance the democratic developments in all countries, and so on. How, then, can it be credible, this Union that applies in such a half-hearted manner, if at all, the safeguard clauses that do nonetheless exist on this subject, in all its foreign trade agreements, when it continues to trade and to finance, no matter what?

How can it be credible, given the way in which it acts even in Europe, imposing on the nations a European constitution, rechristened the Treaty of Lisbon, when some of them clearly stated that they did not want it? And how can you, ladies and gentlemen on the left of this Parliament, be credible after yesterday's dreadful farce concerning Italy, where you demonstrated a sectarian and partisan spirit the like of which has never been seen before?

- Report: Elmar Brok (A7-0041/2009)

Edite Estrela (S&D), *in writing*. – (PT) I voted in favour of the Brok report on the institutional aspects of setting up the European External Action Service (EEAS), which will be extremely important if the Union's external relations are to be rendered more consistent and effective. It is important to ensure that setting up the EEAS, as a result of the innovations introduced by the Treaty of Lisbon, will make it possible to preserve and further develop the Community model in the Union's external relations and maintain the Union's interinstitutional balance.

Diogo Feio (PPE), *in writing*. – (PT) Setting up the European External Action Service is the natural corollary of the process whereby the European Union is acquiring more and more external competences. It could become an important instrument for coordination and for the EU to assert its position externally if it can resist the pressures from the directorates and base its action more on working with the diplomatic representations of Member States than competing against them.

I regret that, in the Committee on Foreign Affairs, it has not been possible to gain support for an amendment that I proposed, which called for European world languages to be considered when establishing the future internal language arrangements of the EEAS.

This is all the more clear since the priority of the EEAS should be to establish bridges, contacts and links with the rest of the world, and it should therefore adopt, as its chosen work tools, the most suitable languages for establishing them directly. It is therefore incomprehensible that, in considering this issue, Parliament is choosing to disregard the external aspect of multilingualism and the strategic nature of those languages, which is acknowledged not only by itself, but also by the European Commission.

Sylvie Guillaume (S&D), *in writing*. – (FR) I endorsed the European Parliament's opinion on the structure of the future EU diplomatic service. I hope that the European External Action Service (EEAS) will embody an essentially Community-based approach and will enable the EU to exert its diplomatic influence effectively and democratically. The EEAS must come under the Commission for administrative and budgetary matters and must be officially part of the Commission. I also hope that the new commissioner for development will be able to remain fully autonomous and to safeguard his prerogatives with regard to this service, as opposed to the idea that he could concentrate powers in sectors relating to the European Union's external action, including EU trade policy and EU enlargement. It is important for Parliament's voice to be heard by the Council, which should lay down the guidelines for this new body in its meeting of 29-30 October 2009.

Willy Meyer (GUE/NGL), *in writing*. I voted against Mr Brok's report on the European External Action Service (EEAS), as I view it to be the clearest example of the militarisation of the European Union. The service, which is to be launched following the adoption of the Treaty of Lisbon, covers all aspects of EU security and defence policy. According to the report, the EEAS and the High Representative (and Vice-President of the European Commission) will assume the role of EU external representatives, supported by a network of 5 000 civil servants, without being subject to any kind of parliamentary control. The High Representative will be in charge of the civil and military management of crises and will be responsible for human rights, but will not be accountable to the Member States. Furthermore, the EEAS will be established by a Council Decision, with the Commission's approval. Parliament will merely be consulted, which reflects the anti-democratic nature of the scheme. I think that the European External Action Service is not in the spirit of the European

project that our Group wishes to defend, namely a Europe created for and by the citizens, rather than the Europe that is currently being built on an economic model based on avoiding any intervention in the economy.

Georgios Toussas (GUE/NGL), in writing. The EU European External Action Service (EEAS), set up under the reactionary Treaty of Lisbon, is a mechanism for promoting increased imperialist aggression and the EU's anti-grassroots strategy. The rush by the political representatives of capital in the European Parliament – conservatives, social democrats, liberals and greens alike – to vote for the EEAS proves their devotion to the economic policies and military options of euro-unifying capital:

- independent representation of the EU at all international organisations, independently of its Member States, as provided for in the Treaty of Lisbon;
- establishment of the EEAS, an autonomous EU service, with civil and military powers, based on the directions taken in the CFSP and the APCA and manned by senior civil and military servants of the EU under the orders of the High Representative;
- use of the EEAS as a tool to promote the imperialist policy of the EU with its own embassies and diplomatic action independent of the Member States. The way was paved for these developments in the Treaty of Maastricht, which founded the EU CFSP and APCA and signalled an escalation in military aggression and the militarisation of the EU.

The Greek Communist Party voted against the report, which reveals every aspect of the Treaty of Lisbon and the dangers which its application harbours for the people, who are fighting against the EU, this transnational union of capital and its anti-grassroots policy.

- Motion for a resolution RC-B7-0095/2009

Françoise Castex (S&D), in writing. – (FR) I did not take part in this vote because I reject the idea of strengthening our economic relations with the United States yet again. The EU-US partnership is not the most important for Europe and is not what the Doha Round needs: the EU must diversify its choice of partners if it wants to keep as much of its independence as possible. To do so, it must increase the number of agreements with developing countries. Rather than Americanising European standards, we must prioritise the introduction of a multipolar development model in which Europe will at last find its rightful place and full meaning.

Carlos Coelho (PPE), in writing. – (PT) EU-US relations undoubtedly represent the EU's most important strategic partnership. We have a shared responsibility to promote common values, such as respect for human rights, democracy, stability and peace, but also to find better solutions to various global dangers and challenges, as is the case with the economic and financial crisis, climate change, nuclear proliferation, fighting international crime and terrorism, and eradicating poverty, among other issues.

With regard to cooperation in the judicial, policing, and internal and external security areas, I would point out that, for future negotiations to be successful, it is vital that security measures do not violate civil liberties and fundamental rights, not to mention the need to respect privacy and data protection.

I would repeat, once again, that European personal data should only be transferred to third countries if two fundamental principles have been considered: necessity and proportionality. Full compliance with European and national legislation on data protection should also be taken into account and adequate procedural guarantees provided.

Edite Estrela (S&D), in writing. – (PT) I voted in favour of the joint motion for a resolution on the upcoming EU-US Summit and the Transatlantic Economic Council (TEC) Meeting as it highlights the need to strengthen transatlantic relations at a time when major international challenges call for a coordinated global response. I would highlight the TEC's role in promoting and ensuring a coordinated response to the global financial crisis and the importance of transatlantic relations in reaching an international agreement at the COP 15 in Copenhagen, which includes an adequate financial package to help developing countries fight climate change, in terms of both mitigation measures and adaptation measures.

Diogo Feio (PPE), in writing. – (PT) Owing to the strategic importance of the United States for the EU, and vice versa, a transatlantic partnership should be strengthened at the next summit so as to consolidate the ability to take action to deal with the challenges currently facing us, from the current serious socio-economic crisis, to issues such as disarmament, the fight against terrorism, climate change, respect for human rights, etc.

Coordinated action between the US and the EU is also vital to reach a more mature stage in economic and trade relations between both sides, leading to the creation of a *de facto* transatlantic market by 2015, with reduced bureaucracy and, as a result, a more stable and attractive environment for businesses in both markets, which offers them lower operating costs.

Furthermore, if equivalent measures, particularly in terms of financial regulation, are not adopted by the US, the EU will find itself at a competitive disadvantage, which will be extremely harmful to the European economy.

I therefore reiterate the need to protect the EU's interests by means of a coherent and coordinated policy between the EU and the US in the various areas of common interest.

Willy Meyer (GUE/NGL), in writing. – (ES) I voted against the resolution on the upcoming Transatlantic United States-European Union Summit because, in spite of the great hopes raised by his arrival at the White House and his historic election in a country where ethnic minorities still face discrimination, President Obama has, until now, only made symbolic gestures. The current president of the United States shares the same economic model of non-intervention in economic matters as the previous administration, has continued the same military policy as his predecessor (he sent more troops into Afghanistan and is setting up new military bases in Colombia), he has yet to close the Guantánamo camp or lift the embargo on Cuba. He has placed no pressure on Israel or Morocco to comply with international legislation. To this day, the United States continues to impose the death penalty in 38 federal states. It has yet to ratify the Ottawa Treaty on the control of the weapons trade or the Kyoto Protocol. For these reasons, I have voted against this resolution.

Elisabeth Morin-Chartier (PPE), in writing. – (FR) I voted in favour of this resolution because I attach great importance to the European Union-United States Summit to be held in early November 2009. During the recent G20 meeting, many promises were made that will be hard to keep if countries act on their own authority. In this regard, the EU and the United States should assume a leading role in the implementation of the commitments made by the G20. Consequently, we need more effective coordination between the measures taken by the United States and the EU. That is why I encourage these joint meetings between Europeans and Americans and, more specifically, the discussions at Transatlantic Economic Council (TEC) level.

10. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 13.25 and resumed at 15.00)

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

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

12.1. Guinea

President. – The next item is the debate on six motions for resolutions on Guinea.

Véronique De Keyser, author. – (FR) Mr President, I believe that the level of interest in this matter far outweighs the crowd of people that have hurried into this Chamber this afternoon, which I regret once again for my group and for the others.

Mr President, Guinea-Conakry needs the support of the international community. Following the death of President Conté, a military junta seized power. Criticised by the international community, it did, however, receive domestic support because it promised a rapid transition to a civil regime with free elections. Captain Dadis Camara, who led the junta, made a firm commitment not to stand in the presidential elections, but after a disastrous management of the country – no budget, no public tender bids, no basic services for the population – he acquired a taste for power and clung to it so tightly that he is now standing in the elections. His electoral campaign relies on all of the country's organisational, media and economic resources. In the face of this violation of the commitments formerly made by the junta, the opposition organised a demonstration, which was brutally repressed by the presidential guard. It left 150 dead and more than 1 000 injured, and many women were raped and disembowelled.

The reaction of the European Parliament and, I hope, of the European Union, will be clear. We call for the suspension of the European Union fisheries agreement. We call on the African Union to impose sanctions on the military junta and to organise a dialogue within a reconciliation committee. We call for the installation of a transitional government to prepare for the presidential and legislative elections, the junta being definitively outlawed by the international community.

I hope that these reactions, which are appropriate for the tragedy that has taken place, will set a precedent, and that in other cases of flagrant breaches of human rights, the European Union will have the courage to act just as promptly.

Renate Weber, author. – Mr President, when you look into the situation of Guinea and learn about the atrocities that have taken place there in recent months, the first legitimate question to ask is why it has had so little media coverage. There have been only a few lines here and there, as though there had not been hundreds of people killed, terrible acts of torture and horrifying acts of rape aimed at annihilating human dignity.

It is true that various international institutions have condemned the military junta that came to power after a *coup d'état*, but I believe that much more should have been done to raise awareness among ordinary citizens, including European citizens. This is why I am pleased that at least the European Parliament, speaking on behalf of the citizens who sent us here, has an appropriate reaction and the resolution we will vote on today appropriately addresses it.

However, I consider that what is of the utmost importance is not only to criticise and condemn the current regime but also to eliminate any possibility of European funds intended to help the people of Guinea being misappropriated.

Cristian Dan Preda, author. – (RO) 28 September is an important date for the people of Guinea because it is the day when the referendum on independence took place. From this year on, however, 28 September will be a day marking the massacre perpetrated against opponents by the government installed by violence in Conakry.

Keeping this military junta in power is not an acceptable option. In fact, during all this time, Captain Dadis Camara, who assumed power, has promised that he will drop out of the contest and not present himself as a candidate. The date for this has now expired and soon, the ultimatum given by the African Union will too.

It is obvious that now that the military are in power, they are lying and must not be taken at their word. This is why a democratic government is needed, based on elections, and the international community must exert pressure to this end.

Marie-Christine Vergiat, author. – (FR) Mr President, ladies and gentlemen, I already spoke in the debate during the Brussels mini-session, two weeks ago. Therefore I shall not go back over my speech.

My fellow Members have already made a number of points. For my part, I should like to say how pleased I am that all of the political groups within Parliament can today jointly respond to the appeal launched by Guinean civil society, by condemning the repression carried out by the military junta that has been in power since December, a repression of the peaceful demonstration staged to mark Guinea's independence.

This Guinean civil society is asking us to come to its aid, and it would, in fact, be totally unacceptable for the European Union to release funds as part of the fisheries agreement that we know full well today will go straight into the pockets of the military junta in power and not be used to help Guinean fishermen, as the texts intend.

The Guinean regime is the most corrupt regime in the world today. It is not I who says so, but the bodies in charge of monitoring the situation.

I therefore sincerely hope that, together, we will be able to vote for the joint resolution in its entirety, including the paragraph calling for the suspension of the fisheries agreement, and I hope that we will have the support of the Council and the Commission on this matter.

Adam Bielan, rapporteur. – (PL) Mr President, when, at the end of last year, Captain Camara headed the military junta which took power in Guinea after the death of President Conté, the international community unfortunately held the naïve belief that Captain Camara would hold free and democratic presidential elections in which he would not take part. We now know that when, on 28 September, over 50 000 opposition

supporters gathered in the national stadium to protest against Captain Camara's change of tack and broken promises, he sent the troops against them. Over 1 50 people died, over 1 200 were wounded, and there were numerous cases of rape.

I am pleased that Javier Solana, the High Representative of the European Union for Foreign Policy and Security, was so quick to speak out. I would like to thank the French Government for suspending military cooperation with Guinea. However, three weeks have passed since the massacre, and these actions have yielded no visible results. For this reason, I believe that the European Union should focus on exerting pressure on Guinea, together with the UN and the African Union, and to apply the severest possible sanctions. Only then will we be able to talk about the handover of power by Captain Camara.

Isabella Lövin, *author.* – (SV) Mr President, I welcome the decision announced by the Commissioner for Fisheries, Joe Borg, a couple of days ago that the Commission is withdrawing its proposal for a fisheries agreement with Guinea. The Committee on Fisheries has already voted against such an agreement. We did this two days after the massacre in Conakry, when more than 1 50 people were shot dead by government troops controlled by Moussa Camara.

I hope that this is the first step towards the European Union reviewing its trade policy with developing countries. We have a huge responsibility as one of the world's most important and largest players when it comes to trade and also development. There must be consistency between our trade and our relationship with this type of regime. Over the years, we have tried to improve the fisheries agreement by saying that some of the money from the agreement should go to supporting local fisheries. However, the Commission's own evaluations have shown that the money is not actually used for the purpose stated in the agreement, but instead goes directly to support this type of regime. The European Union must cease to provide this support.

Filip Kaczmarek, *on behalf of the PPE Group.* – (PL) Mr President, we already talked about Guinea two weeks ago. Nevertheless, the situation in the country deserves our continuing attention and response. On Monday this week, the Committee on Development heard an eyewitness report of the events of 28 September given by the former prime minister and head of the opposition UFDG party, Mr Diallo.

It seems to me that calling upon the junta to respect freedom of speech, freedom of assembly or human rights in general will not be enough. If the junta respected these principles, these values, it would not be a junta, so we cannot expect that it will listen to these appeals. A man of action – and Captain Dadis Camara is definitely one – will only be stopped by action, and not by words. That is why I appeal to the European Commission to act.

Patrice Tirolien, *on behalf of the S&D Group.* – (FR) Mr President, ladies and gentlemen, Guinea is currently being rocked by tragic events that have shocked the international public and flouted the law.

Indeed, on 28 September 2009, the military junta led by Captain Dadis Camara carried out the bloody repression of a peaceful demonstration bringing together all of the opposition parties.

Now, the Cotonou agreements base relations between the European Union and its ACP partners on respect for human rights and democratic principles. Therefore, Captain Dadis Camara's unilateral decision to postpone the elections and to refuse to raise the issue of his candidacy for Guinean president is a serious failure to honour the commitments made to hold free and transparent elections within one year.

The European Union must therefore take immediate action in line with the principles and the permanent values that underpin its action so that this violence, which represents so many human rights violations, stops.

Mr President, ladies and gentlemen, I am delighted that the compromise resolution is fully in line with our values and principles, but I am particularly anxious to emphasise here Article 10 of this text, namely the suspension of the fisheries agreement protocol between the European Union and the Republic of Guinea until the democratic process has begun.

I can hear people wondering whether such a decision would have disastrous socio-economic consequences for the population but, faced with the violence of 28 September, we must recognise that the Guinean Government is scarcely concerned about the living conditions of its citizens and that it leaves us with no other option than to be firm.

Since its independence in 1958, Guinea has only ever known dictatorial regimes.

Carl Haglund, *on behalf of the ALDE Group*. – (SV) Mr President, I will not repeat all of the intelligent and sensible things that have already been said by my fellow Members. I would firstly like to say that I am very pleased that this issue is being debated here today. I will briefly say a few words about the debate we had in the committee about the fisheries agreement on 30 September. In fact, when we debated this issue, you would have thought that the EU was in the process of entering into a trade agreement with any old Western democracy. Nowhere in the discussion or in the documents was it mentioned that the agreement in front of us was with a nation in which the situation is as it is today and which has already been described very well in this House.

Many people perhaps thought that fisheries and human rights are completely separate issues and that we should not mix the two together. Personally, I cannot understand how, as a politician, anyone could think in that way. The fact that the votes in the committee were 11 to 9 in favour of not concluding the agreement is also very worrying. This means that there was quite a large group in Parliament that, at least at that stage, thought that it was perfectly alright to enter into a trade agreement with a country like Guinea with the sort of regime that it has. I am pleased to say, firstly, that there is now a much higher level of agreement for us taking a clear line with regard to Guinea and, secondly, that there is broad support for the Council actually having withdrawn this agreement now. I am extremely pleased about this.

Some people may well think that those in favour of the agreement being withdrawn are not thinking about the fishermen who will be affected, but that is by no means the case. Of course, we must find a sustainable solution for them, but we cannot sweep human rights under the carpet simply because we have a number of fishing boats that need to be provided for.

Raül Romeva i Rueda, *on behalf of the Verts/ALE Group*. Mr President, I had the honour of participating in the meeting of the Committee on Fisheries when it voted, albeit by a very narrow margin, against renewing the fishing agreement with Guinea, precisely because of the massacres, rapes, and all the human rights violations which have taken place and have yet to be investigated.

Today, I would like the European Parliament to adopt this resolution in plenary. This step would send a clear message, both to the European institutions and to the government of Guinea, that we are not prepared to contribute taxpayers' money to keep a corrupt government in power that is involved in criminal activities.

I would be happy if, for once, and I hope that this will set a precedent, human lives and human rights were viewed as more important than an economic agreement. Such a move would please me all the more because the Commission has already taken that step, as has the Committee on Fisheries. It is now high time that the European Parliament also ratified this decision during its plenary session.

Thus, this is a great opportunity for us and I hope, as has already been mentioned, that article ten will remain intact.

(Applause from certain quarters)

Tomasz Piotr Poręba, *on behalf of the ECR Group*. – (PL) Mr President, at least 157 dead and over 1 200 wounded is the result of the Guinean army's intervention in a peaceful opposition demonstration at the stadium in Conakry in September. This is the biggest massacre since Guinea's independence in 1958.

In taking power in December last year, President Camara promised to tackle corruption and anarchy and then to hand over power in democratic elections. Today, the military junta continues to rule the country with no respect for the basic principles of the rule of law or fundamental rights. Gangs of soldiers are regularly involved in attacks, robbery and rape.

As representatives of democratic countries, we must demand the immediate withdrawal of the junta and that all responsible for the bloody massacre of civilians, shooting into crowds and the public raping of women be brought to justice. Guinea is a country with huge economic potential, yet in spite of this, it is one of the world's poorest countries and one of the most corrupt states in Africa, and further dictatorship by the military junta could lead to civil war and destabilise the situation in the whole of West Africa.

Anne Delvaux (PPE). – (FR) Mr President, 150 deaths and countless instances of sexual degradation have been recorded today. It was an unprecedented violation of the Guinean civilian population that was carried out on 28 September. It was also a disproportionate repression by the military junta in power, and the witness accounts leave no room for doubt.

We must be extremely firm in the face of such barbarity, and I welcome the targeted sanctions against Captain Moussa Dadis Camara's junta that were decided on yesterday by the EU Member States. Condemning the events is clearly not enough. We must demand that the events be investigated in full by a genuine international commission of inquiry, and that the crimes that have been committed do not go unpunished.

Moreover, I myself, would like, in the 30 seconds that I have left, to call on the Union to use all the means in its power to combat the use of sexual violence as a weapon of war. This is a fast-growing phenomenon in many armed conflict zones. It is women, often the very elderly or the very young, who are the victims. In all cases, however, it is vulnerable people who are targeted.

Support for the rule of law and good governance must automatically be accompanied by respect for human rights, for gender equality and for protection of the most vulnerable, as minimum conditions for any type of new cooperation agreement.

Harlem Désir (S&D). – (FR) Mr President, Commissioner, ladies and gentlemen, on 28 September, the people of Guinea took to the streets to appeal for the commitments that had been made to be honoured, and for free and democratic elections to be held, as promised.

They have suffered the worst possible repression by a regime that was already devoid of all legitimacy and which, that day, lost all dignity. Men were repressed, women were disembowelled with bayonets, and raped, and the political opponents and trade unionists were tortured and maimed.

The European Union must today support the African Union, ECOWAS and the United Nations in refusing to allow this crime to go unpunished and, above all, in showing solidarity towards the Guinean population. This country, which has an abundance of assets, will never be able to use them for its development as long as corrupt dictatorships can seize them for the benefit of a clan.

That is why I welcome the firm approach announced by the European Commission, one which our Parliament is able to demonstrate today. We cannot weigh strict economic interests against the commitments that were made by the European Union's partners, particularly those who signed the Cotonou Agreement, concerning respect for human rights and respect for democratic principles. Today we have a commitment to the people of Guinea: to support them in their fight for freedom and democracy.

Ioannis Kasoulides (PPE). – Mr President, I asked for the floor simply to make a comment on the suggestion to suspend the existing EU-Guinea fisheries protocol. I doubt whether a brutal regime which does not hesitate to dispense with the lives of 156 of its citizens and is responsible for so many other atrocities will be moved by such a disproportionately small sanction on that issue. We should also bear in mind that there are legal obligations regarding this agreement towards people employed in the fishing industry in Guinea who have nothing to do with the brutal regime. That is why the EPP is hesitant to support this suggestion.

Charles Tannock (ECR). – Mr President, the story of Guinea-Conakry follows a depressingly familiar African script: a dictatorial ruler; a military coup; one authoritarian regime replaced by another; and most of the people still living in abject poverty. Substantial mineral and oil resources could make Guinea one of Africa's most prosperous nations. Instead, the wealth fuels conflict and misery, not only in Guinea, but throughout a region that has witnessed appalling bloodshed and chronic instability in the past 20 years.

In the past, I have pressed the European Commission to help develop a kind of Kimberley Process for resources other than just diamonds to ensure that the activities of mining companies do not support civil war or ruthless dictators such as Captain Camara in Guinea. I am therefore especially concerned about the massive deal struck between Guinea and Chinese companies, and I hope that the Commission and Council will express to Beijing our expectations that its business activities there should neither provoke internal strife nor further undermine human rights in Guinea. However, like Mr Kasoulides, I suspect the proposals to rescind the EU fisheries agreement will only serve to punish local communities, not the military junta.

Heidi Hautala (Verts/ALE). – (FI) Mr President, since we have been praising the Commission here for the decision it has made over the Guinea fisheries protocol, specifically on account of human rights violations, I would like to ask the Commission if it now intends to carry out a systematic survey of other similar situations, or at least prepare to act consistently and just as firmly if such serious human rights violations occur elsewhere.

Eija-Riitta Korhola (PPE). – (FI) Mr President, recently a Finnish voter asked me how I would define human rights. I said that I should not define them on my own, and that it was not worth doing so; otherwise, they would not get any further than my own front door, the idea being that human rights have already been

defined and that countries are committed to a respect for them. They are binding on the international community. That is why we appeal to them.

Guinea is a signatory to the Cotonou Agreement, which requires human rights and democracy to be respected. This is a basic premise. We really must insist that a country's democratic development should get properly under way when we conclude more cooperation agreements on the basis of Cotonou. As we have heard, the situation in Guinea at this time is intolerable and calls for a swift response and possible sanctions. Guinea has important reserves of ore and, consequently, great opportunities for development. At the same time, it is one of the world's most corrupt countries. It is quite deplorable that Chinese state-owned companies and businesses that invest in Guinea do not insist on any sort of commitment to human rights.

Leonard Orban, *Member of the Commission*. – (RO) The Commission has been quick to condemn in strong terms and on more than one occasion (*the President cut off the speaker*) the massacres and blatant human rights violations which took place on 28 September 2009 and which have also continued since that date.

Through its participation in the International Contact Group on Guinea, the Commission approved the conclusions reached at the meeting on 12 October, envisaging the adoption of various measures supporting the observance of human rights.

First of all, at a humanitarian level, we need every person arrested arbitrarily to be released, the bodies of the victims to be handed over to their families, and all the injured, especially women who have been raped, to receive medical care. We cannot but express our dismay and concern that it seems, for the time being, that none of these measures have been carried out.

Secondly, the Commission welcomes the decision of the Secretary-General of the United Nations to set up an international committee of inquiry to investigate the massacres of 28 September in order to bring to justice the perpetrators of these acts. It is vitally important for us to put an end to their impunity and to the deterioration in the human rights situation in Guinea. The international committee of inquiry and the preliminary investigations carried out by the International Criminal Court will help improve the situation in this respect.

In this situation, the Commission is prepared to examine the possibility of giving financial support to the International Observation Mission and offering protection so that members of the Commission and witnesses are protected against acts of intimidation and to help create a safe atmosphere among Guinea's population.

On the other hand, in addition to imposing a total arms embargo, the Commission is inclined to examine the possibility of supporting reform in the area of security in order to reform the army and make it professional so that stability can be restored to Guinea.

Finally, I wish to point out that the measures required in accordance with Article 96 of the Cotonou Agreement were already adopted on 27 July 2009.

I also wish to mention a point that was emphasised before. For the sake of consistency and in order to increase the pressure on the military junta, Mr Borg, the Commissioner responsible for Fisheries and Maritime Affairs, has announced the Commission's intention to withdraw the partnership agreement being proposed in the fishing sector, due to be signed with Guinea. In fact, for the time being, we are not going to pay (*applause*) the corresponding financial contribution.

In response to the question I was asked, in other instances, the Commission will certainly take action on a case-by-case basis and look at the situations which have occurred on a case-by-case basis.

Thank you.

President. – The debate is closed.

The vote will take place after the debates.

Written statements (Rule 149)

Maria do Céu Patrão Neves (PPE), *in writing*. – (PT) The main objective of the new partnership agreement between the EU and Guinea-Conakry is to strengthen cooperation between the European Union and the Republic of Guinea so as to encourage the establishment of a partnership to develop a policy of sustainable fishing and responsible exploitation of fisheries resources in the Guinea fishing zone, in the interests of both parties.

The financial contribution under the protocol is set at EUR 450 000 per year, for fishing opportunities relating to the category of highly migratory species. The entire amount is intended for establishing a national fisheries policy based on responsible fishing and sustainable exploitation of fisheries resources in Guinean waters.

The above is in line with the Portuguese Communist Party's proposal regarding fishing agreements with third countries, which is why I voted in favour of this document.

12.2. Iran

President. – The next item is the debate on seven motions for resolutions on Iran.

Ana Gomes, author. – (PT) Mr President, Iran is characterised by linguistic, religious, ethnic and political diversity. The Shia majority lives alongside Sunnis, Zoroastrians, Christians, Jews and Baha'i. The Persian majority shares the country with countless ethnic minorities that make up almost half of the population: Azeris, Arabs, Kurds, Baloch and others. The cities are teeming with a modern middle class and young people ready to live in 21st century Iran. All this commotion and complexity frightens the regime that would rather have a simple Iran: simple in terms of religious fanaticism, in isolation of the country and simple in terms of public opinion cowed by violent repression.

This resolution describes the systematic violation of human rights to which Iranians are subjected in their own country, including frequent application of the death penalty, even against children, the stoning of men and women, extensive limitations on freedom of expression and persecution of religious and ethnic minorities. With this resolution, Parliament is sending out two separate messages. The first is for the people of Iran: Europe sees in Iranians and, particularly in its young people, the hope for a future in which their country will embrace democracy and freedom and will take on an important role in the region, as it deserves. The second is for the Iranian regime: we are telling it that Iran will never fulfil its unquestionable potential as long as violence and obscurantism are the main features of a political regime that merely pays lip service to the values of justice and peace and continues to brutally oppress its people.

Marietje Schaake, author. – Mr President, any government derives its legitimacy from providing for the well-being of its own citizens. Any regime that fails at this most basic responsibility loses its legitimacy in the international community.

Current self-isolation is leading to destruction in Iran and has a toxic impact on neighbouring countries and on the rest of the world. We cannot stand by and watch minor offenders being hanged, people being raped and arbitrary violence wrought upon citizens by their own regime. We stand here to restate that there cannot and will not be impunity for those guilty of committing crimes against humanity, and we will continue to stand with the Iranian people as they exercise their right to free speech and peaceful protest for freedom and democracy.

The European Union has a responsibility in keeping these universal rights on the agenda, including when trade interests or the nuclear programme of Iran are at issue. Only when the Iranian regime earns its legitimacy from its citizens can it be a credible player in the international community.

Tunne Kelam, author. – Mr President, this situation is rooted in a very special clerical dictatorship, which is notorious for its indiscriminate suppression of human rights and civil liberties. The situation has even worsened since the June elections. Arrests, torture and executions of minors and women have increased. In fact, Iran has the highest number of executions in the world after China.

The latest information, which is not reflected in the draft resolution, is that yesterday, Iran's regime hanged five prisoners in Tehran's Evin prison, including Soheila Ghadiri, a 28-year-old woman. She is the fourth woman to be hanged by the regime in the past month.

Such barbaric sentences have nothing to do with crimes allegedly committed by the prisoners but are rather an effort to intensify the atmosphere of terror in the country, especially among women and young people, who have displayed their resolve to establish democracy and oppose the elections.

Rui Tavares, author. – (PT) Regardless of how many people are here in this House, when we speak in Parliament, we are also speaking for the millions of people in Iran who have gone out on the streets and have risked their lives and safety to protest against elections that they believed to be fraudulent.

These millions of Iranians, inside and outside the country, expect something from us and, therefore, the starting point cannot be anything other than that of solidarity and of collaboration in aiding these millions of Iranians, who are fighting for democracy and for human rights and who, it should be pointed out, are running risks much greater than those normally feared by diplomacy.

I would say, then, that the starting point cannot be anything else. It is true that Western policy has very often been a simplistic policy that is ignorant with regard to Iran. It is true that Europe has too often been reactive with policies that proved to be wrong with regard to Iran. It is true that very often we have not wanted to accept that Iran should have the respect from the international community that, as a major regional power, it certainly craves.

As put by an Iranian artist in exile after the protests, the West did not want the Islamic Republic and now we do not even have a republic. However, none of this can excuse a regime that has repressed freedom, an oppressive regime and, now, a regime based on the increasingly flimsy foundations of fraudulent elections and oppression of its people. The Iranian people expect solidarity and support from Parliament, and we seek to provide it with this text.

Fiorello Provera, *author.* – (IT) Mr President, ladies and gentlemen, we know about the political and social conditions in which the citizens of the Islamic Republic of Iran live.

We are aware of religion's significant interference in political decisions and the sphere of fundamental human rights. The latest example was the killing of Behnood Shojaee, a young man recently executed even though he was a minor at the time of the crime. This is the latest episode in a chain of serious violations of human rights which have entailed the repression of political opponents, homosexuals, journalists, intellectuals and anyone who is fighting for the social and civil development of Iran.

The situation has deteriorated during the regime of Mahmoud Ahmadinejad, who began his presidency by repeatedly denying the Holocaust and the State of Israel's right to exist. Since 2005, the number of executions in Iran has quadrupled, and Iran is the only country in the world which executes minors guilty of crimes. The systematic use of torture in prisons and the use of medieval punishments, such as amputation and stoning, is well known, but the regime is in difficulty as shown by the tens of thousands of people who were brave enough to protest in the streets following the last elections.

The young woman, Neda Agha-Soltan, killed in the street as she was standing up for her rights as a woman and as a citizen, has become the symbol not only of the repression, but also of the desire for freedom of a people that Europe must help. How can we help? One way is with the European Instrument for Democracy and Human Rights. Another tangible proposal is to name streets or squares in our cities after Neda Agha-Soltan. This would not only commemorate her sacrifice, but would show our solidarity with Iranian opposition and provide greater information and awareness of such a serious situation among European citizens. I would like to see a picture of Neda Agha-Soltan next to the picture of Aung San Suu Kyi displayed on one side of the European Parliament building in Brussels.

One final comment: how can President Ahmadinejad have any credibility in the negotiations on the nuclear issue when he is persecuting and going against his own people who are calling for greater democracy, greater freedom and greater respect for human rights?

Struan Stevenson, *author.* – Mr President, while we sit in this Chamber having grand debates, the hangmen in Iran are working overtime. As we heard from Tunne Kelam, yesterday they hanged another five people, including a young woman, the parents of whose victim had pardoned her. So she had actually been excused the death penalty but was subsequently hanged.

But we follow a policy of appeasement in the EU. Only this week, we have agreed that we will encourage the Russians to enrich the nuclear fuel rods, on behalf of Ahmadinejad, in return for his guarantee that he will stop his own nuclear enrichment programme. But he has not given that guarantee, nor has he given open access for inspectors to look at his nuclear facilities. We are only bolstering the Mullahs when we continue this policy of appeasement. We need to take tough sanctions. Toughness is the only language these Mullahs understand.

Barbara Lochbihler, *author.* – (DE) Mr President, at the beginning of this part-session, President Buzek pointed out that the abolition of the death penalty is a basic concern of the European Parliament. It applies to all regions of the world that this inhumane and barbaric penalty must be abolished.

He referred to the executions taking place in Iran. Four death sentences in particular are mentioned in the motion for a resolution before us. The persons in question have been sentenced to death because they allegedly took part in the protests against the elections, but they were all in custody at the alleged time of the offence. So this could still go to appeal and we need to keep an eye on these cases.

The fact that minors were still being executed in Iran at the time of the offence has also been addressed. Iran is the only country which was still executing minors at the time of the offence. Iran has ratified the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child and is therefore obliged to pass a national law prohibiting the execution of minors. A bill has been tabled before the Iranian Parliament and we must call on our colleagues there to do everything they can so that the passage of this bill stops being blocked. I consider this a very important task.

To close, I should like to express my high respect for all men and women in Iran who are risking so much, who are taking to the streets, who are engaging in various activities to demand respect for the rights to which they are entitled under the Iranian Constitution. Their determination, their commitment and their courage deserve our unreserved solidarity.

Martin Kastler, *on behalf of the PPE Group*. – (DE) Mr President, on 2 October this year, the Iranian police stopped a man from boarding an aircraft at the last minute. The lawyer, Abdolfattah Soltani, was due to receive the International Human Rights Award for 2009 in my home town of Nuremberg for his courageous work on behalf of victims of political persecution. Despite having a valid passport, the Iranian powers refused to allow Mr Soltani to leave the country for no legal reason. His wife was allowed to leave. She rightly stated, and I quote: 'It pains me that in a country that calls itself a theocracy, acts are committed that have nothing to do with God'.

Iran is bound under international law by its ratification of the UN Covenant on Civil and Political Rights, which stipulates the human right that everyone shall be free to leave any country, including his own. I find it scandalous that Iran is trampling this right underfoot. I am therefore lobbying for the Soltani case to be included in our joint resolution today, in our resolution on Iran, and I ask for your support.

Ryszard Czarnecki, *on behalf of the ECR Group*. – Mr President, I would like to use this time to express our concern over the situation in Iran and especially of Iranian opposition members in Camp Ashraf in Iraq, which has been the symbol of resistance for people in Iran.

The Iraqi Government should stop following the orders of the Mullahs in Tehran. Iraq should understand that the Iranian regime has no future and is holding on to power for repression and executions. So, if Iraq is a sovereign country, they should respect and implement the European Parliament resolution of 24 April 2009 on Ashraf, which calls on Iraq to stop any forcible displacement of Ashraf residents within Iraq. The Mullahs in Tehran want Ashraf to be destroyed, and we in Europe must support these defenceless Iranian refugees. It is our moral duty.

We should ask the EU Presidency and the Commission to ask the UN to become more involved by sending a permanent team – and even a peacekeeping force – there to prevent more attacks and prevent these people being moved by force to other parts of Iraq.

Bastiaan Belder, *on behalf of the EFD Group*. – (NL) Mr President, there is no doubt that the human rights situation in the Islamic Republic of Iran has deteriorated sharply in recent months. An apt illustration of this is the current developments in the repressive apparatus provided by President Ahmadinejad to nip in the bud even the appearance of any kind of opposition to his administration, which is of dubious legitimacy. The notorious thugs known as the Basij have now been incorporated into the Iranian Revolutionary Guard Corps, another sinister organisation.

What can the European Union still accomplish here? The answer is two things in particular. Together with the United States, we, the Western world, must focus on individual cases of serious human rights abuses in Iran (I also refer you to our resolution). In direct conjunction with this, we must make it clear to Tehran that these abuses are not to be tolerated and will have serious consequences.

When national interests – particularly of an economic nature – come into play, the Iranian pragmatists will appear of their own accord. In doing so, they can even make reference to the late Ayatollah Khomeini, founder of the Islamic Republic of Iran. When it came down to it, he, too, opted resolutely to put the national interest before religious requirements. Commission, Council, I urge you to seek out the ayatollahs' weaknesses,

primarily in the interests of a more tolerable fabric of life for the Iranian people and in the interests of the security of the Jewish State of Israel, not forgetting the Arab world, and also the European Union.

Krisztina Morvai (NI). – (HU) A few days ago, President Barroso was here and I asked him what could be done to resolve the human rights crisis that had been going on in a European Union Member State, Hungary, since autumn 2006. I mentioned on several occasions that many hundreds of people were subjected to such heavy-handed police brutality that they suffered serious injuries, while several hundred people were put arbitrarily under arrest and several hundred people went through lengthy criminal proceedings where they were proved innocent. The President replied to this that these were internal matters and the European Union cannot interfere in internal matters. I would like to ask about the double standard that is being applied and about what legal basis the European Union has for interfering in a country outside the European Union when it is reluctant to protect human rights in a European Union Member State. I would also like to take the opportunity to ask our Iranian friends, those belonging to the opposition and even those belonging to the government party, to help Hungarians protect their human rights.

Eija-Riitta Korhola (PPE). – (FI) Mr President, Iran would have an important role in the Middle East peace negotiations but, to our regret, the country seems to be slipping ever further away from the democratic rule of law. Firstly, there is reason to cast serious doubts on the election results last June that allowed President Ahmadinejad to remain in office. Since the elections, the general human rights situation has become even worse. Furthermore, since Ahmadinejad's rise to power in 2005, the number of executions that have taken place has quadrupled, and Iran executes the most people in the world after China. Secondly, freedom of religion and opinion are in a sorry state. For example, the seven Baha'i leaders are still imprisoned only on the basis of their religious convictions.

In our resolution, we are appealing to the Iranian authorities, and I hope that at the same time, we can, in this way, show our support and respect for the courage that many Iranians demonstrate in their fight for fundamental freedoms and democratic principles. We have a special respect for those brave Iranian women who had a decisive role to play in the demonstrations following the elections in Tehran.

Peter van Dalen (ECR). – (NL) Mr President, Iran is ruled by a strict regime based on a radical interpretation of Islam and of the Koran. In Iran, those who want no part in this fall into disfavour. Iran is a frightening country, particularly for the Christians there. There is literally no life for Muslims who have converted to Christianity in Iran. Last year, the Iranian Parliament adopted a law making the abandonment of the Islamic faith a capital offence.

Nor is there any life in Iran for demonstrators. Three people arrested during the demonstrations against the outcome of the presidential election have now been sentenced to death. It is utterly wrong and incomprehensible for a court to pronounce such a sentence. An appeal against this sentence may still be possible, but it is clear to everyone that even demonstrators must fear for their lives in Iran.

I call on the Council and the Commission to give these demonstrators strong support in further proceedings and, in particular, to vigorously oppose the brutal Iranian regime.

Laima Liucija Andrikiienė (PPE). – (LT) The human rights situation in Iran is clearly deteriorating. The presidential elections of dubious legitimacy that took place this year and the mass protests by people following the elections mirrored the increasingly tense and fearful political and social situation in Iran.

I would like to point out that this year in the Reporters without Borders report evaluating press freedom, Iran ended up at the bottom of the list, that is 172nd out of 175, and was only above Eritrea, North Korea and Turkmenistan.

The situation for journalists in Iran is one of the worst in the world; free information on the internet is blocked and people writing blogs are persecuted. We know only too well the story about the renowned blogger, Fariba Pajoo, who was arrested very recently and whose future remains uncertain.

I appeal to the European Commission. Commissioner, we must establish a Commission delegation in Tehran as soon as possible in order to begin a dialogue with Iran's government institutions on the worsening human rights situation in this country.

Jim Higgins (PPE). – Mr President, I fully agree with the comments of Mr Czarnecki. The attack last July on the Iraqi PMOI camp at Ashraf in Iraq can only be described as savage and barbaric. Eleven people killed, and a lot more could have been killed; numerous people brutally injured – you have to see the video to realise the barbarity which actually occurred. The army and the military indulged themselves in the most sadistic

form of brutality. As a result, 36 people were arrested; they had no option but to go on hunger strike. They were released two weeks ago because of international pressure – and international pressure after 72 days on hunger strike: that is what brought people to heel in relation to the Malaki government. So these people are refugees; they are entitled to go to bed at night and get up in the morning, safe. We need, as Mr Czarnecki said, two things: first of all, we need a permanent UN presence there to replace the United States and, secondly, an absolute guarantee of no displacement.

Véronique De Keyser, author. – (FR) Mr President, I wish to make three small points to add to what my fellow Members have said.

Firstly – and here I refer to what Mrs Gomes said – in spite of everything that is going on, in spite of the tragedies that are occurring in Iran and the regime, we still have every faith in the political future of that country and in the strength of its civil society.

My second point is that it has not been emphasised enough that we condemn the latest suicide attacks, which took place in Sistan and Baluchistan, even though the victims were Revolutionary Guards, as well as, sadly, dozens of civilians. We are against this type of violence, even though we fully understand the reasons why it takes place but, at this point in time, we must side with the opponents of the regime.

Lastly, our Parliament, I believe, condemns the death penalty, no matter who it affects – children, women, adults – or which country in the world carries it out.

Cristian Dan Preda, author. – (RO) I, too, wish to deplore the deterioration in the situation in Iran with regard to human rights, in the wake of the elections in June. This deterioration is certainly being signalled by the huge wave of arrests and the violence being shown to the regime's opponents.

In addition, as has already been mentioned, freedom of information is being put under serious threat, with the risk of persecution being targeted against journalists. One major sign of concern is the fact that both torture and the death penalty are being used wholesale in Iran. In fact, Amnesty International recently highlighted the fact that, following the elections, the number of people convicted and then executed has multiplied significantly.

Finally, I wish to show my support for the notion of establishing a European Union delegation in Tehran. Such a delegation can work together with civil society on the ground, thereby supporting the rights of the activists campaigning for freedom.

Angelika Werthmann (NI). – (DE) Mr President, ladies and gentlemen, I have a proposal to make to you: human rights, democracy and the rule of law are issues that are too important and too urgent to deal with on a Thursday afternoon. Unfortunately, there are only a few of us here.

A month ago, we debated the murder of journalists. Today, it is the horrendous human rights situation in Guinea, Iran and Sri Lanka. I know that many of you share my opinion. Let us find another – a better – date for this important debate.

President. – Madam, you are supposed to talk on the subject under the catch-the-eye procedure. You are using other Members' speaking time.

The catch-the-eye procedure is closed.

Leonard Orban, Member of the Commission. – (RO) Let me begin by conveying our condolences to the families of the victims of the terrorist attack carried out in the Sistan-Baluchistan province in Iran. The Commission condemns terrorist attacks carried out anywhere in the world, along with the loss of life entailed.

The European Commission is deeply concerned about the current state of human rights and fundamental freedoms in Iran. When talking about this subject, we can mention examples such as the executions of minors, discrimination against people belonging to different minorities, significant restrictions on freedom of expression and assembly, ill treatment of prisoners, denial of the right to a fair trial, as well as large-scale oppression and intimidation of human rights supporters and political opponents.

The European Union has maintained direct contact with Iran and has openly made its point of view known to the Iranian authorities regarding developments in the country.

The European Union supports the fundamental freedoms and the universal values they are based on, and feels duty bound to express its view any time and anywhere these principles are flouted. Unfortunately, in

spite of the numerous appeals and statements of condemnation from the European Union and the international community, the human rights situation has deteriorated even more since the presidential elections that took place in Iran in June 2009.

Large numbers of people have been executed by hanging in Iran just in the last few weeks. One of these people, whom you have already mentioned, Behnoud Shojae, who was a minor at the time he committed his crime, was executed in spite of repeated appeals from the EU to have his sentence commuted. More minors are likely to be executed shortly in Iran. We are also concerned about the situation of seven Baha'i leaders in Iran, who have been under arrest for over 17 months and must answer serious accusations, such as espionage and anti-state propaganda. The latest scheduled hearing was postponed again on 18 October, leaving these seven people since then without any clear prospect of proper judicial proceedings.

Hundreds of people were held after the presidential elections because they took part in the post-election demonstrations and made critical comments. The trials against those involved in these activities are continuing. Indeed, last week, four people were condemned to death because they were involved in post-election incidents.

I finally wish to emphasise that we share the concerns expressed by honourable Members about the state of human rights in Iran. The Commission is monitoring closely how the situation evolves and will continue to use every opportunity to call on the Iranian authorities to observe their international human rights commitments, including compliance with the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights. Improving the human rights situation in Iran is a key element in the European Commission's approach to strengthening political dialogue and cooperation with Tehran in the future.

In answer to the question I was asked, we believe that at the moment, given the current conditions in Iran, it is not the right time to establish a European Commission Delegation in Tehran.

President. – The debate is closed.

The vote will take place after the debates.

Written statements (Rule 149)

Bogusław Sonik (PPE), in writing. – (PL) Ladies and gentlemen, I call upon the European Union not to stand by passively while human rights are being violated in Iran. The European Union has to take a much more resolute stance against the death sentences passed in the country and the executions, and especially those imposed on young and under-age criminals. Reacting to what is happening in Iran today is one of the greatest tests of the effectiveness of our western world.

For this reason, the European Commission must set up a delegation of the European Union in Tehran as soon as possible to support and reinforce dialogue with Iranian leaders and civil society, especially to give support to young people, political prisoners and journalists. The European Commission must become much more involved in the sending of a special envoy by the United Nations High Commissioner for Human Rights to monitor the situation as regards political prisoners and to ensure that the Iranian authorities observe international procedural standards and legal obligations with regard to human rights.

The European Union will always be a standard-bearer for civil freedoms and our common European democratic values, even beyond our borders. For that reason, we should make all efforts, through intensive dialogue with the political elites, so that Iran in the 21st century observes fundamental human rights and respects the right to life.

12.3. Sri Lanka

President. – The next item is the debate on six motions for resolutions on Sri Lanka.

Geoffrey Van Orden, author. – Mr President, the people of Sri Lanka – Sinhalese and particularly the Tamils – have suffered enormously over these past 30 years from a ruthless terrorist campaign conducted by the LTTE. Now that the LTTE have been defeated in the field, the Government and people of Sri Lanka need our sympathetic understanding and, above all, our assistance as they try to set their country once more on the path of recovery and prosperity and prevent any resurgence of terrorism.

There are those, including LTTE apologists, who want to deliver a further blow to the Sri Lankan people by undermining the GSP+ preferential trade arrangements with the EU. I hope the Commission understands that it is trade, not aid, that offers the best route to economic recovery. For its part, the Sri Lankan authorities need to address the concerns expressed by friends in the international community so there is no excuse for GSP+ status to be compromised.

The immediate priority, of course, is to resettle those thousands of Tamil civilians caught up in the conflict and now being held in poor conditions in camps. Their processing needs to take place with all urgency, and the international community should be invited to help.

Proinsias De Rossa, author. – Mr President, I support this resolution even though I think it is not critical enough of the Sri Lankan Government. Earlier this year, we witnessed the appalling military assault on the area held by the Tamil Tigers, without any regard for the lives or well-being of citizens who, in my view, are used as pawns by all sides, resulting in 90 000 dead. The world stood horrified and helpless, yet still today, there are more than a quarter of a million Sri Lankan citizens who are interned without adequate medical facilities, without clean water, sanitation or living space.

Today's resolution is a relatively mild call on the Sri Lankan authorities to respect the rights of their citizens. It is my own view that, if there is no measurable progress soon on the demands in this resolution, then the European Union must bring economic and political pressure to bear on the regime in Sri Lanka.

Sri Lanka depends for its economic recovery on foreign direct investment and on EU economic support. We must use that leverage in the interests of the Sri Lankan peoples, including the Tamil people.

Thomas Mann, author. – (DE) Mr President, I have two minutes. The 25-year civil war in Sri Lanka appears to be over. In May, government troops captured the areas in the north held by the LTTE. Hopefully, a new beginning will bring peace and, with it, freedom.

The people are suffering not only from the effects of the civil war, but also from the consequences of the tsunami and other natural disasters. The EU has stepped up foreign trade and is granting higher tariff preferences than to any other country in southeast Asia. International aid brings with it the obligation for the political forces in Sri Lanka to implement human rights. Two hundred and fifty thousand people are being held in overcrowded camps with poor drinking water and medical supplies. The aid organisations are being refused access. It should be in the government's own interest to organise the return to home villages as quickly as possible. The European People's Party (Christian Democrats) is lobbying for the International Red Cross to be given a key role.

Another sector in which change is needed is freedom of the press and freedom of expression. The abduction and arrest of journalists must end. Critical articles should stop being punished with prison sentences. As a member of the SAARC delegation, I have been able to visit Sri Lanka many times. I believe a new beginning for this country will be rich in opportunity if the Tamil leaders are included in a constructive manner. However, this means rejecting all forms of terrorism and violence and it means cooperation on a strategy to implement human rights. I wish, for the sake of the citizens of Sri Lanka, that an expression which I have heard time and again – *'war is an institution'* – will finally be consigned to the past.

(Applause)

Joe Higgins, author. – Mr President, the policy pursued towards the Tamil people by the Government of President Rajapaksa has resulted in a nightmare for both the Sinhala and Tamil peoples in Sri Lanka, with massive repression by the Sri Lankan state against individuals and groups who have stood up against its chauvinist policies.

After the defeat of the Tamil Tigers, the nightmare continues for the Tamil people, especially in the north of Sri Lanka, with 300 000 people – including 31 000 children – forcefully detained in camps where disease and malnutrition are rife.

Now a new horror threatens, with reports that the Rajapaksa Government plans to settle Sinhala people in the east and north of Sri Lanka – in other words, to colonise the areas where Tamil-speaking people are in the majority. That would be a recipe for communal strife in the future.

The Rajapaksa Government is, in fact, a dictatorship with a very thin democratic veneer. I welcome the opportunity through this resolution to condemn it. I do have a reservation about paragraph 4 because the main terrorism, in fact, has come from the Rajapaksa Government against the people. While, as a Socialist,

I believe that guerrillaism under the conditions in Sri Lanka will not bring a solution, the Tamil people do have a right to defend themselves against military repression.

The best way to defend the Tamil people is through a united struggle of Tamil and Sinhala workers and poor against the current government and its new liberal policies, and through the socialist transformation of Sri Lankan society, under which the marvellous resources of that country could be used for the benefit of the entire population. I am proud to be associated with the United Socialist Party in Sri Lanka, which is a sister party of the Socialist Party in Ireland, and which has heroically stood up against the chauvinism of the government for the rights of the Tamil and Sinhala people and the rights of the Tamil people to self-determination.

Heidi Hautala, *author*. – (FI) Mr President, everything that my colleagues here testified to concerning the current situation in Sri Lanka was confirmed when the Subcommittee on Human Rights recently organised a hearing on this nightmarish situation.

We can actually confirm that the movements of these 260 000 Tamils are still being restricted, contrary to all international laws, even though it has been months now since the war itself ended. We can confirm that there are serious restrictions on the freedom of the press. Yesterday, Reporters Without Frontiers ranked Sri Lanka number 162 on the Press Freedom Index out of 175 countries.

We must now demand that the representatives of all the delegated UN bodies be allowed into these camps. The resolution mentions the organisation of local elections and we, as the Group of the Greens/European Free Alliance, are saying something rather less forceful, and I hope that people will support it. We would just like to record that these elections are being organised.

As regards the question of policy on trade, I am very glad that the Commission is now examining how Sri Lanka is implementing the requirements of the various human rights agreements. I expect the Commission to work very objectively and impartially and, in time, to draw conclusions as to whether Sri Lanka has actually deserved this preferential treatment under GSP+.

Bernd Posselt, *on behalf of the PPE Group*. – (DE) Mr President, victors should be generous and I think that, in Sri Lanka, a lot of people have still not understood this. The point here is to resolve the cause of ethnic conflict, which has escalated terribly. We simply have to realise that there is no plan in place which will guarantee the Tamils their legitimate rights. Both sides must move towards each other in order to find a political solution.

Violence was rightly fought, the perpetrators of violence have been defeated and there is nothing about violence that can be glossed over. To abolish the causes of violence, that is the real task. It is easier to end a war than to create peace. We see that at the moment in Bosnia where, well after the end of the war, a sustainable solution for peace has still not been found.

I worry about the stability of Sri Lanka, because this minority problem has existed for centuries, exacerbated during the period of colonialism, which is why we must do everything to mediate between both sides and get both sides to come round.

Lidia Joanna Geringer de Oedenberg, *on behalf of the S&D Group*. – (PL) Mr President, in May this year, after the government's victory over the Tamil Tigers, it appeared that the civil war in Sri Lanka had finally come to an end after many years. In reality, however, there are, unfortunately, still many problems that need to be resolved in the country.

The government is keeping more than 250 000 people in camps on political grounds, not even giving access to humanitarian organisations. It represses the media. In September this year, the Supreme Court in Colombo sentenced a journalist to 20 years' imprisonment, which the EU Presidency regarded as a threat to freedom of speech and which was roundly condemned.

One huge obstacle to the country's development are the anti-personnel mines which are a threat to the life and health of people. Sri Lanka has still not joined the Ottawa Convention banning anti-personnel mines. Signing this document would certainly help to resolve this problem and would, at the same time, allow the country to apply for assistance for the victims of landmines and speed up the mine removal campaign, which has been operating since 2003 with little effect.

The citizens of Sri Lanka deserve true democracy and a decent life.

Karima Delli, *on behalf of the Verts/ALE Group*. – (FR) Mr President, ladies and gentlemen, for months now, the Sri Lankan Government has maintained a wall of silence regarding the situation of the Tamil civilian population, preventing foreign media and humanitarian organisations from gaining access to them. Since March 2009, Colombo has been holding almost all of the civilians who fled the fighting between the army and the Tamil Tigers, in complete violation of international law and human rights.

In July, the Sri Lankan Government was holding more than 280 000 people in 30 camps guarded by the army in the north-east of the island. The refugees can only leave the camps in order to receive emergency medical treatment, with a military escort accompanying them in most cases. In some camps, more than 1 000 people are dying every week, mainly of dysentery. The living conditions are appalling. President Rajapaksa declared last week that only 100 000 Tamil refugees would be released.

In view of the scale of the tragedy, the European Union must step up the pressure on the Sri Lankan Government in order to obtain the immediate and unconditional release of all the civilians, access to the camps for journalists and the prompt delivery of humanitarian aid.

Charles Tannock (ECR). – Mr President, as a representative of London, a city that has repeatedly been a target for terrorists in the past 40 years, I have a great deal of sympathy with Sri Lankans of all ethnicities. The relentless terrorist campaign waged by the Tamil Tigers severely blighted the development of that beautiful country.

President Rajapaksa came to power democratically, determined to defeat the LTTE, and his success should be congratulated by all of us who despise terrorism. The government now has the responsibility of building a post-conflict society with liberty, justice and equality for all Sri Lankans. Returning the IDPs home and trying the war criminals must now be the government's priority.

While I concede that President Rajapaksa may have lost some international goodwill through some of his emergency actions in the immediate aftermath of the conflict, I am convinced that the best way forward is to guarantee the development of a secure and prosperous Sri Lanka and support its democratically-elected leader and government. The EU must maintain the GSP+ trade agreements which, if removed, will directly destroy one million jobs and indirectly economically impact on 2.5 million innocent Sri Lankan citizens.

Seán Kelly (PPE). – Mr President, I am very pleased as an Irish MEP that my colleagues from Ireland, Joe Higgins and Proinsias De Rossa, have outlined various concerns in Sri Lanka and Iran, and I concur with them. It is appropriate that Ireland should be concerned about these issues because it saw discrimination and loss of life in Northern Ireland for many years. Nevertheless, at the end of the day, the only solution comes through diplomacy and discussion. For that reason, I would hope that when the Lisbon Treaty is enacted, the new powers and the status which the President and the High Representative have will be utilised to bring, hopefully, common sense and good understanding to these places so that they will mend their ways and commit to the diplomatic and democratic way of life.

Eija-Riitta Korhola (PPE). – (FI) Mr President, we have followed and commented on the situation in Sri Lanka on a number of occasions and sometimes almost abandoned hope of finding a solution. Nevertheless, the conflict, which lasted 25 years, ended in the defeat of the Tamil Tigers this year. The lengthy conflict typically claimed a lot of victims and gave rise to internal refugees in the country, as well as causing problems for the economy and developments in the rule of law. Now the country has entered a hopeful, though critical, phase.

There has been mention here of the concern over the plight of those who have been living in the camps. As we state in the resolution, we hope that the authorities will soon accept international assistance and open the camps to receive humanitarian aid and trained conflict personnel. At the same time, we also need the commitment of the international community to get down to business and build a lasting peace for that lovely island. Aid should also definitely extend to additional sums allocated by the Commission for mine clearance.

Raül Romeva i Rueda (Verts/ALE). – (ES) Mr President, I would like to take the floor, first of all, in order to highlight what my colleague, Mrs Hautala, has said. We need to bear in mind the role which not only the Red Cross, but also the United Nations, plays – and ought to play – in this process.

However, I also wanted to respond to what Mr Van Orden has said, as it seems to me to be wholly inappropriate to label those of us who try to use a straightforward instrument, such as the GSP+ trade agreements, as sympathisers or supporters of the LTTE. This is simply not true.

We know that there is an ongoing investigation to determine whether the Sri Lankan authorities are doing their part to incorporate human rights legislation into national legislation.

If this is not being done properly, then it is quite normal and necessary for us to call for the GSP+ system not to be extended. Therefore, it seems to me that relating this extension, this petition or this request, to support for the LTTE is quite wrong.

Leonard Orban, *Member of the Commission*. – (RO) The European Commission has continued to monitor closely the situation in Sri Lanka and to initiate an appropriate dialogue with the government of this country, aimed at providing the basis for new relations where both parties make efforts to cooperate on resolving the main issues which cause problems.

We are deeply concerned by the critical humanitarian situation in the camps where displaced persons are held internally. Detaining these people indiscriminately in Sri Lanka is tantamount to a blatant violation of the norms of international law. We must urgently ensure right now that all those people who have remained in camps enjoy freedom of movement and that full access to these camps is given to humanitarian agencies, including to record information there, so that they can provide humanitarian aid and protection.

In addition, the Commission is continually concerned about the state of human rights in Sri Lanka based on information about extrajudicial executions, kidnappings and serious intimidation of the media. There will be obstacles to reconciliation on the island for as long as the Tamils' discontent is ignored and there is an atmosphere of impunity. The European Commission firmly believes that the key to the process of reconciliation is for the parties to take responsibility for their own actions.

The European Commission recently concluded an in-depth investigation into the state of human rights in Sri Lanka. The remit of this mission was to observe whether the country was fulfilling or not the commitments it made when it became a beneficiary of the special scheme encouraging sustainable development and good governance, GSP+, agreed by the European Union, and the commitments to comply with international regulations on human rights, in particular.

As a result of the investigation, significant shortcomings were noted with regard to three United Nations conventions governing human rights: the International Covenant on Civil and Political Rights, the Convention Against Torture and the Convention on the Rights of the Child. This highlights that Sri Lanka is currently not enforcing these conventions.

Inevitably, this situation is likely to continue to jeopardise the granting of additional commercial benefits as part of GSP+ as the condition which all beneficiaries of the scheme must fulfil is that these three conventions have been ratified and effectively enforced.

Thank you.

President. – The debate is closed.

The next item is the vote.

13. Voting time

President. – Thank you, Commissioner Orban. The debate is closed. The vote will take place after the debate.

I should like to take this opportunity to say something about a point which arose during the explanations of vote this afternoon and now too during the catch-the-eye procedure. Under the rules of procedure, no further requests are accepted once explanations of vote or the catch-the-eye procedure have begun. I had asked the services to perhaps make this generally known once again. We dealt with this casually today, but we need to take care in future, because otherwise we shall go well over the time announced to Members.

The next item is the vote on six motions for resolutions on Guinea. We shall look first at the joint motion for a resolution from six groups, which is intended to replace all the motions for resolutions on this issue.

13.1. Guinea (vote)

13.2. Iran (vote)

13.3. Sri Lanka (vote)

Thomas Mann, author. – (DE) Mr President, I suggest that we remove recital 3 from the resolution, because the situation of the journalist Ti Sei Nayagam is only mentioned at the beginning and not in the operative part of the resolution. We removed this item from our agenda during our joint negotiations. I therefore recommend that this issue should be deleted here. We shall certainly have an opportunity to discuss this issue again another time.

(Parliament agreed to accept the oral amendment)

14. Corrections to votes and voting intentions: see Minutes

15. Composition of committees: see Minutes

Bernd Posselt (PPE). – (DE) Mr President, my apologies but, throughout the course of the day, I have listened to a right-wing Hungarian extremist speak about Hungary under every item. Please could you point out that we have an agenda with separate items. Perhaps the Member is unaware of that.

(Applause)

President. – Unfortunately, the Member is not present. I assume that she will take note of your comment.

16. Decisions concerning certain documents: see Minutes

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

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

19. Dates of forthcoming sittings: see Minutes

20. Adjournment of the session

President. – I declare the session of the European Parliament adjourned.

(The sitting was closed at 16.35)

ANNEX (Written answers)

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

Question no 10 by Liam Aylward (H-0331/09)

Subject: EU Financial Perspective 2014 - 2021

Can the Council outline the likely timeframe that it intends to pursue to conclude the negotiations concerning the next EU Financial Perspective 2014 - 2021?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

Given that the current financial framework covers the period 2007 until 2013, the three institutions agreed in the inter-institutional agreement of 17 May 2006 that "before 1 July 2011" the Commission will present proposals for a new financial framework.

Therefore, the exact timeframe for discussion in the Council is in part dependent on when exactly the Commission will present its proposal and on how the Presidency at the time intends to organize the work of the Council.

It is of course clear that, as soon as the Commission makes its proposal, the Council will examine it with a view to its adoption in good time before the expiry of the current financial framework.

The current IIA of 17 May 2006 and the Financial Framework for 2007-2013 will remain in force until they are amended or replaced by a new legal act and instrument.

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Question no 11 by Gay Mitchell (H-0335/09)

Subject: President of the European Council

If the Lisbon Treaty is adopted, the October European Council will have the opportunity to deal with the nominations for the newly created role of President of the European Council.

The new President will have a very important role in representing the Council on the world stage. It is imperative therefore that those nominations be carefully scrutinised.

What procedure will be put in place for the election of a President of the European Council and how will the Swedish Presidency ensure that the process is fair and democratic and that the successful candidate will represent the principles and values of the citizens of the European Union?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

Under the Treaty of Lisbon, the future President of the European Council will have an important role to play, on the world stage, as the Honourable Member points out, but also more generally, in driving the work of the European Council forward and ensuring its preparation and continuity.

There is as yet no clarity on the date of the entry into force of the new Treaty and on the timing of the designation of the future President of the European Council. The Treaty has been accepted by 26 Member States, but is yet subject to ratification by the Czech Republic.

At the appropriate moment, the President of the European Council will consult all his colleagues, with a view to the Heads of State or Government reaching an agreement on the person best suited for the job. According to the Treaty of Lisbon, it is entirely up to the European Council to elect its President, and this will be done by a qualified majority in the European Council. The President is elected for a term of two and a half years, renewable once.

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Question no 12 by Brian Crowley (H-0337/09)

Subject: EU society and benefits of new technology

Can the Council state what programmes it is implementing so that all sectors of European society can benefit from the use of new and evolving technologies, particularly during this very difficult economic period?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The Council share the view of the Honourable Member that it is essential to ensure that all sectors of European society benefit from the use of new and evolving technologies. It will be essential for Europe in order to respond to our common long term challenges such as globalisation, climate change and an ageing population. It is also, in the short term, vital to pave the way for a sustainable recovery of our economies.

A number of programmes and activities organised by the European Community in the area of research, technological development and innovation, help to ensure that new and evolving technologies benefit all sectors of European society:

- The Seventh Framework Programme for research, technological development and demonstration activities, adopted for the period 2007 to 2013 has the overall objective of strengthening the scientific and technological bases of Community industry. Knowledge transfer, making sure that research results and technologies are put to use in society is an integral part of the Framework programme. This programme also seeks to provide a more stable foundation for the European Research Area (ERA) by giving attractive conditions and effective and efficient governance for research and investment in research and technological development and thus make a positive contribution to the social, cultural and economic development of all Member States. Future Framework programmes should better address the major societal challenges. Council conclusions outlining how this should be done, with a high involvement of all stakeholders, is being brought forward during the Swedish Presidency.

- The Competitiveness and Innovation Framework Programme (CIP), adopted for the period 2007 to 2013 has small and medium-sized enterprises as its main target, and the programme supports innovation activities including eco-innovation, provides better access to finance and business support services. It encourages a better take-up and use of information and communications technologies as well as promotes the increased use of renewable energies and energy efficiency.

In addition to the abovementioned programmes, the European Institute for Innovation and Technology (EIT), established by a Regulation of the European Parliament and of the Council of March 2008, is intended to contribute to sustainable European economic growth and competitiveness by reinforcing the innovation capacity of the Member States and the Community. This institution builds on the concept of the knowledge triangle where interaction between higher education, research and innovation is promoted to make better use of Europe's investment in knowledge. Promoting the knowledge triangle is a priority of the Swedish Presidency.

All these programmes are currently being implemented by the Commission; The EIT, for its part, has a high degree of autonomy in its activities.

In addition to these European Community programmes and activities, the Council is engaged in identifying initiatives for joint programming of research in Europe, through the voluntary coordination of Member States' national programmes. This aims at addressing major global and societal challenges, in order to strengthen Europe's capacity to transform the results of its research into tangible benefits for society and for the overall competitiveness of its economy.

In the area of innovation policy, the “Lead Market initiative” established by a Commission communication following an invitation by the Council, will focus on promoting markets from innovative services and products in areas such as e-health. It is intended to help draw practical benefit for society as a whole from research and development of new technologies.

In December 2008, the Council adopted the “Vision 2020”, in which it expressed that by 2020, all players would fully benefit from the “fifth freedom” across the ERA: free circulation of researchers, knowledge and technology. A new governance scheme which includes a more coherent strategy is expected to be approved under the Swedish Presidency.

The i2010-strategy brings together all European Union policies, initiatives and actions that aim to boost the development and the use of digital technologies in every day working and private life. The i2010 strategy include various actions such as regulation, funding for research and pilot projects, promotion activities and partnerships with stakeholders. To respond to the challenges of continued growth and a more eco-efficient development, the Council is currently promoting efforts for a renewed European policy agenda for ICT.

Finally, I would like to recall that the European Economic Recovery Plan adopted by the European Council in December 2008 includes measures in the area of research and technological development, such as developing broadband internet, including in areas that are poorly served. The European Council has agreed to achieve 100% high-speed internet coverage in the EU by 2013. The EU Member States have endorsed the proposals of the European Commission from January 2009 to earmark € 1 billion to help rural areas get online, bring new jobs and help businesses growth.

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Question no 13 by Pat the Cope Gallagher (H-0339/09)

Subject: Icelandic accession

Can the Council make a statement outlining the state of play concerning Icelandic accession negotiations with the European Union?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

Iceland's application for membership of the European Union has been submitted officially on 16 July 2009 to the President of the European Council, The Swedish Prime Minister Mr Fredrik Reinfeldt and also to the President of the General and External Affairs Council, Mr Carl Bildt, and forwarded immediately to the members of the Council. The Swedish Presidency welcomes Iceland's application for membership.

At its meeting of 27 July 2009, the Council recalled the renewed consensus on enlargement as expressed in the conclusions of the European Council of 14/15 December 2006, including the principle that each applicant country is assessed on its own merits, and decided to implement the procedure laid down in Article 49 of the Treaty on European Union. Accordingly, the Commission was invited to submit to the Council its opinion on this application.

The Council will examine this opinion once it has been provided.

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Question no 14 by Jim Higgins (H-0341/09)

Subject: Opening up of sea routes in Israel

Is the Council prepared to request that the Israeli authorities allow the opening up of sea routes in order to facilitate the provision of vital supplies to the Palestinian population of Gaza and is the Council satisfied that the Israeli Authorities are abiding by the conditions of the Euro-Med agreements?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The Council has reiterated on a number occasions the urgency of a durable solution on the Gaza crisis through the full implementation of UN Security Council Resolution 1860. As far as the specific issue of access is concerned, I can confirm that the EU regularly calls for the immediate and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza, without which the unimpeded delivery of humanitarian aid, reconstruction and economic recovery will not be possible, and on the basis of the full implementation of the Agreement on Access and Movement of 2005.

The Euro-Mediterranean Agreement with Israel provides a framework for political dialogue, allowing the development of close political relations between the parties. This dialogue and cooperation can help develop better mutual understanding and provides us with an opportunity to raise all relevant issues with the Israeli authorities at various different levels.

I would also like to add that the Council maintains its view that the political process, based on the parties' previous commitments, represents the only route to achieving a negotiated two-state solution agreed between the parties, which would result in an independent, democratic, contiguous and viable Palestinian state, living side-by-side in peace and security with the State of Israel.

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Question no 15 by Georgios Toussas (H-0346/09)

Subject: Electronic surveillance in the EU

A total of 1 041 821 persons entering or leaving Greece had their personal data recorded in a large-scale exercise carried out in 24 EU Member States during one week from 31 August to 6 September 2009. The total number of those who had their data recorded and were registered electronically at EU level was 12 907 581. This exercise took place in accordance with document No. 10410/09 of the EU Strategic Committee for Immigration, and its object was to gather the personal data of all those entering or departing through EU borders. In implementing the EU institutional framework which Nea Dimokratia and PASOK governments had agreed to, Greece swiftly implemented the data-gathering measures, logging up the fifth largest number of people recorded.

How does the Council view exercises of this kind which form part of designs to build a 'Fortress Europe' and create a gigantic system of electronic border controls and surveillance of all travellers, thereby drastically curtailing fundamental democratic rights and freedoms?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The Council wishes to draw the attention of the Honourable member to the fact that the data collection exercise carried out from 31 August to 6 September 2009 was limited to the registration of the number of entries and exits of different categories of travellers at different types of external borders. It did not involve the registration of personal data.

Indeed, the aim of the exercise was the gathering of comparable data on entries and exits of different categories of travellers at different types of external borders, given that currently they are not available in all Member States. This data would be useful in preparatory work within the Commission. The aim would be to submit a legislative proposal on the creation of a system of electronic recording of entry and exit data in the beginning of 2010. The purpose of such a system will be, if presented, to facilitate the detection of overstayers and the identification of undocumented persons.

The idea of creating such a system was launched by the Commission in its Communication of February 2008 on "Preparing the next steps in border management in the European Union". The communication was supported by the Council.

In its "Conclusions on the management of the external borders of the Member States of the European Union" of June 2008, the Council stressed the need to make use of available technology to better manage the external borders and illegal immigration. Therefore, the Council called upon the Commission to present, if considered appropriate proposals for an entry/exit and registered traveller system for third country nationals by the beginning of the 2010.

In the examination of such a proposal, the Council will take into account the resolution adopted by the European Parliament in March 2009 on "the next steps in border management in the European Union and similar experiences in third countries". The aforementioned conclusions emphasised the requirement for new systems to comply in full with Community law, principles on data protection, human rights, international protection and proportionality as well as reflecting a cost benefit approach and added value of technology.

I can assure the Honourable member that the purpose of an entry/exit system is not to stop people from travelling to the European Union or to create a "Fortress Europe", but to get a better picture of who is actually staying here. When it comes to the balance between security and integrity this is something that the Swedish presidency, and I believe also the other Member States, is now following very closely and as the Commission presents its proposal, we will continue to do so.

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Question no 16 by Laima Liucija Andrikiene (H-0350/09)

Subject: On the position of the Council regarding the report on the war between Russia and Georgia

On 30 September 2009, the EU-commissioned independent fact-finding mission on Georgia released its report on the outbreak of war between Russia and Georgia in August 2008. The report has been interpreted differently by the opposing camps as regards who is actually to blame for military actions and hundreds of lost lives. However, the report is rather explicit about the provocations on the Russian side prior to the war and it states that issuing passports to the citizens of Georgia in South Ossetia and Abkhazia for some years had been illegal.

What is the actual position of the Council on the report and its findings? How does the report change the political situation in the region? Does the Council now see a need to engage more actively in the region to prevent further escalation of the conflict? How does the Council intend to react to the report and its findings?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The Council expressed its appreciation to Ambassador Heidi Tagliavini, and the entire staff of the Independent International Fact-Finding Mission on the Conflict in Georgia (IIFMCG), for the work they have accomplished in carrying out this very challenging task. Nevertheless, I would like to underline that this is an independent report. The EU supported the idea of an inquiry, commissioned a fact-finding mission and provided it with financial support, but was in no way involved either in the investigation, or in its findings. The EU has welcomed the presentation of the report. The EU hopes that the findings can contribute towards a better understanding of the origins, and the course of the August 2008 conflict, and, in a broader perspective, serve as an input to future international efforts in the field of preventive diplomacy.

The Council considers that a peaceful and lasting solution to the conflicts in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity as recognised by international law, including the Helsinki Final Act of the Conference on Security and Cooperation in Europe, and United Nations Security Council resolutions and we remain committed to achieving this.

In this sense, the Council remains fully committed to the Geneva international discussions. Despite existing difficulties and differences amongst participants, the Council considers the continuation of the Geneva discussions to be of great importance as they are the only forum in which all sides are represented and three major international actors - the EU, the OSCE and the UN - work in close cooperation in support of security and stability in the region. We look forward for the next round of consultations on 11 November.

I would like to also underline that the EU will continue to be actively engaged in Georgia. Its commitment is tangible in several ways. First of all, through the continued presence on the ground - the only international

presence after the OSCE and UN missions had to be discontinued - of the EU Monitoring Mission (EUMM in Georgia) in order to monitor the implementation of the ceasefire agreements of 12 August and 8 September 2008, which remains to be fulfilled, and to contribute to the stabilisation and the normalisation of the situation in the areas affected by the war, and to observe the compliance with human rights and the rule of law. The mandate of EUMM has been extended until September 2010.

In this sense, and as the Honourable Member already know, the EU played a leading role, through the EUSR for the Crisis in Georgia, together with the UN and OSCE, as Co-Chair of the Geneva international discussions, the sole international forum where all the parties are represented.

The EU also pledged increased financial assistance in the framework of the International Donors' Conference on 22 October 2008, aimed at post-conflict rehabilitation, support to internally displaced people (IDPs) and economic stability.

The EU furthermore provides continuous support, through the activity of the EUSR for the South Caucasus and financial assistance, to Georgia in its process of internal reforms aiming at strengthening democratic institutions and the rule of law, as well as fostering people-to-people contacts and civil society dialogue.

Finally, the EU's commitment is mirrored in the objective and the offer of developing an increasingly close relationship with Georgia, as well as with the other South Caucasus countries, within the Eastern Partnership.

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Question no 17 by Jacek Włosowicz (H-0352/09)

Subject: The integrity and strengthening of pluralistic democracies

The countries of Europe are dedicated to the integrity and strengthening of pluralistic democracies. What steps does the Council propose to prevent groups like the Khalistanis seeking the dismemberment of a liberal, democratic nation like India?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The European Union actively promotes values that serve to support peace and democracy. These include fundamental values such as human rights and the rule of law, freedom, solidarity and the respect for diversity.

India is one of the largest and most pluralistic societies in the world. All the major religions, including Buddhism, Christianity, Hinduism, Islam, and Sikhism have a number of followers in India. The EU recognises the fact that India's constitution secures individual as well as group rights in the constitutional framework.

The European Union strongly opposes the use of force to attempt to weaken the existing democratic institutions of States such as India. This is why the Council agreed in 2005 to include the 'Khalistan Zindabad Force - KZF' on the list of certain persons and entities subject to specific restrictive measures with a view to combating terrorism. When this list was reviewed in June 2009, the Council decided to maintain the KZF on the list.

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Question no 18 by Tadeusz Cymański (H-0354/09)

Subject: The accession of the territory of the province of Baluchistan to Pakistan

Is the Council aware that the accession of the territory of the province of Baluchistan to Pakistan was engineered through force and manipulation? If so, does the Council believe that the countries of Europe must give full support to the quest for self-rule and self-determination of the people of Baluchistan?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The question of self-determination of the people of Baluchistan has not been addressed by the Council. It therefore has no position on the specific issue raised in the question by the Honourable Member.

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Question no 20 by Hans-Peter Martin (H-0359/09)**Subject: Council homepage**

According to the Information Sheet of the General Secretariat of the Council on 'Openness and transparency of Council proceedings' of 22 December 2005, 'all citizens can access Council documents under the conditions laid down by the texts in force. A public register of Council documents is available on the Council Internet site (<http://register.consilium.eu.int>)'.

So why does the Council website (<http://www.consilium.europa.eu>) have no link to this register?

Why do the register (<http://register.consilium.eu.int>) and the Council website as a whole not meet the international standards on transparency, clarity and simplicity that have meanwhile become established?

How does the Council intend to remedy the situation?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the October 2009 part-session of the European Parliament in Strasbourg.

The Council website does indeed have a link to the Public Register. This link can most easily be reached by clicking on the banner named "Access to Documents: Public Register" which can be found directly on the Council home page. In order to facilitate access to the Register, this link is available in all 23 official languages of the European Union.

The Public Register was established in 1999 as a means for the general public to access Council documents, increasing thereby the transparency of the Council's work. It has since grown dramatically and now contains more than one million documents, almost three quarters of which are directly available in full text. The register has been visited almost 900 000 times last year, another sign of its appreciation by users who are able through this instrument to access Council documents in a simple way.

I would draw the attention of the Honourable Member to the fact that the information sheet to which he refers is obsolete and does no longer reflect the current situation. It has been replaced in January 2009 by a new leaflet "How to get information on the activities of the Council of the EU", available in all EU official languages for download on the Council website.

In fact, the Council Register is regularly updated in order to respond to the increasing need for information expressed by the public. The user-friendly access to the Register via the internet and the respect of the principle of multilingualism have led not only to a consistent increase in the number of consultations and requests for documents, but also to a wider professional and geographical spread of web users who access this instrument.

Of course, there is always room for improvement, and the Council is working on a modernisation of its website. The first stage - restyling - is in progress. In any case, the links to the public register on the home page will be maintained.

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QUESTIONS TO THE COMMISSION

Question no 33 by Marian Harkin (H-0306/09)

Subject: Better access to finance

Taking into account the positive measures which the European Commission and the European Investment Bank (EIB) have taken to ensure that SMEs have access to much-needed finance (the SME guarantee facility, the high-growth and innovative SME facility and the EIB's loans for SMEs), and in the light of a recent survey in Ireland which revealed that since January 2009 more than 54% of SMEs in Ireland have been refused access to finance by financial institutions administering EIB loans - what concrete steps is the Commission taking to ensure that the financial institutions which are administering these funds are granting SMEs access to finance? What mechanisms has the European Commission put in place in order to monitor the effectiveness, impact and additionality of these loans to SMEs?

Answer

The Commission implements the Competitiveness and Innovation Programme (CIP) within the Member States and other participating countries.

Of the two facilities available under this programme, the High Growth and Innovative Small and Medium-Sized Enterprises (SME) Facility has led to one deal signed with an Irish venture capital company since the start of the programme, for a total EU investment of € 15 million. One contract has also been signed to date under the SME Guarantee Facility with an Irish financial intermediary, First Step Ltd., a microfinance provider, guaranteeing loans up to a maximum volume of € 3 million, to be used for business development.

Notices of implementation, informing prospective financial intermediaries how to apply for participation in the programme, were published in the Official Journal of the European Union on 26/09/2007 and 14/12/2007, and all such applications are examined by the European Investment Fund (EIF) acting on behalf of the Commission.

Guarantees and investments under these facilities are made on the condition that such funding is used to make loans or investments in the target sectors set out in the legal base of the CIP.

The Commission uses the mechanisms required by the Financial Regulation and the CIP legal base to monitor the effectiveness, impact and additionality of the facilities:

the effectiveness of the facilities is monitored through quarterly reporting from the financial intermediaries and through external evaluations;

the impact is monitored by, among others, statistics concerning the number of companies supported, the amount of investment realised and the number of jobs in the small companies that benefit from the EU guarantee or investment;

the additionality is achieved by, among others, helping intermediaries to substantially increase lending volumes and to make venture capital investments.

In addition to funding made available by the Commission under the CIP, the European Investment Bank (EIB) provides loans for SMEs which are designed to support their investments through medium and long term finance. This support is provided through local banking intermediaries who in turn on-lend to final beneficiary SMEs in accordance with their individual credit policies.

While the Commission is not involved in the arrangements between the EIB and the banking intermediaries, the EIB is actively monitoring the allocation to SMEs of those funds that have been drawn by the EIB's Irish intermediaries (€ 125 million have already been drawn and € 50 million are expected to be drawn shortly out of a total € 350 million EIB commitment). Under the EIB's agreement with the banking intermediaries, the banks have a deadline by which they must allocate the funds to SMEs. Banks have reported to the EIB that allocations are progressing relatively slowly at a rate reflecting a lower demand by Irish SMEs for medium to long term investment credit.

According to the EIB, while under current circumstances SMEs have had greater difficulty obtaining credit, the continuation of the Irish banks' support to the SME sector remains one of their top priorities. In particular, the EIB's intermediaries have not suggested that they are turning aside a significantly higher proportion of SMEs eligible and relevant requests for funding their medium to long term investments. The EIB staff will be meeting the Irish banks soon to investigate whether there are any unforeseen obstacles in distributing EIB's financing, and to work on accelerating the banks' allocation of funding to their SME customers.

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Question no 34 by Georgios Papastamkos (H-0307/09)

Subject: Money laundering in European football

What information does the Commission have with regard to money laundering in the European football market? What measures does it propose to combat this phenomenon?

Answer

In its White Paper on Sport, published in July 2007⁽¹⁾, the Commission noted that corruption, money laundering and other forms of financial crime may affect sport at the local, national and international levels. The White Paper contains the Pierre de Coubertin Action Plan, which namely through actions 44 and 45 proposes to tackle cross-border corruption-related issues at the European level and to monitor the implementation of the EU anti-money laundering legislation with regard to the sport sector.

At this stage, the Commission has no direct evidence of money laundering in the European football market. The FATF (Financial Action Task Force), the international body setting the global standards on the prevention of and the fight against money laundering, published a Report in July 2009 on money laundering through the football sector. The report examines the sector in economic and social terms and provides case examples identifying areas that could be exploited by those who want to invest illegal money into football. The vulnerable areas relate to ownership of football clubs; the transfer market and ownership of players; betting activities; image rights; sponsorship and advertising arrangements. The report is however not conclusive on the extent of money laundering within the football sector in Europe.

Besides and also as part of the implementation of the Pierre de Coubertin Action Plan a number of studies have been launched by the Commission or are in preparation concerning the issues covered by the FATF report. A study on sports agents (action 41) should be completed by the end of 2009. The study will address problems posed by the activities of sports agents in Europe. Another study on internal market barriers to the financing of sport will be carried out in 2010 (action 37). It will address, among other things, the issue of sports betting.

Finally, it should be underlined that the Commission does not have competence to investigate specific claims regarding money laundering or other criminal activity unless related to the protection of the financial interests of the Community and falling under the competencies of OLAF.

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Question no 35 by Athanasios Plevris (H-0308/09)

Subject: The flow of immigrants to Europe

Does the Commission intend to provide economic support for Member States' regions that are affected by the influx of large numbers of illegal immigrants (e.g. central Athens), and what does the EU plan to do in the short and long term to tackle the flow of immigrants to Europe? Specifically, is there a plan to put pressure on the countries from which immigrants come and also those allowing them to transit (e.g. Turkey) to take them back, and does the Commission intend to accept an equal distribution of clandestine immigrants in the Member States in proportion to their populations, so that pressure is not placed only on the Mediterranean countries?

⁽¹⁾ COM(2007)391.

Answer

The European Union provides financial assistance to Member States in the area of migration through the four Funds established within the framework of the General programme Solidarity and Management of Migration flows, which are the European Fund for the integration of third country nationals, the European Refugee Fund, the European External Borders Fund and the European Return Fund. The last two in particular help Member States to prevent and address the consequences of irregular migration. The Funds are managed in a decentralised manner by national authorities of each Member State.

In addition to that, the European Commission is already providing technical and financial assistance to, developing a dialogue, and in some cases it is also carrying out negotiations with third countries of origin and of transit of migration, in order to promote their capacities to tackle irregular migration in accordance with international standards and to facilitate their cooperation with the European Union in this matter.

As regards cooperation with third countries of transit, it should be underlined that the Commission, on behalf of the European Community, is negotiating a readmission agreement with Turkey which should also include provisions related to the readmission of third-country nationals. In addition, the Commission, which is already financing projects for up to approximately €90 million in Turkey to support its capacity to align its legislation and the practices of its administration up to European Union standards in the area of border surveillance, prevention and management of irregular migration, and asylum, is pushing Turkish authorities to further enhance their cooperation with the European Union in all these areas.

Within this context, and to give an immediate follow-up to the June 2009 European Council, a delegation of senior officials of the Commission, visited Ankara on 16 and 17 September 2009, with the aim of discussing with the Turkish authorities the possibilities for resuming formal negotiations on a readmission agreement between Turkey and the European Community, and of discussing ways and means to raise their engagement in the prevention of irregular migration and in the management of mixed migratory flows. The mission provided the indication that the Turkish authorities are ready to intensify the cooperation with the EU and to formally agree a stable commitment and a number of concrete measures at the occasion of a visit of Vice-President Barrot and of Minister Billström in early November 2009.

The Commission is fully aware that specific and disproportionate migratory pressures are put on certain Member States and notes that the European Council underlined in its Conclusions of 18/19 June 2009 that it welcomes the intention of the Commission to take initiatives in this respect. While the issue of redistribution of illegally staying migrants is not currently envisaged at EU level, the Commission considers it crucial to provide practical help to the Mediterranean countries that are mostly affected. It is, therefore pursuing initiatives of new forms of solidarity, such as the redistribution of beneficiaries of international protection between Member States on a voluntary basis, with the aim of reducing the disproportionate burden placed on some Member States with the assistance of others. The first pilot project is being developed in Malta.

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Question no 36 by Justas Vincas Paleckis (H-0309/09)

Subject: Administrative savings

In this time of economic and financial crisis, EU Member States are making particular efforts to reduce the administrative costs of state apparatus and to make the most economical use of funds and resources. The Member States and, more importantly, EU citizens undoubtedly expect to see similar steps from Brussels as well.

What measures has the Commission already taken to this end, and what further action is planned for the future?

Answer

The Commission is fully committed to making the most economic use of its administration resources. For 2010, the Commission has proposed a modest increase of 0.9 % for its own administrative expenditure.

This small increase budget covers the effect of the growing security needs, an important redeployment from Headquarters to Delegations to reinforce the external projection of internal policies as well as the increase in energy prices.

To reconcile political priorities with budgetary constraints, the Commission has made particular efforts to limit expenditure and use resources in the best possible way.

Firstly, for 2010 the Commission has requested no new posts. Human resources needs for political priorities will be met by internal redeployment (around 600 in total in 2010).

Secondly, a careful vetting of all items of expenditure has brought savings due to the decreasing costs of some goods, the application of ecological principles and the exploitation of technology.

Thirdly, the Commission is already committed to meeting all staffing needs up to 2013 under constant resources unless significant events occur which would have a serious impact on the Commission competences or its linguistic regime. It will also continue a careful screening of the various types of expenditure and take advantage of all opportunities for savings.

To conclude: the Commission will implement its ambitious political objectives while limiting administrative expenditure to the maximum extent possible.

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Question no 37 by Anna Hedh (H-0313/09)

Subject: The EU's alcohol strategy

It is nearly three years since we adopted the EU's alcohol strategy. The intention was that it should be assessed by the summer of 2009.

I understand that the Commission has opted to postpone this assessment.

Why has the strategy not been assessed? When can we expect an assessment of the EU's alcohol strategy? How has the Commission supervised the implementation of the strategy in the various Member States?

Answer

The Commission would like to thank the Honourable Member for her interest in an important aspect of public health policy: alcohol policy.

During the Expert Conference on Alcohol and Health (21-22 September), organised by the Swedish EU Presidency and the Commission, the first Progress Report on the Implementation of the EU Alcohol Strategy was presented by the Directorate-General for Health and Consumer Protection. The Report is available on the Commission's Public Health Directorate web pages⁽²⁾.

The Commission is supporting Member States in implementing the strategy at national level in a number of ways, as the Progress Report describes. These include the setting up of a Committee on National Alcohol Policy and Action as a forum for Member States to share experiences and develop common approaches. This Committee has met five times so far.

The Commission has also facilitated the work of a Committee to develop common indicators to allow for comparative analysis within the EU. The Progress Report describes actions taken so far in the Member States, with particular reference to good practice that was agreed in the Council Recommendation of 2001⁽³⁾. The Commission has also carried out two surveys of Member States activity in the priority areas identified in the strategy. Annex 1 of the Progress Report provides an update of Member States activities since the adoption of the Strategy.

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(2) http://ec.europa.eu/health/ph_determinants/life_style/alcohol/Forum/docs/open300409_co01_en.pdf.

(3) Council Recommendation of 5 June 2001 on the drinking of alcohol by young people, in particular children and adolescents, OJ L 161, 16.6.2001.

Question no 38 by Rolandas Paksas (H-0314/09)**Subject: Energy**

Is the difficult economic situation in the EU Member States, including Lithuania, not sufficient grounds to apply the provisions of Article 37 of the Act concerning the conditions of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and of Article 4 of Protocol No 4, and for the Commission to take a decision to extend the deadline by which Lithuania is committed to closing the Ignalina nuclear power plant from 2009 to 2012?

Answer

Nuclear safety is an absolute priority for the EU, as demonstrated by the unanimous adoption by the Council of the Nuclear Safety Directive on 25 June 2009⁽⁴⁾. Given inherent weaknesses in the reactor design (in particular the lack of secondary containment of the reactor), it is impossible to upgrade the Ignalina Nuclear Power Plant (INPP) to appropriate standards of safety. Upgrades that were made in the past only allow basic safety for operation until the end of 2009, when the second unit of INPP must be closed down as part of Lithuania's EU accession commitments. The safeguard clause contained in Article 37 of Lithuania's Act of Accession, referring to serious economic difficulties, could be invoked only for three years after Lithuania's accession.

The EU has provided and continues to provide a total of € 1.3 billion to support decommissioning of the INPP and the development of alternative power supplies in Lithuania. This funding is conditional on Lithuania respecting the agreed date for the closure of the INPP.

The protocol no 4 to the Act of Accession recognises the environmental upgrading of the Lithuanian Thermal Power Plant as the major replacement of the Ignalina Nuclear Power Plant. This upgrade was finalised in September 2008, and therefore no shortfall is expected in available energy supplies after the closure of INPP. In addition, district heating projects at Ignalina and energy efficiency measures for residential buildings have been supported by the Commission, as well as a Combined Cycle Gas Turbine plant (CCGT) project which is foreseen to be completed by 2013.

It is important to continue the work on ensuring energy security in the Baltic region, including improving energy efficiency and cross border connections. The Commission is committed, together with the support from the European Bank for Reconstruction and Development, to continue to work closely with Lithuania to ensure the efficient decommissioning of the Ignalina Nuclear Power Plant.

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Question no 39 by Sławomir Witold Nitras (H-0315/09)**Subject: Motorway toll stickers in Austria**

Most European countries have introduced motorway or expressway tolls. The way in which these tolls are regulated varies from one country to the next. Toll may be paid directly at tollgates for a particular stretch of road or in the form of toll stickers valid for a certain period. Each Member State decides freely on how charges for these stickers are fixed.

In some Member States, however, the way in which tolls are charged is unfair to vehicles in transit to another country. As a rule, drivers of these vehicles cross the country in question within one day and yet are unable to purchase a one-day sticker (e.g. Austria, Czech Republic).

There is no question that each Member State is entitled to set and charge tolls for the use of its motorways. However, the lack of uniform rules on how charges should be adjusted to take account of the actual period of road use could pose a serious threat to a fundamental EU principle, the free movement of persons. In the light of the above and the principle of the free movement of EU citizens, should the European Community not be required to draw up guidelines for the Member States that would provide a framework to ensure equal treatment for all citizens in this matter?

⁽⁴⁾ Council Directive 2009/71/EURATOM of 25 June 2009, establishing a Community framework for the nuclear safety of nuclear installations, OJ L 172, 2.7.2009.

Answer

A framework to ensure equal treatment of road users exists as far as it concerns commercial transport. The Directive 1999/62 on road user charges (Eurovignette)⁽⁵⁾ as amended by Directive 2006/38⁽⁶⁾ regulates the charging framework for heavy goods vehicles in a way that the imposition of distance-based tolls or user charges does not discriminate, directly or indirectly, on the grounds of nationality, the country or place of establishment or of the registration of the vehicle, or the origin or destination of the transport operation. The Directive stipulates that time-based user charges must be available for periods between one day and one year.

Member States are free to apply tolls and user charges also to other vehicles, such as light goods vehicles, buses and passenger cars, under national legislation and provided that the Treaty principles of non discrimination and proportionality are respected. Proportionately-priced charges for transit or shorter term usage of the infrastructure should be available inside and outside the Member State in which they are applied, and with as little hindrance to the flow of traffic as possible.

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Question no 40 by Carlos José Iturgaiz Angulo (H-0317/09)**Subject: Plan for anchovy**

In July 2009, the Commission adopted a long-term plan for the recovery of anchovy stocks in the Bay of Biscay. According to the competent services in the Commission's Directorate-General for Fisheries, this proposal was drawn up in line with the demands made by representatives of the sector.

Commissioner Joe Borg wishes to reach an agreement before the end of the year. Does this mean that the Commission sees a possibility of lifting the anchovy fishery closure next year? Does the plan make any changes to the scientific criteria followed until now when setting TACs?

Answer

The Commission would like to emphasise that any possible lifting of the current closure will depend on the status of the stock, as assessed by the relevant scientific advice provided by the International Council for the Exploration of the Sea (ICES) to the Commission. The next occasion on which this assessment will be available will be June 2010, once the results of the spring scientific survey are processed. According to the proposed plan, which the Commission hopes to see in force by then, the anchovy fishery in the Bay of Biscay could proceed if the scientific advice assesses that the stock's biomass is above 24 000 tonnes. At lower levels, the plan stipulates that the fishery should remain closed.

Moving to a long-term management approach does not guarantee an automatic re-opening of the fishery if the current low biomass levels persist. What the plan does provide is exploitation boundaries for the stock that reduce the risk of collapse. It therefore aims at guaranteeing the industry the best chances for a stable fishery, as well as the highest yields that the stock can produce within the limits of sustainability. The Commission has always based its proposals on the best science available and taken the long-term interests of the industry at heart. The method followed by the plan to determine the annual fishing possibilities has the full support of the South Western Waters Regional Advisory Council.

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Question no 41 by Jim Higgins (H-0323/09)**Subject: Trans-fats**

Does the Commission propose to introduce a directive to lay down a maximum limit for hydrogenated acids/trans-fats in foodstuffs in view of the fact that this ingredient is a proven contributory factor to coronary diseases?

⁽⁵⁾ OJ L 187, 20.7.1999.

⁽⁶⁾ OJ L 157, 9.6.2006.

Answer

The Commission is committed to using the appropriate means available to promote consumer protection and health. It encourages initiatives that can help prevent the development of cardiovascular disease in Europe. Trans fatty acid consumption is one of the risk factors of cardiovascular disease in Europe along with overall fat intake and the intake of saturated fatty acids.

The Commission believes that dietary habits depend on many different factors. Influencing them is a very complex exercise that requires a variety of actions. These should be proportionate and take into account the respective competence and responsibilities of the European Community and its Member States. In that framework the Commission is both encouraging the adoption of self-regulatory measures and considering regulatory ones. The extent of the regulatory measures would certainly be influenced by the effectiveness of self-regulatory measures.

At the moment, a legal restriction regarding the content of trans fat in food is seen by the Commission as neither an appropriate nor a proportionate measure on the EU level.

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Question no 42 by Mairead McGuinness (H-0326/09)

Subject: Horse welfare

The economic downturn has led to a significant decline in the sale value of bloodstock. There has been a marked increase in the number of abandoned horses in many Member States, with owners unable to pay for the care of their animals. Does the Commission share the concerns expressed by animal welfare organisations regarding the well-being of horses at this time? Has the Commission any plans to examine this issue, or indeed any proposed action on it?

Answer

The Commission has not received information from the Member States or complaints from non governmental organisations for the protection of animals regarding a marked increase of abandoned horses due to the decline of sale values of bloodstock. However, the Commission is aware of the issue through articles published in the press.

Council Directive 98/58/EC of 20 July 1998⁽⁷⁾ lays down general minimum standards for the protection of animals bred or kept for farming purposes, including horses. The Directive does not apply to horses intended for use in competitions, shows, cultural or sporting events or activities. The Directive requires that Member States ensure that the owners or keepers take all reasonable steps to ensure the welfare of animals under their care and to ensure that those animals are not caused any unnecessary pain, suffering or injury.

Member States are primarily responsible to implement this Directive and, in accordance with Regulation (EC) No 882/2004⁽⁸⁾ on official controls, they must take all the necessary measures to ensure that Community provisions relating to the protection of animal health and welfare are implemented.

It is the responsibility of the Member States to ensure that the opportunities provided by Community legislation are used in a sensible way and thus help to prevent neglect and abandoning of horses that for economical reasons can no longer be kept under adequate conditions. In this respect, the Commission wishes to draw the attention of the Honourable Member to Regulation (EC) No 504/2008⁽⁹⁾ on the identification of equidae, which is important when considering, under controlled conditions regarding food safety, the slaughter option for equine animals.

⁽⁷⁾ Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, OJ L 221, 8.8.1998.

⁽⁸⁾ Regulation (EC) No 882/2004 of the Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, OJ L 191, 28.5.2004.

⁽⁹⁾ Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae, OJ L 149, 7.6.2008.

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Question no 43 by Syed Kamall (H-0328/09)**Subject: The Former Yugoslav Republic of Macedonia's accession**

In March of this year, the European Parliament voted on the motion for resolution on the Commission's 2008 progress report on the former Yugoslav Republic of Macedonia (P6_TA(2009)0135). Article 10 states that it is regrettable that 'three years after (the former Yugoslav Republic of Macedonia) was granted the status of candidate for membership of the EU, accession negotiations have not yet started, which is an unsustainable situation having demotivating effects for the country; and risks destabilising the region; considers it desirable that this exceptional situation should end; urges that the process be accelerated...'

The Parliament of the former Yugoslav Republic of Macedonia has now passed the four remaining pieces of legislation to fully implement the key priorities of the Accession Partnership, namely the laws on internal affairs, on public servants, on the financing of political parties and on parliament.

In light of the ongoing reforms in the former Yugoslav Republic of Macedonia and the unprecedented length of delay in giving a start date for negotiations, does the Commission plan to recommend a start date for negotiations with the former Yugoslav Republic of Macedonia in its upcoming progress report?

Answer

The Commission adopted its annual strategy on enlargement on October 14. In this framework, the Commission found that since achieving candidate status in 2005 the former Yugoslav Republic of Macedonia has consolidated the functioning of its democracy and ensured the stability of institutions guaranteeing the rule of law and respect of fundamental rights, although of course these efforts need to continue.

Furthermore, the former Yugoslav Republic of Macedonia has substantially addressed the key priorities of the Accession Partnership. In view of the overall progress of reforms, the Commission considers that the country does sufficiently fulfil the political criteria set by the Copenhagen European Council in 1993 and the Stabilisation and Association Process. The country has moved closer to becoming a functioning market economy and has made progress in a number of areas linked to its ability to take on the obligations of membership.

In the light of the above considerations, and taking into account the European Council conclusions of December 2005 and December 2006, the Commission therefore recommends that negotiations for accession to the European Union should be opened with the former Yugoslav Republic of Macedonia.

Maintaining good neighbourly relations, including a negotiated and mutually accepted solution to the name issue, under the auspices of the United Nations, remains essential.

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Question no 44 by Carl Schlyter (H-0329/09)**Subject: Chemicals found to exceed limit values in clothing**

A recently published study (SVT Plus, Swedish TV) showed that high levels, clearly exceeding the permitted limit values, of various chemical substances including dimethyl fumarate, nonylphenol ethoxylates and heavy metals, could be detected in jeans. Several of these substances are highly allergenic and should not come into direct contact with the skin. In spite of this, producers and retailers clearly do not check that their goods are safe.

What measures has the Commission taken, or does it plan to take, to ensure that legislation in this area is complied with by market operators?

Answer

Enforcement of Community legislation, such as product controls, is within the competence of Member States. To this end, Article 125 of the chemicals legislation REACH (Regulation (EC) No 1907/2006)⁽¹⁰⁾ requires Member States to maintain a system of official controls and other activities as appropriate, whereas Article 126 requires the Member States to lay down sanctions for infringement of the REACH Regulation. The Accreditation and Market Surveillance Regulation (Regulation (EC) No 765/2008, entering into application as of 1 January 2010⁽¹¹⁾) is another instrument for Member States to take appropriate measures.

The Commission was informed that the majority of Member States (MS) expected their enforcement authorities to be fully operational in 2008, most of the MS using existing enforcement structures from earlier legislation.

The European Chemical Agency (ECHA) plays an assisting role by facilitating the Forum for Exchange of Information on Enforcement. The ECHA Forum deals with enforcement issues at Community level specifically. The Forum serves as a platform for the exchange of information on enforcement, and co-ordinates a network of enforcement authorities of the MS. Some of the tasks of the Forum are to propose, coordinate and evaluate harmonised enforcement projects and joint inspections. The first meeting of the Forum took place in December 2007 and since then it has been meeting twice a year.

Some of the substances such as nonylphenol ethoxylates and heavy metals were regulated through restrictions by Council Directive 76/769/EEC⁽¹²⁾ which is now repealed by REACH and included in its Annex XVII.

The Commission may revise the current measures on the basis of additional information. This means that whenever the Commission or a MS will consider that unacceptable risks to human health and the environment need to be addressed at Community level, REACH provides for a process to enable that appropriate measures are taken on these substances leading, where appropriate, to an amendment of Annex XVII of REACH.

As regards dimethylfumarate (DMF), Commission Decision 2009/251/EC⁽¹³⁾, established under Directive 2001/95/EC on General Product Safety⁽¹⁴⁾, requires MS to ensure that products containing this chemical are not placed or made available on the market, and that such products have to be recalled from consumers, while informing consumers of the risks of DMF. Thus, any consumer product containing DMF is banned in the European Union.

The entry into force of REACH introduced new obligations for producers and/or importers of articles. From 1 June 2008, any producer or importer of articles has to register substances that are intended to be released from those articles during normal and reasonably foreseeable conditions of use when substances are present in those articles in quantities exceeding 1 tonne. Furthermore, producers and importers of articles have to notify to ECHA the presence of substances of very high concern in accordance with the conditions set in Article 7(2) if the substances have been identified in accordance with Article 59(1) and placed on the candidate list. This will increase the information about substances of very high concern released and contained in articles.

In short, having said that enforcement of the Community legislation on chemicals is primarily the responsibility of the MS, the Honourable Member can be reassured of the Commission's full commitment

⁽¹⁰⁾ Regulation (EC) No 1907/2006 of Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, OJ L 396, 30.12.2006.

⁽¹¹⁾ Regulation (EC) No 765/2008 of Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 Text with EEA relevance, OJ L 218, 13.8.2008.

⁽¹²⁾ Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations, OJ L 262, 27.9.1976.

⁽¹³⁾ 2009/251/EC: Commission Decision of 17 March 2009 requiring Member States to ensure that products containing the biocide dimethylfumarate are not placed or made available on the market (notified under document number C(2009) 1723) Text with EEA relevance, OJ L 74, 20.3.2009.

⁽¹⁴⁾ Directive 2001/95/EC of Parliament and of the Council of 3 December 2001 on general product safety (Text with EEA relevance), OJ L 11, 15.1.2002.

towards encouraging a comprehensive implementation of the REACH obligations, and actively supports the work of the ECHA, which is responsible for certain scientific and technical tasks concerning the implementation of the REACH requirements. Also, in the consumer product area, MS have the prime responsibility for enforcement, and the Commission encourages and supports them in this task. The publication of MS' notifications of products containing DMF⁽¹⁵⁾ is a practical example of this.

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Question no 45 by Britta Thomsen (H-0330/09)

Subject: Implementation by Denmark of Directive 2002/73/EC

In March 2007, the Commission sent a letter of formal notice to the Danish Government regarding Denmark's implementation of Directive 2002/73/EC⁽¹⁶⁾. On 4 November 2008 I asked the Commission for the first time how the matter stood and when new developments could be expected. On 20 November 2008 the Commission replied that it was currently finalising the assessment of the conformity of Danish law with Directive 2002/73/EC.

I should like to ask the Commission once again when measures will be taken to ensure that Denmark complies with the provisions of the directive, and what form these measures will take?

I refer the Commission to my earlier question (H-0863/08) and the Commission's answer.

Answer

The Danish Government has notified the Commission of the adoption of Act No 387 of 27 May 2008 establishing a new Board of Equal Treatment. In the light of this development, the Commission has decided to review its assessment of the conformity of Danish law with Directive 2002/73/EC⁽¹⁷⁾. The Commission will decide on follow-up in the coming weeks and will inform the Honourable Member thereof.

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Question no 46 by Andres Perello Rodriguez (H-0334/09)

Subject: 'Bio-waste' directive: slowness of preparations

At the end of 2008, the Commission issued a Green Paper on the management of bio-waste and later began public consultations, a process which ended in March of this year. In December it is due to submit the resulting findings to the Council working party, together with any proposal or initiative that it might think fit to produce on bio-waste management strategy.

Bearing in mind that

- the impact assessment for the purposes of a possible legislative proposal should likewise be completed at the end of the year,

- the legislation in question constitutes a priority for the Council, as was reflected in the conclusions of the Council meeting given over on 25 June 2009 to the Green Paper, which stated that 'improving the management of bio-waste will contribute, on the one hand, to a sustainable management of resources and to improved protection of soil and, on the other, to the fight against climate change and to the reaching of targets for landfill diversion, recycling and renewable energy'.

Could the Commission say whether it will be able to meet the target dates laid down and thus have a legislative proposal to submit early in 2010?

⁽¹⁵⁾ http://ec.europa.eu/consumers/dyna/rapex/rapex_archives_en.cfm, scroll down and search for DMF.

⁽¹⁶⁾ 8 OJ L 269, 5.10.2002, p.15.

⁽¹⁷⁾ Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ L 269, 5.10.2002, p. 15).

Answer

The work on the impact assessment on the management of bio-waste is one of the priorities of Directorate General Environment of the Commission. The Commission is now finalising the draft impact assessment and in November will submit it for internal approval.

Further steps regarding the management of bio-waste in the EU, including possible measures (legislative proposal or a communication), will depend on the outcome of the assessment of the pros and cons of different bio-waste management options. This decision is, therefore, not expected to be taken before the finalisation of the said impact assessment, which is planned for December 2009. If the assessment proves that there is a need for adopting legislative measures, a proposal could be adopted by the Commission in spring 2010.

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Question no 47 by Pat the Cope Gallagher (H-0340/09)

Subject: Irish as a working language in the EU

Can the European Commission make a comprehensive statement outlining the practical steps that have been taken from January 2007 to date to integrate Irish as a working language within the EU?

Answer

As the Commission indicated already in its replies to oral questions H-0622/08 and H-0636/08 by virtue of Council Regulation No 1 of 15 April 1958, as amended by Article 1 of Council Regulation (EC) No 920/2005 of 13 June 2005, Irish has had the status of an official language and a working language of the institutions of the European Union since 1 January 2007.

TRANSLATIONS

Articles 2 and 3 of Regulation (EC) No 920/2005 contain a partial, renewable 5-year derogation on the use of Irish by the EU institutions. In practice, this derogation implies that only proposals for co-decision regulations (and certain related documents⁽¹⁸⁾) as well as direct correspondence with the public are translated for the time being into (or out of) Irish.

Thus, in line with these provisions, the Commission has been able to produce all the translations required in Irish in the legislative process and to ensure their timely delivery. Moreover, replies in Irish have been made to citizens or legal persons who have addressed the Commission in this language.

The Commission – within its Directorate-General for Translation (DGT) – has established an independent Irish language unit to this end. It is currently staffed by an acting Head of Unit, an assistant, five full-time translators and a seconded national expert. This is sufficient to deal with current workload levels but the situation is constantly monitored. Moreover, another national expert has been seconded to work in the web translating unit. The staff of the unit has received the IT training needed to do their jobs and thematic training is also organised on regular occasions within the DGT. Irish translation benefits from collaboration with the national authorities, particularly in the field of terminology development, which is especially positive and also very welcome, given the absence of much of the Community acquis in Irish. Since 2007 the DGT has also made a number of calls for tender for freelance translators into Irish, and as a result the unit also works with a number of professional Irish translation agencies able to offer translation services at times of peak demand.

A joint Council/Commission competition is currently underway with a view to establishing a reserve list from which unit heads for both the Council's and Commission's Irish language units will be recruited. The reserve list is expected to be published shortly. Also a new competition for Irish-language translators will be organised in due course.

Beyond its obligations under the amended Regulation No 1, and within the limits of resources available, the Commission has also begun providing some of its upper level website pages in Irish, giving priority to content of particular interest to Irish speaking citizens. A growing amount of web pages has been published by the Commission in Irish since 2007, this work being recognised in Ireland, different media incorporating them.

⁽¹⁸⁾ Notably amended proposals (Art. 250(2) TEC) and comments on positions taken by the European Parliament or the Council in the course of the co-decision procedure (Art. 251(2) TEC).

As an official language of the EU, Irish is one of the languages offered in the DGT's annual *Juvenes Translatores* translation competition for secondary school pupils. The very first winner from Ireland (in 2007) translated into Irish.

In view of its recruitment needs, the DGT takes an interest in the development of translation courses in the Member States and the Commission recently launched a European Master in Translation network, involving 34 high-quality university programmes in translation studies at Masters level. Two of the first successful applicants were the MA *Léann an Aistriúcháin* offered by Acadamh na hOllscolaíochta Gaeilge (Galway NUI) and the MA in Translation Studies, Dublin City University, School of Applied Language and Intercultural Studies. The Commission is looking forward to working closely with those two programmes and with other universities offering professional translation programmes with an Irish option. By so doing, the Commission is hopeful that sufficient Irish language translators meeting the particular requirements for working in or for the EU institutions in a freelance capacity will begin to enter the market.

Moreover, at the policy level DGT has taken a very proactive stance vis-à-vis the Irish authorities in order to ensure sufficient attention in Ireland to the university education of translators, to the development of Irish terminology and to the recruitment of Irish translators. This has been done i.a. through missions by the Director general, DGT staff and through other initiatives.

INTERPRETATION

At the request of the Irish authorities, Irish interpretation has been provided in meetings of the Commission, Council of Ministers, the Economic and Social Committee, the Committee of the Regions and the Parliament since January 2007.

The Directorate-General for Interpretation of the Commission has sufficient resources to cover current demand for Irish in the Council and the Committee of the Regions. In the Parliament (which draws on the same pool of freelances) the concentration of demand in the plenary weeks can give rise to difficulties. After the recent Parliament elections it would seem that the demand for Irish there will rise rather than fall.

There are currently two staff interpreters in DG Interpretation who can work from Irish. In addition there are now 11 EU-accredited freelance interpreters who can work from Irish into English. Five of these also have a 'retour' into Irish. At present, there is also one accredited freelance interpreter with Irish mother tongue and 'retour' into English and a further two are temporarily accredited. Two candidates passed the accreditation test in June 2009.

Regarding training, the University of Westminster ran a special course (with financial support from the Parliament and training support from DG Interpretation) for Irish interpreters in 2006-2007, and again in 2007-2008. In total, six Westminster graduates have now passed the accreditation test (three in 2007, three in 2008). The University of Galway started a new postgraduate interpreting course in autumn 2008. Four students completed the first year of the course, with one of them passing the inter-institutional accreditation test in June 2009. The course is now entering its second year. Eight students have signed up so far with language combinations including French or German in addition to Irish and English.

LEGAL REVISION

As is the case for the other legislative institutions, the Commission Legal Service has a Group of legal revisers capable of working in all the official languages. In the Commission's case, this involves two legal revisers who can work in Irish. This is consistent with the situation for the other official languages.

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Question no 48 by Eleni Theocharous (H-0342/09)

Subject: Return of the town of Famagusta

Does the EU and particularly the Commission intend to support the request from the lawful inhabitants of the occupied town of Famagusta for the immediate return of their town, which is under the control of the Turkish army, as a confidence-building measure with a view to finally solving the Cyprus problem?

The immediate return of this town is a provision of the 1979 Kyprianou - Denktash summit agreements and of the United Nations Security Council resolutions on this subject.

Answer

It is in the common interest to see the reunification of Cyprus and the end of this 40-year-old conflict on European soil. The division of the island is unacceptable within the European Union.

The Commission reiterates its full commitment to supporting efforts of the leaders of the two communities under UN auspices to reach a comprehensive solution to the Cyprus problem.

Given the concrete opportunity of a settlement and reunification of the island, the Commission hopes that Varosha will soon be given back to its lawful inhabitants.

Should the two leaders decide on the early return of Varosha to its owners as a confidence building measure, as the Honourable Member suggests, they will have the full support of the Commission.

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Question no 49 by Rosa Estaràs Ferragut (H-0344/09)**Subject: Compliance with the provisions of the EC Treaty regarding island status**

It is recognised in Article 158 of the Amsterdam Treaty and Declaration No 30 annexed to the Final Act that island regions suffer from structural handicaps linked to their island status, the permanence of which impairs their economic and social development. It is also established that Community legislation must take account of these handicaps and that specific measures may be taken in favour of these regions in order to integrate them better into the internal market on fair conditions. The Lisbon Treaty contains these same provisions and strengthens them by including territorial cohesion as one of its main objectives.

The implementation and development of this Article 158 has been virtually non-existent. There is a need for a specific integrated European policy to help compensate for the handicaps associated with island status and to put island regions on an equal footing with mainland regions.

What measures does the Commission intend to take to comply with the provisions of Article 158 of the Amsterdam Treaty and with the provisions relating to island status contained in the Lisbon Treaty when it enters into force?

Answer

Islands with their considerable diversity caused by their geographic peculiarities (e.g. accessibility, climate conditions) constitute a particular challenge for regional policy.

The Commission is of course aware of this situation and attaches great importance to achieving better economic, social and territorial cohesion in Europe. It is of paramount importance for the Commission to ensure a harmonious and balanced development of the European Union while avoiding the fragmentation of European policies.

Especially Cohesion Policy offers many possibilities for supporting and strengthening the development of areas with specific geographical features, such as islands. It provides, for example, the possibility of modulating co-financing rates under the Regional Competitiveness and Employment objective. Moreover, Member States and regions may adapt to the particular socio-economic and territorial characteristics of specific territories through other means such as particular territorial provisions in Operational Programmes.

Other Community policies also provide possibilities for specific territories. For example State-aid regulations allow the granting of aid to promote the economic development of certain areas. This concerns – amongst others – islands, mountains and low density regions provided that they meet certain conditions.

In addition, those island communities which depend on fisheries related activities can receive assistance from the European Fisheries Fund (EFF), the intervention of which is also based on a territorial dimension. In particular, under axis 4 of the EFF, support is available to implement local development strategies which help local fishing communities diversify their activities and improve the quality of life in their area. Those strategies can address specific handicaps or built on particular territorial assets of island areas.

There is, of course, room for further developing the available instruments in this domain if citizens should become or remain able to make the most of the inherent features of the territories they are living in, as the Green Paper on Territorial Cohesion states.

However, it has to be emphasised that geographical specificity in itself does not necessarily constitute a problem. Statistics suggest that these territories are far from being homogeneous in socio-economic terms. Therefore, a one-size-fits-all approach (e.g. a general island policy) does not make much sense. Additionally, the overwhelming majority of respondents to the Green Paper denied the necessity of particular policies for these areas.

Nevertheless, the Commission needs to develop further the available analytical tools (e.g. data, indicators, impact assessment). The aim would be to enhance the knowledge about and to be able to better take into account the special characteristics of these areas. The European Union has to fully capture the extent of their development dynamics and help them to strengthen their comparative and competitive advantages.

Therefore, the Commission has prepared a Working Paper on "Territories with specific geographical features" which should be published later in the autumn of this year. Additional food for thought can be expected from the forthcoming ESPON (European Spatial Planning Observation Network) study on "A European perspective on specific types of territories".

These two studies should help the Commission to prepare proposals for additional measures leading to the further improvement of the situation of areas with specific geographical features, in particular islands.

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Question no 50 by Anne E. Jensen (H-0345/09)

Subject: Transfers for third country air passengers

When people from countries outside the EU travel to a Member State, it is not unusual for them to need to make a transfer to another Member State before continuing to their end destination. However, there are concrete examples of persons from third countries being refused transfer, despite fulfilling the visa requirements for their final destination. Furthermore, in a specific example, a third country resident was subsequently banned from entering the EU for 6 months.

Does the Commission agree that transfers should be accommodated if visa requirements to the final destination are fulfilled?

Does the Commission agree that it is a breach of the fundamental right of free movement within the Community if Member State authorities in the transfer country prevent the third country national from reaching his or her final destination?

Will the Commission act to ensure that third country nationals are not randomly denied access to their final destination? Does the Commission agree that if such a transfer is denied a sound justification with the right of appeal should be presented?

Answer

The rules applicable to the crossing of external borders and the conditions for entry of third-country nationals to the Member States are regulated in Regulation (EC) No 562/2006 of the Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)⁽¹⁹⁾.

The Schengen Borders Code respects fundamental rights and observes the principles recognized in particular by the Charter of Fundamental Rights of the European Union. It needs to be underlined that an unconditional fundamental right to free movement – as endorsed by Article 45 of the Charter – only exists for citizens of the Union and not for third country nationals. A right of free movement of third-country nationals within the EU only exists to the extent that it is provided for under specific rules of Community legislation.

When arriving from outside the EU and before making their way to a connecting internal flight, passengers shall be – in accordance with Article 7 Schengen Border Code – subject to systematic border checks, aimed at verifying that the entry conditions fixed by the Schengen Border Code are fulfilled. This includes notably to be in possession of a valid travel document, a valid visa if required, justifying the purpose and conditions of stay, not being subject to an alert in the SIS, and not being considered a threat to public policy.

⁽¹⁹⁾ OJ L 105, 13.04.2006.

A detailed non-exhaustive list of supporting documents which the border guard may request from the third-country national in order to verify the fulfilment of the conditions set out in paragraph 1, point c, is included in Annex I of the Schengen Border Code.

It results that the existence or non-existence of a visa is one, but not the only requirement which must be taken into account by border guards when conducting border checks.

Article 13 provides that a third-country national who does not fulfil all the entry conditions laid down in Article 5(1) shall be refused entry to the territories of the Member States. Entry may, however, only be refused by a substantiated decision stating the precise reasons for the refusal. Persons refused entry shall have the right to appeal – in accordance with national law - against the refusal of entry decision taken by the national authority

It results that the Schengen Border Code fully respects the right of individuals to have a negative decision reviewed by an appeals body.

Based on the information provided by the Honourable Member and in the absence of more precise details (such as the citizenship of the persons concerned; the Member States concerned and the reasons given by national authorities for refusing entry) the Commission is not in a position to assess whether an infringement of the abovementioned rules of the Schengen Border Code has taken place in the cases referred to by the Honourable Member.

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Question no 51 by Georgios Toussas (H-0347/09)

Subject: Suicides among France Telecom staff

The tragic suicide rate among the staff of the privatised French telecommunications company 'France Telecom' has reached alarming proportions, 24 employees having killed themselves because they were unable to cope with the 'medieval working conditions' prevalent in the French multinational and indeed in all monopolistic business groups. These suicides are the tragic outcome of the generalised implementation of the notorious 'flexisecurity' arrangements, the undermining and weakening of labour relations, ruthless workload intensification and the fear and insecurity of employees faced with the dismal prospect of galloping unemployment. This strategy has been a fundamental political choice on the part of the EU and the governments of the Member States, including Greece, under successive ND and PASOK governments.

Does the Commission consider that the strategy being followed by the EU, seeking to generalise 'flexisecurity', weaken labour relations, put an end to collective labour agreements and abolish or undermine all legislation seeking to protect workers, is of benefit to workers or solely and exclusively in the interests of company competitiveness and profitability, literally sacrificing workers' lives on the altar of profit?

Answer

The Commission stresses that flexicurity should not be confused with flexibility or a policy designed to make it easier to lay off workers. On the contrary, flexicurity's main aim is to increase employment security. It does this by providing support for transitions to new jobs in order to make them as secure as possible for the workers and to ensure, as far as possible, that such transitions entail a move upwards.

Flexicurity involves a combination of measures to provide suitable support for people to remain in, or return quickly to, employment when they lose their jobs. It aims to strike the right balance between security and flexibility: both of these components are essential to flexicurity, and they are both indispensable if workers are to be supported effectively and companies are to find it easier to adapt and to create jobs.

The Common Principles of Flexicurity adopted by the Member States in December 2007 stress that sufficient contractual flexibility must be accompanied by secure transitions from job to job. The application of flexicurity does not imply the rescinding of core labour agreements or the repeal of protective legislation. It is a question of identifying the right combination of measures and garnering the active involvement and support of all major players, including the social partners. The promotion of high-quality, productive jobs and sound work organisation are also essential to the flexicurity concept, and cooperation between and the involvement of all the main actors are a prerequisite for the approach to function properly.

The Commission believes that flexicurity remains crucial if labour market policy is to meet the challenges facing the EU. That flexicurity is the right policy for combating the crisis and bolstering the recovery was confirmed by the June 2009 European Council and by the European Economic and Social Committee, whose recent opinion⁽²⁰⁾ underlines flexicurity's key role in reducing unemployment.

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Question no 52 by Georgios Papanikolaou (H-0348/09)

Subject: Cyberbullying among minors

On 10 February 2009, International Safer Internet Day, the EU launched an information campaign against cyberbullying among minors. As part of this campaign, a short video film aimed at encouraging children to maintain controls when they are on the internet is being shown on public and private TV channels throughout 2009. Cyberbullying with schoolchildren as victims and persecutors is a serious problem which affects all EU Member States. The Commission endeavoured to persuade internet companies to sign an agreement in which they undertook to contribute to the more effective protection of young people using the internet, and it succeeded in doing so. Given that this agreement is only the first step towards protecting young people using the internet, will the Commission say:

What other actions does it intend to take? Does it consider that school as an institution can play a decisive role in restricting and preventing internet violence between minors? If so, how?

Answer

In reply to the Honourable Member's question, the Commission considers that the campaign against cyberbullying launched in February 2009 has been a success. The clip has been disseminated via television but also via the Internet: more than 200 national and regional TV channels and 230 websites participated in the campaign. The clip provided young people with a better understanding of cyberbullying and of the ability to report it.

The self-regulatory agreement "Safer Social Networking Principles", signed in February 2009 by 18 leading web companies, is an important process towards improved safety and privacy of children online. Since February, two other companies have joined the agreement, the Spanish Tuenti and the Estonian Rate. So far, 19 companies have provided the Commission with "self-declarations" explaining on how they implement this agreement in their safety policies. This information is now publicly available.

The Commission has ordered an independent assessment of the implementation of this self-voluntary agreement, to be published on Safer Internet Day, 9th February 2010. The assessment will focus on the compliance of companies' policies with the Principles, and the effectiveness in terms of protection of minors. The Commission will draw conclusions from this report and follow this up with proposals on new rules if necessary.

To respond to the need for concrete action against bullying in schools and the growing problem of cyber bullying, the Commission has financed, and will continue to finance, several projects regarding all forms of bullying through the Daphne Programme. The emphasis on bullying has in fact increased in recent years and there are several interesting ongoing projects still to be completed. The Daphne Programme has described the results of projects regarding bullying in schools in a publication "Violence and School" and cyber-related violence in particular in the publication "Violence and Technology", which are available on the Daphne Toolkit website:

http://ec.europa.eu/justice_home/daphnetoolkit/html/booklets/dpt_booklets_en.html

Finally, on the initiative of the European Crime Prevention Network, which focuses on juvenile crime, the Commission undertook in 2004 a study on good practices implemented by schools in preventing and reducing bullying.

The Commission believes that making children's experience online safer is a shared responsibility of public authorities, parents, schools and industry. It is already one of the missions of the awareness centres that the Safer Internet Programme supports to inform teachers and children at school about online risks and how

⁽²⁰⁾ CCMI/66 - CESE 794/2009 fin.

to deal with them - some of them have specific train-the-teachers programmes in this regard. The school as an arena to reach all children is one of our priorities. This is why the Commission organises a conference on "Promoting online safety in schools" in Luxembourg on 22-23 October 2009, including a youth panel and a teachers' panel. As a result, I expect to get an assessment of the level of Safer Internet education in Europe as well as recommendations to the Commission and to other stakeholders on how to promote effective safer Internet education in schools.

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Question no 53 by Ivo Belet (H-0349/09)

Subject: High electricity prices in Belgium

Can the Commission provide any information about average electricity prices for private households and businesses in Belgium, in comparison with those in neighbouring countries?

Does the Commission agree that the relatively high prices in Belgium are due to a lack of competition on the electricity market?

Does the Commission agree that keeping nuclear power stations open for longer after they have been written off creates financial scope for significantly reducing the high prices charged to consumers?

Can the Commission indicate, according to its calculations, the absolute value of the windfall profits from nuclear power stations in a scenario in which three nuclear power stations are allowed to remain open for longer?

Will the Commission support initiatives to invest the 'dividend' from keeping nuclear power stations open for longer in, firstly, lower prices and, secondly, renewable sources?

Answer

The 2008 Benchmark report⁽²¹⁾ showed that, in parallel to the increasing oil prices on the international market, electricity prices also increased, although the changes in electricity prices varied widely amongst Member States. The report showed that household and industrial electricity prices rose particularly in some Member States, amongst them Belgium. The figures also show that the end user prices in Belgium (including VAT and taxes) for households and industrial users were among the highest in the EU.

Various factors explain the differences in electricity prices between Member States. First, there are the differing costs of generating electricity depending on the distinct fuel mixes of producers. The second element is the availability of sufficient generation and (cross-border) transmission capacity. Thirdly, there is the important role played by the level of competition on the wholesale and retail markets.

The Belgian electricity markets are still highly concentrated. Very recently the Commission noted the decision of the Belgian national competition authorities to launch unannounced inspections in the offices of the two major electricity suppliers. At this date the Commission has not yet been informed of the results of these investigations. The Commission is currently investigating whether GDF Suez (Electrabel) may have abused its dominant position on the Belgian electricity market for large industrial consumers. Moreover the Commission is also scrutinising the impact that mergers and acquisitions may have on competition in the Belgian electricity markets.

A decision to keep open nuclear power plants scheduled for closure (whether depreciated or not) will lead to more production capacity being available to satisfy consumer demand. This might in the future lead to lower prices than would have been the case if such capacity would no longer be available.

The Commission is not in a position to quantify the absolute value of the windfall profits generated by the lifetime extension of nuclear power stations in Belgium since, not only is this not part of its mandate, but it also does not have access to the data necessary to perform such a calculation.

⁽²¹⁾ COM/2009/115/ final published on the website of the Commission:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0115:FIN:FR:PDF>.

If the competent national authorities would decide to allow the company owning nuclear power plants to prolong their operation, it will remain in the authorities' hands to negotiate with the company concerned the conditions for such an extension. Evidently, any measures will have to be compatible with the rules concerning the internal market and the competition rules enshrined in the EC Treaty.

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Question no 54 by Laima Liucija Andrikienė (H-0351/09)

Subject: Prospects of concluding deep and comprehensive free trade agreements with the Eastern partners

With the launch of the Eastern Partnership (EaP) policy the EU has committed itself to move towards eventual deep and comprehensive free trade agreements with the six Eastern European neighbours - Belarus, Ukraine, Moldova, Georgia, Azerbaijan and Armenia. Will such agreements be concluded in the coming few years?

Where do negotiations on a free trade agreement with Ukraine stand? When should we expect the conclusion of the agreement? What is the position of the EU in terms of Ukrainian demands to include agricultural products in the agreement? Is it justified to state that negotiations with Ukraine set the example for negotiations with other EaP countries as well?

Answer

As stated in the Prague Joint Declaration of 7 May 2009, the main objective of the Eastern Partnership is "to create the necessary conditions to accelerate political association and further economic integration between the European Union and the interested partner countries".

Bilateral cooperation should provide the foundation for a new generation of Association Agreements that include the establishment or the objective of establishing Deep and Comprehensive Free Trade Areas (DCFTAs).

No time frame for the realisation of DCFTAs has been given, as each country will individually be assessed for its readiness. The decision to start negotiations between the EU and an Eastern Partner will be taken once the necessary conditions have been met, namely once

- the Partner has accomplished its accession to the World Trade Organisation (WTO);
- the viability of the future DCFTA has been proven by a thorough feasibility study;
- the Partner has confirmed sharing the high level of ambition for the future FTA, i.e. "deep and comprehensive" and
- the Partner has become able to negotiate a DCFTA and subsequently implement the commitments undertaken in a sustainable manner.

In line with the Council conclusions of 14-15 September 2009, the Commission is currently preparing directives for negotiating an Association Agreement, including i.e. the establishment or objective of establishing a DCFTA, with each of the three South Caucasus countries – Armenia, Azerbaijan and Georgia. Similar negotiating directives for negotiations with Moldova were adopted earlier in 2009. Negotiations could begin once the above conditions are met.

Negotiations on the DCFTA with Ukraine started in 2008, one year later than those on the political and cooperation-related parts of the Association Agreement (AA), since Ukraine joined the World Trade Organisation (WTO) only in May 2008. The FTA with Ukraine will be part of an overall AA with Ukraine and is designed to deepen Ukraine's access to the European market and to encourage further European investment in Ukraine. The FTA with Ukraine will be a deep and comprehensive one, i.e. it offers a comprehensive 'beyond-the-border approach' to economic integration and covers substantially all trade in goods and services. It also contains provisions for the implementation of trade and economic commitments, including concrete targets for the approximation with the EU acquis. Negotiations are complex and demand a high level of expertise, which is a real challenge to the Ukrainians and to the EU. The Commission expects FTA negotiations with other Eastern Partner countries to be equally demanding.

The 8th round of FTA negotiations was held in Brussels on 5-9 October. Both the EU and Ukraine remain committed to finalising the negotiations as soon as possible.

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Question no 55 by Jacek Włosowicz (H-0353/09)

Subject: The civilian government in Pakistan

There is an elected civilian government in Pakistan. Does the Commission believe that the civilian government is in full control or does the Commission believe that, as in the past, Pakistan's army is the real power in the country?

Answer

The European Commission is committed to building a strong and long-term relationship with Pakistan. The Commission believes that the EU should engage closely with Pakistan on a range of areas of common interest including political and regional issues, democracy and human rights, security questions, trade and development assistance.

Reinforcing governance and democratic secular institutions in particular are key elements of this approach. This point was stressed at the EU-Pakistan Summit in June 2009. The Joint Summit Communiqué offers a roadmap to further advance relations.

We are dealing with, for the first time in many years, a democratically elected government in Pakistan. The Commission's chief aim is to give political and material support to the country's democratic government.

There have been positive developments. The Government of Pakistan has now taken decisive action against insurgents in the Malakand Division, including the Swat valley, which should also contribute to wider regional stability.

The immediate challenge now is to deliver on the Commission's commitments to assist rehabilitation and reconstruction in the Malakand Division. In addition to €72 million for humanitarian assistance, the Commission has allocated €52 million for rehabilitation and reconstruction, so far. It is also stepping up its engagement on security sector reform, electoral framework and enhancing human rights dialogue.

The Commission encourages Pakistan to consolidate the transition to stable democracy so that the days of military rule are over once and for all. Important steps were taken to strengthen the independence of the judiciary. There is the need for more institutional strengthening at the core of government, including accountability to parliament itself.

The Commission is ready to support this process in line with the recommendations put forward by the EU Election Observation Mission following the February 2008 elections.

Pakistan's determination to show that the state can provide effective and impartial justice and can defeat the scourge of corruption will be crucial to its efforts in defeating extremists and consolidating democratic rule.

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Question no 56 by Tadeusz Cymański (H-0355/09)

Subject: Punjab

The Indian state of Punjab is an example of a liberal society comprising various religious communities which has stood up against terrorism and is committed to democracy. Does the Commission intend to prevail upon European countries not to support extremists in Khalistan who are trying to use religion to destabilise the Indian Punjab? If so, how?

Answer

It should be noted that the Indian state of Punjab, marred by violence for over 15 years in the 1980s, returned to normalcy after the movement was successfully handled in the mid-1990s. After years of direct rule from New Delhi, the democratic process was successfully revived with a democratically elected government in 1997. The latest State election in 2007 resulted in putting back the Akali Dal party (representing exclusively the interests of the Sikhs) at the helm.

Despite irregular reports on risks related to a surviving network of Sikh activism, the Commission's analysis is that the ideology that inspired a decade and a half of violence in Punjab has been rejected by the population.

As a consequence, there is no need to prevail upon European countries not to support extremists in Khalistan. In any event, it is first for India to act on any concern it could have about this issue. This being said, it should be recalled that India has recently referred to the EU Member States' solidarity in this issue at the time as both laudable and useful.

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Question no 57 by Ryszard Czarnecki (H-0356/09)

Subject: Freedom of expression and separatist tendencies in India

How does the Commission intend to uphold the freedom publicly to voice one's opposition and different political views in India's border provinces while ensuring that that freedom is not used in support of separatist tendencies opposed to the Indian State?

Answer

Freedom of expression is a core right recognised by both the EU and India. The responsibility to ensure that the right to freedom of expression is not being misused to support separatist movements in India however seems to lie primarily with the Indian government and within it in the Indian Home Ministry.

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