

THURSDAY, 7 MAY 2009

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

1. Opening of the sitting

(The sitting was opened at 9.05 a.m.)

2. Documents received: see Minutes

3. Transfers of appropriations: see Minutes

4. Lapsed written declarations: see Minutes

5. Situation in the Republic of Moldova (motions for resolutions tabled): see Minutes

6. MEDIA Mundus: audiovisual cooperation programme with professionals from third countries (debate)

President. – The first item is the report (A6-0260/2009) by Mrs Hieronymi, on behalf of the Committee on Culture and Education, on the proposal for a decision of the European Parliament and of the Council establishing an audiovisual cooperation programme with professionals from third countries MEDIA Mundus (COM(2008)0892 – C6-0011/2009 – 2008/0258(COD)).

Ruth Hieronymi, rapporteur. – (DE) Mr President, Commissioner, ladies and gentlemen, it gives me particular pleasure that we have succeeded in drawing up and adopting a new support programme for European films for the culture and economy of the European Union and worldwide within a short space of time – just six months – and before the end of this legislative period.

This was only possible because there has been exceptionally good cooperation, for which I would like to express my warmest thanks. Thank you very much, Commissioner. The Commission's proposal on the establishment of the MEDIA Mundus programme was an excellent one. There was excellent cooperation with the Czech Presidency and cooperation in the Committee on Culture and Education was best of all. Only as a result of this was it possible to achieve this goal in such a short time.

The promotion of European films through the MEDIA programme has been very successful in the European Union for some 15 years. Ninety per cent of all European films shown outside their country of origin are promoted by the MEDIA programme. So far, however, the programme has only promoted projects within Europe, and this promotion programme is no longer adequate at a time of globalisation of the markets and new technologies.

There are new opportunities, but also new challenges. The MEDIA Mundus programme we are discussing today is a fantastic response. It is a response to the opportunities offered to the European film industry by new markets outside Europe. It is also a response to the need and the opportunities to use the promotion of films and films themselves to support and drive forward intercultural dialogue.

That is why I should like to express my thanks that the pilot MEDIA Mundus projects were launched. EUR 7 million were made available. It became clear that there was huge demand. Training, marketing and distribution in global networks were supported by the pilot projects and, in particular, the emerging audiovisual markets of the world – India, Brazil, South Korea, Canada – have submitted outstanding projects.

In this regard, with the vote of the Committee on Culture and Education we gladly vote in favour of the proposal. I should like to ask the entire Parliament for a 'yes' vote to support this programme for the coming years with an appropriate amount of funding to achieve the objective of supporting the promotion of European films as global ambassadors for our cultural values.

This is my last speech in the European Parliament. I feel very lucky to have been able to complete the programme with your support and should like to pass on my own message. Where future work is concerned, please remember that cultural goods in Europe should not be simply economic goods but must remain both cultural and economic goods.

I should especially like to thank all my colleagues on the Committee on Culture and Education, in the secretariats, and you, Commissioner, and your Director General at the helm, Gregory Paulger, for ten years of excellent cooperation in the audiovisual field. Many thanks.

Viviane Reding, *Member of the Commission*. – Mr President, I could not agree more with what Ms Hieronymi has said, and those 10 years of working together with her and with other Members of the Committee on Culture and Education were very efficient and, from a personal point of view, very enriching. So, thanks to you all, from whatever parties, who have really been working for culture to become important and culture to be able to speak to the people.

I am very glad that Parliament made some proposals on the report, which are clarifications and simplifications, so they improved the proposal which I had put on the table.

As you know, the preparatory action MEDIA International has been the basis in order to develop MEDIA Mundus and, in this context, I am also grateful to Parliament for giving me EUR 2 million in 2008 and EUR 5 million in 2009 to finance preparatory action.

MEDIA Mundus will start in 2011 and will follow on from MEDIA International. It aims at strengthening cultural and commercial relations between European film industry professionals and those from all over the world. The concept of MEDIA Mundus is new, ambitious and innovative, because it promotes cooperation between professionals, which is not done normally by European programmes, and, unlike existing programmes, it is also based on mutual benefit, not only for our film-makers but also for film-makers from third countries, in different fields. The first one is training, including trainees and trainers from European and third countries. It will improve access to third-country markets and build trust and long-term commercial relationships: this is normal. When you have been sitting together at school, training for the film industry, with somebody from Asia, somebody from Africa or from the Americas, it is clear that, later on in your professional life, you have an impetus to work together.

That is also why we support the organisation of forums for international co-productions. We train them together, and then we expect those professionals start to work together. So we need the forums for international co-productions.

Then we have to improve the distribution, circulation and visibility of European audiovisual arts in third countries. That is always a win-win situation for people from third countries within Europe. Here is a very good example of a Europe which is not a fortress Europe but an open Europe, a Europe which gives, which takes, which shares.

We have to improve public demand for culturally diverse audiovisual content, which will be very important, so we have to get the youth, the young public most of all, to see European films.

I am very confident that MEDIA Mundus will increase consumer choice, so that people will have the possibility to watch European films. It will bring cultural diversity to European markets by getting more quality films from smaller markets outside Europe into Europe, and it will give a chance to European films on the international market. So it will create new business opportunities for professionals from Europe and around the globe. This is, of course, a very important economic contribution. It is a question of competitiveness, but it is most of all a question of cultural diversity – our cultural diversity – which is our most precious good, and the cultural diversity of those who live in other continents, which is their most special good. To share those is a wonderful chance, which will be built up by MEDIA Mundus.

Doris Pack, *on behalf of the PPE-DE Group*. – (DE) Mr President, Commissioner, Mrs Hieronymi, the MEDIA Mundus programme is a project based on an idea originating in our Committee, the Committee on Culture and Education. That is where it saw the light of day, so to speak. Above all, we gave it our strong backing and it of course bears the hallmark not only of the commissioner but also of Mrs Hieronymi, whom all of us on the Committee on Culture and Education were glad to support.

We have learned a great deal from the Erasmus Mundus project, which opened the door for our students wishing to go to third countries and vice versa. In the context of globalisation, this is actually necessary, and MEDIA Mundus goes in the same direction with regard to film-makers. It is a wonderful example of how

one can organise an intercultural dialogue in this field, which has a commercial aspect of course, but which is also, and above all, a cultural dialogue.

MEDIA Mundus will also support and implement the UNESCO Convention promoting cultural diversity in Europe and across the globe, establishing dialogue and striking a balance between economic and economical interests.

With MEDIA Mundus we of course strengthen the mobility of our films, film-makers and students and, in the end, what Wim Wenders keeps reminding us to do happens, namely we give Europe a new face, we turn the European dream into reality. The American dream has been conveyed to us through films for decades, and this is still the case today. If we eventually go so far as to bring the European dream to the world in cooperation with third countries, through images, we will have done much more to stabilise the European Union than we could have done in many other ways.

If we work together in today's globalised world, we will be able to drive the Americans back on the world market to some extent and portray our dream a little better. I am sure we will be supported by third countries, perhaps South Korea or countries of South America, which we in fact want to help by making their small-scale productions become more visible on the European market.

All in all, this is a project that helps all sides. It helps the third countries and the European film industry. It was high time this happened. MEDIA Mundus is, in my view, the appropriate response to global technical and socio-economic challenges. I should like to end by saying: 'What helps our diversity will strengthen our identity'.

Christa Prets, *on behalf of the PSE Group*. – (DE) Mr President, Commissioner, Mrs Hieronymi, I should like to extend my sincere congratulations on this report. All of us on the Committee on Culture and Education can be pleased and proud of what we have accomplished in such a short time. We have demonstrated that we can work flexibly and that we are not bound by procedure but pay due regard to the concerns of those who work in the film industry and who are urgently waiting for this policy to be successfully concluded. We have speeded up our work and we will still be able to work after the policy has been adopted and the resolution has been passed. We have not insisted on a reading. Those who constantly criticise our work and malign the positive things we have done should bear this in mind.

I am pleased that, in the year of creativity and innovation, we are helping the creative to be more innovative and enabling them to further their training and become more globally integrated. In the digital world, everything changes day by day, technology is different and there are new resources and new challenges. It is therefore necessary to create another network. This needs the financial support we are giving. If we want to further the growth of our European film industry and promote the idea of Europe, we not only need better quality, which is already very good but could be even better, but we must also give our creative artists financial assistance.

With the economic crisis on everyone's lips, creating new jobs in the film industry, enabling innovation, improving information sharing, research and market research is a contribution to creating jobs. There is huge potential here for enriching the job market.

As far as cross-border cooperation and dissemination in third countries are concerned, I should like to give an example. For me, *Slumdog Millionaire* is an example of success. This film, which went around the world, was supported by the MEDIA Mundus programme to the tune of EUR 830 000 and became a global success; it made us more aware of an emergency situation in a particular country. However it also showed what it means when we cooperate on a cross-border basis. That is why I think this programme is an excellent programme and I am pleased that we completed it without any problems in such a short time.

I should especially like to thank Mrs Hieronymi and wish her all the best. She has been an excellent colleague and media expert. Thank you, Mrs Hieronymi, and all the best.

Zdzisław Zbigniew Podkański, *on behalf of the UEN Group*. – (PL) Mr President, the objective of the MEDIA 2007 programme was to preserve European identity, diversity and cultural heritage, to improve the circulation of European audiovisual works and to increase the competitiveness of the European audiovisual sector. The MEDIA Mundus programme goes further and hopes that mutual benefits will come from the promotion and opening up of audiovisual markets in both the European Union and in third countries. This is, of course, a good concept.

This subject, however, leads us to reflect on something else. I am thinking about Europe's cultural influence in the world – that influence seems to be getting smaller, and this worries me greatly. I notice, too, that our continent does not participate in intercultural dialogue as an equal partner. The Christian traditions which shaped Europe are generally being questioned today, and it seems that Europe does not have another conception of its own identity. Therefore it is no surprise that it is losing. Europe's small share in the worldwide circulation of audiovisual works is a significant example of this.

We may lament the fact that, along with its diminishing economic significance, Europe's role will be still smaller. However, we do not have to rend our garments. Initiatives like the programme we are discussing are a small but necessary step. Furthermore, the next five years of the European Parliament lie before us, and we hope that the MEPs of the next term will make Europe's voice more audible.

The last sitting, the last speech – I would like to express my sincere thanks to all my fellow Members for their cooperation, and in particular the members of the Committee on Culture and Education, with whom I worked on a daily basis. I congratulate Mrs Hieronymi on her report. Thank you, all of you.

Helga Trüpel, *on behalf of the Verts/ALE Group.* – (DE) Mr President, Commissioner, ladies and gentlemen, indeed, our culture and media policy is about giving Europe a soul.

It has been quite rightly established, by Commission President Barroso amongst others, that people will not fall in love with the internal market – as important as it is – but want to see and enjoy cultural diversity, the cultural heritage of Europe. They also want cultural diversity to be the ambassador of Europe in the world.

Mrs Pack was quite right when she said, using a sentence of Wim Wenders, that we need European images to tell European stories, to express the diversity of European history and of European sensibilities. What was the tragedy of European history, and what are the great hopes of a peaceful and better future? That is the basic cultural understanding of the European Union, which we not only want to cultivate internally but also need to convey to the outside world. That is why European culture policy, and film policy in particular, is always an ambassador for European identity. That is why I am pleased that we have succeeded in getting this programme off the ground.

I should like to say from the outset that, in the next parliamentary term, this programme must be extended, invigorated and injected with more finances, so that the MEDIA Mundus programme can really fulfil its role of making it clear, in international cooperation, what European values are and what European cultural diversity is. There must also be co-productions, collaboration, training in the best sense of the word, a win-win situation which enriches both sides. In this age of globalisation and digitalisation it will be the trademark of European policy on culture.

Today, I should also like to take this opportunity to thank Mrs Hieronymi for her very good cooperation and for succeeding in making it clear in this House that, while culture has an economic side, it is always more than just a commodity. It is really about identity, diversity, cultural confrontation – in the best sense of the word. Because that is what moves people in their hearts and minds. Placing more trust in Europe than hitherto must be our obligation for the future. For that reason, Mrs Hieronymi, I extend my sincerest thanks for your good cooperation and wish you all the best for the future.

(Applause)

Věra Flasarová, *on behalf of the GUE/NGL Group.* – (CS) Mr President, Commissioner, ladies and gentlemen, I thank Mrs Hieronymi for her excellent work and wish her many more years of success. The development of the international audiovisual environment deserves our attention because this is an interesting field of activity and it opens up a large space for cooperation within the European Union and also with other countries in the world. A further deepening of this cooperation, including the EUR 15 million budget for MEDIA 2011-2013, will broaden the choice for consumers and will bring more culturally diverse products into the European and international market. At the same time it will aid mutual understanding between peoples with different cultural traditions. Other very valuable aspects of these EU projects include the ongoing training courses for professionals in the audiovisual field, the varied promotional activities focusing on cinema, and the opportunities for increased circulation of films. It is also obvious that the audiovisual field is primarily the domain of the younger generation, who use television and devices operating via Internet protocols and multichannel digital television as one of their basic sources of information, together with other Internet technologies. The support of these systems through the EU project may therefore help to improve the quality of service for these users.

In this context I would, however, like to emphasise something else which I consider to be of key importance. All the Internet media represent an unrestricted alternative to traditional means of communication. Unfortunately, even in democratic societies, these traditional means of communication often fail because of commercial interests or because their management belongs to a particular political milieu and indirectly obliges employees to practice self-censorship. Because of this, much information reaches its audience in distorted or selective form. In contrast, the huge spread of the Internet, and the films and information which it disseminates, offers a genuinely independent, pluralistic media environment free of monopolies and cartels. We therefore need to support all projects which strengthen this alternative to the mainstream media world, and I am glad the Czech Presidency has contributed towards the successful accomplishment of the MEDIA Mundus project.

Ljudmila Novak (PPE-DE). – (SL) With the MEDIA Mundus programme, we are on the right path to promoting European film and European knowledge more effectively. Film is a medium which enables us to record, preserve, portray and sell Europe's cultural diversity. However, given the rapid pace of development of modern technologies, we also need continuous education and training. It would be a pity if some third countries or less-developed continents were to stop making films depicting their people's lives, interesting stories about them, and, of course, their own natural and cultural heritage and history, just because they lag behind in development and lack knowledge.

Because of the dominance of US film, which commands a huge market, European film has a tougher job competing in the world market, despite the fact that it has far more qualities than many a US tear-jerker or blockbuster. This is why MEDIA Mundus is a good platform for forging contacts with film-makers and distributors in third countries and for exchanging film-related knowledge and information. By the same token, in this field, the European Union fulfils the function of bringing different continents together and uniting film-goers from various countries, as well.

We will be gaining a new, successful programme, but losing our rapporteur and an expert in this field. I should like to pay my personal compliments to you, Mrs Hieronymi, for all the work you have done, for the breadth of your vision and for your cooperation. When I entered Parliament as a new member five years ago, Mrs Hieronymi was the first person I turned to for advice and information, and she was always prepared to offer help and understanding. So, once again, allow me to express my heartfelt thanks to you and wish you happiness in your family life, and in your professional life, because I know that you will not be putting your feet up in the future.

Some of you know that you will be coming back. I would like to come back, too, but I do not know whether or not that will happen. Allow me, therefore, to express my thanks, here and now, to all the members of the Committee, the Bureau and Parliament for giving me the opportunity to work on the Committee on Culture and Education. It has been enjoyable and pleasant working for you. Regardless of our political affiliations, we have worked to benefit culture, education, young people and sportsmen and -women. Furthermore, despite the fact that I come from a small country, my ideas have been taken up by the Committee and were later also confirmed by Parliament. Thank you for your cooperation.

Mikel Irujo Amezaga (Verts/ALE). – (ES) Mr President, the Universal Declaration of UNESCO on Cultural Diversity recommends that, among other things, we promote the making of high-quality audiovisual productions, particularly fostering the creation of cooperation mechanisms allowing us to distribute those productions; the European Commission has clearly borne this statement in mind when drawing up this initiative.

It goes without saying that MEDIA Mundus will take advantage of the growing interest and opportunities created by worldwide cooperation in the audiovisual industry and will widen the range of possibilities for consumers, bringing products that are more culturally diverse to European and international markets and creating new commercial opportunities for audiovisual professionals in Europe and around the world.

It is my conviction, and we should be in no doubt, that the Commission is capable of managing the budget so that this has the greatest impact possible and does not fade away into separate projects. As a prestigious professor said, the MEDIA Mundus programme for audiovisual cooperation with third countries is proof that the international audiovisual landscape has changed considerably, particularly in technological terms. This initiative aims to develop opportunities for cooperation in the audiovisual market, boosting research and training as well as financing coproduction projects in order to boost cooperation between audiovisual professionals.

I also wish to finish by expressing my gratitude. It has been a pleasure working with all my colleagues in the Committee on Culture and Education for these past two years. Thank you, see you soon.

Elisabeth Morin (PPE-DE). – (FR) Mr President, first of all I should like to offer my sincere thanks to Mrs Hieronymi and to the Committee on Culture and Education. The worldwide development of the European film industry is made possible thanks to this new MEDIA Mundus programme.

In fact, this programme is rooted in a policy. It was created under the MEDIA International action which, since 2007, has focused on the development of the European Union's relations with the audiovisual markets of third countries. The aim of this action was to meet the immediate needs of third countries and to improve the overall effectiveness of MEDIA 2007. It was important to address the new problems and challenges resulting from the globalisation of markets, which affects the European audiovisual sector.

This preparatory action thus paved the way for a European Union programme of extended aid promoting global cooperation in the audiovisual industry. Then, very quickly, the European Commission – which I congratulate – adopted a proposal to establish the MEDIA Mundus programme. With a budget of EUR 15 million for the period 2011-2013, the programme will offer new possibilities for international cooperation and networking – and this concept of networking is extremely important – among audiovisual professionals from the European Union and from third countries. Audiovisual media are very popular among young people. They make a huge contribution to the promotion of cultural dialogue, and the task, here too, is to establish new global balances in this sector between the United States and between other continents, which are major producers, and Europe, which has its rightful place.

The programme is open to partnership-based projects involving a minimum of three partners, with each partnership being coordinated by a professional from the European Union. Developing information sharing, training and a sound knowledge of markets, improving the competitiveness and transnational distribution of audiovisual works worldwide, improving the circulation and exposure of audiovisual works worldwide, and increasing public demand for cultural diversity – all of this is covered in this programme.

We support the European Commission's proposal, as it means that this consensual programme that we have arrived at can be implemented. I am full of hope for this text; I endorse it because it is in keeping with my firmly held beliefs about respect, about intercultural dialogue, and about providing support for creative work, for training and for the audiovisual industry, and I should like to offer my sincere thanks to Mrs Hieronymi. I know that, in the next parliamentary term, we will owe it to her to continue to work along these lines.

Manolis Mavrommatis (PPE-DE). – (EL) Mr President, Commissioner, ladies and gentlemen, the Commission proposal on the MEDIA Mundus programme is welcomed by everyone who wants to see the European audiovisual sector grow, become stronger and more competitive and export to the rest of the world. The European audiovisual industry has developed and improved considerably over recent years and its international profile has changed over the last 20 years, especially as a result of technological progress. This has resulted in intense economic development and investment and, as a result, an increased demand for audiovisual material on certain markets. Unfortunately, however, there are obstacles which affect the marketing of European works abroad, including inadequate funding for European audiovisual companies.

Community support for the audiovisual sector takes account of the fact that the European Union and its Member States promote cooperation with third countries and the competent international organisations in the cultural sector, because it underlines the importance of respect for different cultural dimensions, so as to promote diversity and, finally, because the distribution sector determines the diversity of audiovisual works and consumer choices. There are still few European audiovisual works available on the international market, while audiovisual works from third countries, excluding US works, face similar problems of limited availability on the European markets. European distributors are basically small companies with limited means of obtaining access to international markets. Consequently, the new programme makes funds available so that measures can be taken to improve the distribution, marketing and promotion of European audiovisual works in third countries and, by extension, of third countries in Europe.

Finally, I should like to congratulate Mrs Hieronymi on yet another exceptional piece of work and to wish her well in her personal life and in her future role, following her exceptional presence in the European Parliament. I should also like to take this opportunity to thank Commissioner Reding and all the members of the Committee on Culture and Education for the excellent cooperation which we have enjoyed during this five-year term.

Iosif Matula (PPE-DE). – (RO) The field of culture definitely contributes to achieving economic objectives, taking into account that there are roughly 5.8 million people employed in it. However, it also contributes to achieving social objectives through the promotion of the European Union's values throughout the world, not to mention extending consumers' opportunities for choice, and through boosting the audiovisual industry's competitiveness in the EU.

The programme in question is also relevant because it takes into account the impact of technological developments in the field, all the more so as an ever-increasing demand for audiovisual content has actually been generated. I welcome a coherent programme for promoting European audiovisual works worldwide, given the fragmentation of the market at European level, compared to the audiovisual industry in the United States, for instance.

Last but not least, I firmly believe that better use will be made of the added value generated by the film industry in Member States. I can give you the example of the film industry in my country, Romania, which has proved itself up until now through the major prizes won at European and global level.

I congratulate the rapporteur and wish her every success in her life after the European Parliament.

Margarita Starkevičiūtė (ALDE). – (LT) Ladies and gentleman, I have been working in the Committee on Economic and Monetary Affairs for five years. However, based on the experience of my own country, Lithuania, I must emphasise the importance of the programmes you are debating for a country's economy, not to mention the culture of a small country.

A few years ago our film industry was in the doldrums. It was cooperation with third countries which helped get it back on its feet again. During that period Lithuania's film industry grew stronger, established an economic base and now makes a significant contribution to job creation. At the same time, this has created the right environment for the emergence of talented directors and today Lithuania's film directors are receiving international awards, and are well known throughout Europe and the world.

Therefore, I would like to stress that the European Union should pay more attention to the implementation of such programmes, as they help countries and cultures flourish.

Erna Hennicot-Schoepges (PPE-DE). – (FR) Mr President, I should like to start by paying tribute to the rapporteur, Mrs Hieronymi, who has guided the Committee on Culture and Education using all of her expertise in this specific field. Thank you, Mrs Hieronymi, for all that you have done.

Commissioner, you have succeeded once again in completing this project; it is an important project, but it must be weighed against the importance given to it, and it certainly does not match your ambitions in terms of financing. Provision will therefore have to be made, for the next financial perspective, to increase the resources for this programme. These people, who travel, must be granted every available possibility and freedom, and it is in this connection that we still too often run into unresolved problems concerning visas, social security and artistic status. Much still remains to be done to make artists truly mobile.

For the rest, I believe that film is the best vehicle for cultural diversity. We should therefore support this sector, which is still in its infancy. Perhaps the existing idea of a guarantee fund could be the way to shore up the finances, which fall slightly short of our ambitions.

Ewa Tomaszewska (UEN). – (PL) Mr President, films from third countries are fairly often distributed in Poland. They are rarely of high quality, and meanwhile it is much more difficult for our European films to reach third country markets and viewers. In the meantime it is extremely important to support the spread of our culture. It is essential to promote European films in other countries. It is essential to ensure a better position for these films in third-country markets. In addition, strengthening the film industry will also ensure that the films produced are of higher quality. That will also be a significant value.

I think that an important factor here is the synergy effect achieved thanks to mobility and cooperation with third countries. Strengthening the protection of intellectual property is a significant matter raised by the programme, and also in connection with support for implementation of the UNESCO convention.

I would like to say a huge thank-you to Mrs Hieronymi for her work on this programme and for the fact that she managed to finish before the end of this term of office. It was work that we did together, but her contribution was the greatest. I would like to thank very sincerely all the members of the Committee on Culture and Education with whom I worked during this term.

Viviane Reding, *Member of the Commission*. – Mr President, thank you to all those who have contributed to making our cultural diversity, not only in Europe, but also transcending borders. I would like, at the end of this speech, to give you some concrete examples of how this can work and how it has already worked.

We have developed 11 training partnerships with Latin America, India, Canada, Turkey, Ukraine, Moldova and Georgia covering films, TV shows, animation, documentaries. For example, a cartoon connection between the EU and Latin America and Canada for training and developing a cartoon specialist. For instance Prime Exchange, a workshop for authors and producers from India and Europe, to understand better the financing and the marketing elements of films. And the promotion on the distribution has been done, for instance, by the European Producers Club, which organised co-producing workshops in China and in India.

Dolma organised a documentary month in Chile, the Paris Project made co-produced productions between Japan and South Korea and Europe, and EuropaCinema has included a network of 230 European cinemas and 148 cinemas in the rest of the world, in order to exchange films between them. So here we can see very concrete action. It is not about big words but about deeds, in order to help the professionals to do themselves what they can best do: that is, to make films, to show films, to make films travel. Thanks to all those who have helped this to become a reality.

Ruth Hieronymi, *rapporteur*. – (DE) Mr President, I thank you for the supportive and constructive debate. I am certain that, with this impetus, the MEDIA Mundus programme, which has rightly been addressed today, will not only enjoy great success but will also be able to mobilise additional support in the coming years.

Anyone who deplores the lack of or insufficient European culture in the world, which they have every reason to do, can only welcome the MEDIA Mundus programme and vote in favour of it enthusiastically. It is an excellent example of how we can bring our cultural message to the world. That is why I would earnestly request that you convey this message to our governments with vigour. Promoting European culture collaboratively does not mean less national identity for all our countries and Member States in the European Union. Rather, it strengthens their particular national identity and brings our European culture together so that we may be a more effective ambassador in the world.

On that note, I would like to thank you all. I invite all of you who would like to discuss how we could go about this to the Members' bar.

President. – The debate is closed.

The vote will take place today at 12 noon.

7. Draft Commission Regulation on REACH, as regards Annex XVII (debate)

President. – The next item is the debate on the oral question to the Commission by Mr Ouzký and Mr Sacconi, on behalf of the Committee on the Environment, Public Health and Food Safety, on the draft Commission Regulation on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), as regards Annex XVII (O-0071/2009 – B6-0230/2009).

Guido Sacconi, *author*. – (IT) Mr President, ladies and gentlemen, our debate today is particularly important, as we know, for two reasons: firstly, because we are talking about one of the substances that has caused most harm and deaths among citizens and workers at the plants where it is used and produced, namely asbestos. Secondly, because we are debating one of the first measures to implement the extremely significant regulation that has, in a way, marked this parliamentary term, that is to say REACH.

With the question we have asked and the draft resolution we will vote on today – let me say straight away to reassure the Commission and Vice-President Tajani who is here on its behalf – we are not opposing the draft implementing regulation that the Commission has adopted on this issue. I refer to Point 2.6 of this draft measure, which provides the missing Annex 17 that should have reproduced the provisions of Annex 1 of Directive 76 – the directive on dangerous substances, which will be replaced by REACH, and therefore repealed – this Point 2.6 extends the ban on the placing on the market of asbestos fibres and products containing asbestos.

The truth is that in this same decision, however, there are exemptions, to be granted by certain Member States – for the record, there are four of them – who may keep articles marketed before 2005 on the market, as well as diaphragms containing chrysotile asbestos used in production at existing electrolysis plants. The possibility of using these exemptions is of course subject to the Member States' compliance with all the

Community rules on worker protection, effectively meaning that these plants, coming to the end of their lifecycle, do not generate problems for workers' health.

There is a reason why we are not opposed to this: these exemptions do exist, but we must acknowledge that the Commission has provided a mechanism, so to speak, by which these exemptions will in time – in 2012, to be exact – be reviewed through reports to be made by the Member States concerned, on the basis of which the European Chemicals Agency will prepare a dossier providing for the gradual withdrawal of the exemptions.

Thus we are not opposed, but certainly with our resolution we want to give you in the Commission a strong impetus to be a bit bolder, to go a bit further and a bit faster, shall we say, above all bearing in mind that there are already alternatives to chrysotile asbestos, at least for high-voltage plants, and in fact the companies concerned have launched promising research programmes to find alternatives for low-voltage plants also.

There are two aims to our stimulus and our input. The first is to set ourselves a date, a deadline – we are proposing 2015 – by which to lift these exemptions, launching a real withdrawal strategy, including measures that will then be required to demolish these plants in safety and also ensure safety as regards export.

Lastly, the second thing we are asking the Commission – and we would appreciate a reply on this, too – concerns a point that is critical for us, namely the fact that a Community list of articles containing asbestos for which an exemption applies has not yet been adopted, and so we are of course asking for this as soon as possible, by 2012, to enable better control and a better understanding.

IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

Vice-President

Antonio Tajani, *Vice-President of the Commission*. – (FR) Mr President, honourable Members, first of all may I apologise on behalf of my colleagues, Vice-President Verheugen and Mr Dimas, who unfortunately cannot be here this morning to take part in this debate. I know that Mr Verheugen has had intensive and fruitful discussions with the rapporteur, Mr Sacconi, whom I should like to thank for his excellent work – I say this on a personal level, too.

The Commission fully subscribes to the objective of the human health and environment professions, on the one hand, by preventing all exposure to asbestos, and, on the other, by working on a total ban on the use of asbestos, in all its forms.

Within the European Union there are very strict regulations on the placing on the market, use, export and disposal of asbestos fibres. The placing on the market and use of all asbestos fibres have already been banned outright by Directive 1999/77/EC.

As far as other uses are concerned, the Member States may permit the use of a form of chrysotile asbestos in electrolysis installations that were already in service in 1999 until they reach the end of their service life and suitable asbestos-free substitutes are provided.

Four Member States use this derogation. A review in 2006-2007 showed that all workplace exposure limits were respected and that there was no alternative available at the time for some very specific processes. This existing limit will be incorporated in Annex XVII to the REACH regulation, and the derogation for diaphragms containing chrysotile will be reviewed again in 2011.

In June 2011 the Member States will have to report on their efforts to develop chrysotile-free diaphragms, on the measures taken to protect workers, and on the sources and the quantities of chrysotile used. The Commission will then ask the European Chemicals Agency to examine the information sent with a view to abolishing this derogation.

Directive 87/217/EEC on the prevention and reduction of environmental pollution by asbestos provides for measures to control asbestos emissions during certain demolition, decontamination and disposal operations in order to ensure that those activities do not cause pollution by asbestos fibres or dust.

Directive 83/477/EEC, as amended by Directive 2003/18/EC, on the protection of workers from the risks related to exposure to asbestos at work, contains a series of measures to ensure adequate protection of the health of workers, where the latter are exposed to risks linked to exposure to asbestos fibres. Companies must provide evidence of their ability to carry out demolition or asbestos removal work. Prior to the demolition or asbestos removal work, they must draw up a plan specifying the measures needed to ensure that workers

are not exposed to an asbestos-in-air concentration of more than 0.1 asbestos fibres per cm³ during an average eight-hour shift.

Framework Directive 2006/12/EC on waste and Directive 1999/31/EC on the landfill of waste, in concert with the Council decision on the criteria for waste acceptable in landfills, oblige the Member States to provide for the controlled disposal of asbestos fibres and equipment containing asbestos fibres. The Member States must ensure that the waste is recovered or destroyed without endangering human health and without requiring the use of processes or methods that could harm the environment.

There are detailed requirements concerning the process for the disposal and landfill of asbestos; for instance, the storage area must be re-covered each day and before each compaction operation. The landfill must be re-covered by a final layer in order to prevent the dispersion of fibres. Measures must be taken to prevent any possible use of the land after the closure of the landfill. Any potential exports of asbestos fibres are regulated under Regulation (EC) No 689/2008, and, since 2005, there has been only one notified case of asbestos fibres being exported from the European Union to a third country.

Moreover, the asbestos-related decisions appearing in Annex XVII of REACH are set to ban the manufacture of asbestos fibres within the European Union, which means that exports will be ruled out. Waste containing asbestos is hazardous waste. The Basel Convention and Regulation (EC) No 1013/2006 on shipments of waste prohibit the export of asbestos waste to countries not belonging to the OECD. As regards shipments between Member States of the European Union and of the OECD, they are subject to a prior written notification and consent procedure.

To conclude, and in the light of these points, I can assure you that the Commission will examine whether there are grounds to propose other legislative measures on the controlled disposal of asbestos fibres and on the decontamination or disposal of equipment containing asbestos fibres, which go beyond the legislation in force, both for the management of waste and for the protection of workers.

(IT) Mr President, honourable Members, as regards the list of articles containing asbestos, which may be authorised on the second-hand market, it is not yet available – to answer Mr Sacconi's question immediately – but the Commission does plan to review the situation in 2011 in order to draw up a harmonised list valid throughout the European Union. I therefore hope I have met your request.

Anne Ferreira, *on behalf of the PSE Group*. – (FR) Mr President, Commissioner, ladies and gentlemen, as has already been said, in 1999 the European Union adopted a directive banning asbestos from 1 January 2005, but permitting a derogation for diaphragms used for existing electrolysis cells until they reached the end of their service life.

This derogation, which had to be re-examined before 1 January, was intended to enable the companies concerned to make plans to stop using asbestos. Here we are today, with an 18-month delay; it is therefore time that we made progress. It is true that, as part of the review of Annex XVII to REACH, the Commission is proposing to extend the current ban on the use and marketing of asbestos fibres and products containing these fibres, but it is maintaining the option for asbestos to be used in factory-based electrolysis installations, with no time limit imposed, even though asbestos-free alternatives do exist and are used by many companies.

Moreover, the Commission is adopting a provision that permits the placing on the market of articles containing asbestos in accordance with a system that could vary from one country to another. This is unacceptable, since the use of this product is responsible for a large number of illnesses linked to exposure to asbestos fibres. Furthermore, the number of people succumbing to these illnesses is likely to continue to rise over the next few years, as this product was still being used up until a few years ago. The effects of asbestos on health have long been known.

I would add that the Commission's decision undermines certain REACH provisions, not least the principle of substitution; it is a bad signal that has been sent out to the other companies. The current economic crisis cannot justify this extension.

Furthermore, this position of the Commission's, which has the backing of a majority of Member States at the Council, is inconsistent with the European Union's position, which aims to introduce a worldwide ban on asbestos.

I have one last point before I finish: the European Trade Union Confederation is today maintaining that it was not consulted on the matter and is suggesting that only the opinion of certain companies was heard and

taken on board. The Commission, for its part, is claiming the opposite. Could you shed some light on this point for us?

Satu Hassi, *on behalf of the Verts/ALE Group*. – (FI) Mr President, ladies and gentlemen, the history of asbestos is a sad one and a cautionary tale of what can happen when the precautionary principle is ignored. Asbestos was first used as a material that had excellent technical properties, and then, later on, it was noticed that it killed people. For example, in my country, the number of deaths every year due to asbestos has still not gone down. After all, it can take anything up to 40 years for the disease to develop.

The purpose of the resolution before us is not to quash the comitology decision to which it refers. I think its most important points are paragraphs 8 and 9, which relate to the idea that the Commission should table a legislative proposal sometime this year concerning how asbestos, asbestos fibres, and equipment and structures containing them should be completely destroyed.

Of course, we still have a large number of buildings, including public buildings, ships, factories and power stations, that have structures containing asbestos, and, for example, people are exposed to it when buildings are being renovated, if no strict protective measures are taken. These structures that contain asbestos need to be identified and demolished, and asbestos must be destroyed safely and in such a way that people will not be exposed to it again.

We should learn a lesson from the sad tale of asbestos and our experiences of it when we address new and present health risks. For example, researchers into nanocarbon tubes have said that their effects on health are very much the same as those of asbestos. For that reason, we need to learn a lesson from our experience and act in accordance with the precautionary principle, for example, when we adopt basic legislative instruments regarding nanomaterials.

Vittorio Agnoletto, *on behalf of the GUE/NGL Group*. – (IT) Mr President, Mr Tajani, ladies and gentlemen, it really seems as though the thousands of deaths already caused by asbestos, and the tens of thousands of people at risk of dying in the coming years due to progressive exposure to asbestos – the latency period, we know, can be up to 15 or even 20 years – count for nothing at all.

It seems as though the Eternit trial, which began in Turin concerning the events at Casale Monferrato, where there is not one family that has not suffered a loss, counts for nothing. Asbestos should have been banned operationally by the Member States applying the 1999 directive. The States should have taken every possible precaution to protect exposed workers, by applying the 2003 directive, closing factories, neutralising contaminated sites and compensating the victims and local people. This has not happened everywhere. Little or nothing has been done.

I have already mentioned the trial in Turin, where Swiss and Belgian owners are accused. Everyone knew about it, but little was done, and above all the industry shirked its responsibilities, working within the loopholes created by the inertia of the public authorities. This inertia can be seen in the events in Italy, in Brioni, where asbestos has not been removed, in Porto Marghera and in Cengio, where deaths are still occurring. Today the industry is asking the Commission to accept another exemption from the 2006 REACH regulation, already granted for a limited period, for chrysotile asbestos fibres.

It is true, low-voltage electrolysis plants do represent a limited application, and there are only a few such plants, but where industrialists claim it is impossible to use any alternative then the plants should be closed. This may be blackmail, but alternatives to this process have been found in Sweden, using asbestos-free membrane technology as replacements, at low voltage, and a similar solution has also been adopted for the production of hydrogen. Why 'yes' in some States and 'no' in others? Because in the long battle to ban PCBs there have been countless omissions and stalling techniques, supported even by the European Commission Directorate-General for Enterprise and Industry. In this case, too, a good example has not been set.

The 1999 directive banning asbestos stipulated that the review of this authorisation should be preceded by an opinion from the scientific committee on toxicology, which was never produced. Is this how the Commission respects directives? Not to mention the trade unions, who say they were never even consulted.

The European Parliament is doing its bit to compensate for the failings of others. This resolution calls on the Commission to bridge, by 2009, a legislative gap on the prohibition of second-hand products containing asbestos; roof pieces, aeroplane parts and whatever else should be disposed of once and for all. Yet again, precise dates are being set for a strategy to ban all types of asbestos by 2015, but these objectives were already set in 1999. Ten years have gone by and the deaths have continued.

Among the first initiatives of this parliamentary term, the Confederal Group of the European United Left/Nordic Green Left called for the establishment of a Community fund to compensate victims and for ad hoc funds for decontamination. This was a specific request to the Commission, which today is instead bowing to the will of the multinationals. We need to move on, however, to practical action and commitments. Only when these are in place, starting with the demands of this resolution, can we be more understanding. Today that willingness is not evident, and so we will vote against granting this exemption.

President. – Mr Bowis has the floor. We have great affection and respect for him and are pleased to see he has recovered.

John Bowis, on behalf of the PPE-DE Group. – Mr President, you are very kind. Thank you for those words. It is good to be back for what is my last week in this Parliament – or any parliament. After 25 years of elected politics that is an adequate sufficiency, I think.

I just want, on this last occasion, to say that many of us in this House have invested a lot of ourselves in the REACH process: Guido Sacconi and many colleagues have laid the foundations for a safer, better chemicals framework. My message to the next Parliament is, ‘Be vigilant; keep an eye on the process’.

Similarly, as Satu Hassi has said, we have a long history on asbestos, and we have a very strong feeling that we need to watch out for that. When I was lying on my hospital bed, having my heart bypass and feeling sorry for myself, I was watching on the television the earthquake in Italy, and that put my problems into perspective. But it also, of course, reminded me in this context that, when you have a disaster like that, asbestos can be released into the atmosphere. Asbestos is very often safe while it is covered. As soon as it breaks out, that is when the dangers occur, and so one of the messages has to be that we need to look at the at-risk areas of our European Union to see where we should be highlighting the risk and monitoring it for the future.

Having said that, I would just say thank you to my colleagues for their friendship, their support and their messages in recent weeks. I shall treasure my 10 years in this Parliament, and I shall watch with interest as the next Parliament takes on the projects that perhaps we have been able to start.

(Applause)

President. – Thank you very much, Mr Bowis. You can rest assured that many of us will always remember you and be grateful for your effort and dedication in Parliament.

Guido Sacconi, author. – *(IT)* Mr President, ladies and gentlemen, my sentiments exactly. I, too, would like to make a personal comment.

First of all, however, I must acknowledge that the Commission's answer to the specific questions we are asking in our resolution has been positive, for the most part. It will, of course, be down to the new Parliament to check and ensure that the commitments outlined are met, and within the time periods provided.

On a personal note, I would like to say two things. Firstly, my best wishes go to Mr Bowis, with whom we have worked a great deal. Perhaps the two of us could form a club of European Parliament observers, especially to follow those matters on which we have done so much work together, and seen great fruit, I believe.

Secondly, I have to say, somewhat symbolically, the fact that my last speech in this House should be on REACH and its application, which has occupied my time since the beginning of this parliamentary term, when it seemed we would never come to the end of that legislative journey, well, it shows that I am a lucky man, fortunate also to have known people like yourselves and like you, Mr President; working together we have come to a real understanding and have produced what I believe are truly significant results for European citizens.

President. – Thank you, Mr Sacconi. Rest assured that we shall also miss you for your work and dedication. May I wish you luck and happiness in your future endeavours which, I am sure, will continue in the same style to which we have become accustomed here.

Antonio Tajani, Vice-President of the Commission. – *(IT)* Mr President, honourable Members, I too, before concluding this debate, would like to thank Mr Sacconi and Mr Bowis, and I do so as their old classmate, having served in this Parliament myself for so many years.

I would like to thank them for the work they have done, and for participating in the various alliances that have done credit to our Parliament. So, as a member of the European Parliament and today as Commissioner and Vice-President of the Commission, I thank them for the extremely valuable contribution they have made to Parliament's work, showing that there can be – despite what certain journalists have said at times – good representatives who attend and genuinely serve the institutions, which represent half a billion Europeans. For that reason I wanted to thank them in this my last speech in this parliamentary term as commissioner.

As I was saying, I wanted to thank Mr Sacconi anyway, as a member of the Committee on the Environment, Public Health and Food Safety, for having brought this key issue to the table, and Mr Bowis, whose speech and comments have shown how important this subject is to all citizens. I think and hope that this debate has succeeded in dispelling any doubts and concerns: the Commission will report regularly to Parliament on the application of the regulation and, let me be clear, will not compromise on protecting workers, health and the environment.

As regards the remarks made by Mrs Ferreira and Mr Agnoletto, I would point out on behalf of the Commission that the European Trade Union Confederation was consulted, and chemical workers in particular have declared themselves in favour of keeping the exemption.

I would also like to emphasise that it is not true that there are no time limits, since the exemption is revoked when an alternative product becomes available. Furthermore, let me remind you, the Commission will conduct a general review in 2011. Thank you again for your comments and for all the hard work you have put in on such a sensitive issue concerning the health of workers and, I would also say, the health of all EU citizens.

President. – To conclude the debate I have received one motion for a resolution⁽¹⁾, pursuant to Rule 108(5) of the Rules of Procedure.

The debate is closed.

The vote will take place today at 12 noon.

Written statements (Rule 142)

Richard Seeber (PPE-DE), in writing. – (DE) Further reductions in asbestos in Europe must be welcomed unreservedly.

As the carcinogenic effects of asbestos fibres have been known for decades and the EU also introduced a ban on the use of this harmful substance in new products in 2003, the last relics of asbestos use should now slowly disappear from Europe.

Most Member States are already choosing alternative methods. Especially in the area of electrolysis plants other materials can often be used as an alternative to asbestos.

In the light of the increased awareness of the people of Europe of health issues and the very high standards of environmental and health protection in Europe, it is unacceptable that carcinogenic substances are still in circulation in Europe.

8. Common rules for the allocation of slots at Community airports (debate)

President. The next item is the report (A6-0274/2009) by Mr Costa, on behalf of the Committee on Transport and Tourism, on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports (COM(2009)0121 – C6-0097/2009 – 2009/0042(COD)).

Paolo Costa, rapporteur. – (IT) Mr President, Mr Tajani, ladies and gentlemen, I have the pleasure of opening this debate with a conclusion, so to speak, by recommending at this time that the House adopt the amendment tabled by myself and all the group representatives within the committee, to conclude this report at first reading and thus obtain approval for the regulation.

(1) See Minutes.

We do so with a great sense of responsibility. I think Vice-President Tajani will agree that the way in which we have tried to respond to an objective need and difficulty of the airlines at the moment – allowing them to retain their time slots even if they do not use them during the summer season this year – is a necessary, but very rough measure, a measure that needs refining.

It needs to be refined because we have seen, in the brief time that discussion has been allowed on this, that there are different interests, all of which are absolutely legitimate, among the airlines, that there are companies waiting to replace others, where the first are unable to meet their commitments, that there are now distinct interests among airlines and airports, something that did not happen only a short time ago, and above all that there are the interests of passengers, most importantly those served by airports and airlines in the outermost regions, who would be at greater risk should the choice of retaining or abolishing slots depend solely on their profitability for the companies concerned.

These are all issues that we have been able to touch on very quickly, but which we have laid on the table. Essentially, we also felt we had to deal with the basic problem, that of considering slots, as we ought to, as public goods that can be allocated or granted to private operators such as airlines and airports, but cannot be transferred as property.

This is a very sensitive topic and one that I believe we will have to revisit. I have to say that the reason, or worthy compromise, if you will, that lies behind our swift adoption of the proposal in the forms to be presented here is in fact in this, it is in being sure that the Commission will honour its commitment to return to this subject in a more thought-out, in-depth way, to tackle once and for all what is a crucial issue not only for overcoming the current crisis, but also for completing the process of restructuring and liberalising the global air market, and for building a better air market within Europe.

That is why, combining current requirements with longer-term needs, I feel able to recommend that this report be adopted.

I, too, in the 20 seconds I have left, Mr President, will take advantage of this last-day-of-school atmosphere to thank my classmates and those with whom I have had occasion to work over the last ten years, since I now have the great pleasure of ending my final day in Strasbourg with my last but by no means least contribution.

President. – Thank you, Mr Costa, and congratulations on your fine work. Your name is linked to a series of important reports and your effort has therefore played a role in Parliament's recent history.

Antonio Tajani, Vice-President of the Commission. – (IT) Mr President, honourable Members, once again, as a former Member of this House, I would like to thank the Committee on Transport and Tourism and its chairman for their productive work when I was an MEP and for the cooperation they have shown me since I had the honour to be appointed, and endorsed by Parliament, as European Commissioner for Transport. This fruitful partnership, ladies and gentlemen, can be seen again today, and so I must thank Parliament once more, especially the transport committee, chaired by Mr Costa, for the speed with which they have handled the European Commission's proposal on slots.

A series of events – the economic crisis, the financial crisis, the new type A flu virus – is further aggravating the situation in the air transport industry, and this situation demonstrates just how urgent and indispensable support measures are, not only for the airlines, but also their employees.

In light of this, I share Mr Costa's concern. The Commission proposal is not a definitive solution. It is perhaps a proposal intended to address an emergency, but which will then need to be re-examined in detail in order to redesign the whole system; in fact on 15 April, in response to Mr Costa's concerns and comments, I informed him, as the committee chairman, that the Commission Directorate-General for Energy and Transport is already preparing to present a proposal as soon as possible to revise the regulation.

The rule on the use of slots has already been suspended twice in the past in order to tackle crises. It is a global response to a global crisis, a response that clearly does not affect one or two Member States but affects the air transport system of the entire European Union and, in the most serious of circumstances – the attacks of 11 September and the SARS (Severe Acute Respiratory Syndrome) crisis – similar measures were taken. The crisis hitting the air transport industry today is probably more serious than those, and as yet we have no indication as to when we will start to see improvements.

The reality is that traffic is in continual decline. Suspending the 'use it or lose it' rule for the summer season will benefit all companies, European or otherwise, without any discrimination, as the IATA and many

non-European companies have pointed out, moreover. I am sure that this measure, which will be for a limited period and is an exception – the suspension will in fact be in force from 29 March to 26 October this year to then allow slots to be retained for the summer season of the following year – will give some breathing space to all companies, allowing them to address the drop in demand.

It will also prevent paradoxical situations such as the current case where companies are forced to fly empty planes so as not to lose their slots, something I consider to be wholly unacceptable, not least from an environmental perspective, as well as detrimental for the airline's finances – and we know than when a business is in difficulty, so are its employees.

I am convinced that this measure is necessary and urgent, and so I cannot fail to support the compromise reached between Parliament and the Council, which will enable the proposal to be adopted immediately. For this reason I would again like to thank the chairman of the transport committee, and Parliament as a whole.

Georg Jarzembowski, *on behalf of the PPE-DE Group*. – (DE) Mr President, Mr Tajani, ladies and gentlemen, the Group of the European People's Party (Christian Democrats) and European Democrats supports the one-off suspension of the 80% minimum usage rule for the take-off and landing rights at airports granted to airlines for the 2010 summer flight programme and thanks the rapporteur, Mr Costa, for his speedy and effective handling of this dossier.

The suspension now makes it possible for airlines to scrap flights in line with falling demand beyond the planned minimum usage without losing their take-off and landing rights for the next season. In my opinion, this is justified as a one-off, for one period, as the Vice-President said, because there has been an unforeseeable collapse in passenger numbers due to the international financial and economic crisis and because airlines cannot yet predict how passenger numbers will develop in the future. The suspension also helps to protect the environment, as airlines might otherwise feel obliged to fly half-empty aircraft just to keep their slots.

Mr President, Mr Vice-President, at the outset the PPE-DE Group rejected the regulation also proposed by you of empowering the Commission, without genuine codecision on the part of Parliament, to demand the suspension of the rule simply in the comitology procedure. We believe that, if you intend to make such a proposal for the winter flight plan, Parliament will have to examine it carefully, because we would have to consider the interests of the many different types of airlines as well as the interests of airports and passengers more carefully. It is 'yes' to a one-off suspension but 'no' to the possibility of extension without the involvement of Parliament.

In all honesty, I believe that, with swine flu appearing not to be as virulent as first feared, airlines will ultimately have to be able to anticipate what possible passenger numbers and relations to expect over the coming years. We must expect airlines to submit realistic plans so that airports have the opportunity to offer unused slots to other airlines. It must be in our interests that airports be able to use their capacities in the best interests of their customers, the passengers. I have one other comment on the new, fundamental revision of the Slots Directive. I believe that the slots belong to the public and not to the airports or the airlines, and that is why we must pay particular attention to this in the future.

Mr President, ladies and gentlemen, as this debate, this plenary session and my parliamentary activity draw to a close, allow me to extend my sincerest thanks to my colleagues on the Committee on Transport and Tourism and in the secretariat of the Committee on Transport and Tourism, as well as the chairman of the Committee on Transport and Tourism and the Vice-President of the Commission and his entire DG TREN team. We have spent the last five years working together in the interests of the citizens of the European Union. I will keep my fingers crossed for you that the next five years will bring more of the same. The Committee on Transport and Tourism is an important committee, and I thank you for your excellent cooperation.

President. – Thank you, Mr Jarzembowski, and I wish you good fortune and happiness for the coming years and your future endeavours.

Brian Simpson, *on behalf of the PSE Group*. – Mr President, I would like to thank our chair, Paolo Costa, not only for producing this report but also for his work as chair of the committee over the past parliamentary period. We are very indebted to his hard work.

This report is a microcosm of Paolo Costa's work, because it is a report that clearly shows that the wisdom of Solomon, allied to the diplomatic skills of the United Nations, is often needed when dealing with such

technical details like 'use it or lose it on the slot'. Our chair has been a very good Solomon and a very good United Nations diplomat during his time.

But yet again the civil aviation industry has demonstrated its ability to be disunited on this important issue, with big airlines clamouring for a suspension while low-cost airlines and airports are demanding no suspension. What concerns me is that the big airlines, backed up by their various alliances, will not be satisfied with one suspension but will demand others and, knowing the unhealthy, undemocratic influence that some of them have both in this and national parliaments, I believe today is a mere start of a process, sadly not the end.

My group will support the compromise proposed by our rapporteur and endorsed by the Committee on Transport and Tourism, but I stress that this suspension, as my colleague Georg Jarzembowski often says of the 'use it or lose it' clause, is a one-off for one period and does not represent a green light for further suspensions. If the Commission feels that further suspensions are needed, then they must be made part of a revised regulation, fully involving this Parliament and fully respecting the rights of this Parliament. It is 'yes' to debate, it is 'yes' to cooperation, but it is 'no' to comitology.

I recognise the perilous state that the aviation industry and airlines in particular face. I also understand that slots are not just about take-off and landings. They have become capital collateral on airlines' financial books and our rapporteur is right when he states that this aspect needs to be revisited in the future.

Suspension of 'use it or lose it' will not affect London Heathrow, Frankfurt, Paris Charles de Gaulle or Amsterdam Schiphol, but it will affect regional airports serving those hubs, because it is those routes the airlines will suspend. What airlines need to remember is that there are other stakeholders, not just them, that will be affected by this suspension.

Because the economic situation is not good and because we recognise the nonsense of flying empty aircraft, we will support our rapporteur on this occasion, but I hope our caveats to this have been duly noted for future reference, not only in this Chamber, but by the wider aviation industry as a whole.

Finally, as the Socialist coordinator, can I thank all my team, but also my fellow coordinators from other groups for the sterling work and the cooperation that we have shared with each other during the last five years. I also extend those thanks to Commissioner Tajani and his team in the time that he has been in the Transport Commissioner's seat.

Erminio Enzo Boso, *on behalf of the UEN Group.* – (IT) Mr President, ladies and gentlemen, this is the first time I have spoken in this House. It is, however, the first time because I am a new Member, and I have seen things that I do not like, that is to say Mr Costa has made a decision with his committee and then we find that there are deals going on. They may even be above board, but these deals done outside of the committee ...

They say there is democracy in Europe. I do not think so, Mr President. Democracy would mean transparency, and there has been little transparency here as regards Mr Costa, as regards citizens in the air sector, as regards people, as regards airports and as regards workers.

We are supposedly talking about liberalisation, but in fact what we are dealing with is a monopoly. I say this because of departures from Linate airport and Malpensa airport that are monopolised by Alitalia-Air France. Take Linate, which is in dire straits with 160 000 positions in difficulty. Should we leave Linate congested to allow for the Frosinone airport advocated by Undersecretary Letta? I wonder then, are all these non-services provided because Alitalia does not have the aeroplanes to cover these services and these working hours? Why, then, do we not give them to other companies that can provide a service?

Mr Costa rightly said, 'We are trying to do the best we can'. I am aware that there could well be people who do not like Mr Costa – I do – but someone must not, or they would not treat him with such disrespect.

You see, Mr President, we are currently facing... Here, Linate has 126 000 on its waiting lists, while Alitalia-Air France does not want to make these journeys. Airports have to survive too, however. They have to cut flight costs. Why, since we are talking about the public right to flight slots, do we not start to teach Alitalia, Air France and many other airlines to work?

So, in this regard, I do not want there to be any electoral opportunism. You see, Mr President, these systems are known as 'lobbies' in Europe, whereas in Italy we call them 'economic entities', 'the mafia', '*camorra*' and '*ndrangheta*'.

Johannes Blokland, *on behalf of the IND/DEM Group*. – (NL) Mr President, Mr Tajani, Mr Costa, this is going to be my final contribution to a debate at the European Parliament, after a fifteen-year stint. For me, this is, therefore, a very special contribution and one that I am making in a special debate, a debate dealing with the six-month suspension of the regulation on what are known as ‘airport slots’.

Over the past few years, I have sought to promote a green transport policy in order to secure the future of the transport sector. I think that, with this report, we have succeeded in doing that. Lowering the 80% threshold to 75% would not solve our problems. Even if we lowered it, the airlines would still not consider putting a stop to the practice of flying empty planes.

Fortunately, however, the compromise we have reached provides for solutions which are, first of all, good for the environment, but which also offer some support to the aviation sector, which has been hard-hit by the economic crisis. In this dossier, I think we have to conclude that there is something wrong with the current legislation relating to airport slots. As long as these slots remain so lucrative that it pays to fly empty planes, the present legislation is not going to make any difference.

For this reason, I am pleased to see that the text indicates that any further suspension of the slot system will warrant a thoroughgoing change in the legislation. Of course, we would then need two different dossiers, so that any emergency action necessary could be taken rapidly and so that we could make sure there was enough time for a comprehensive review. I would be interested to hear Commissioner Tajani confirm whether this last supposition would be taken into account.

Mr President, I would now like to round off both this speech and my work in this Parliament. It has always been a pleasure to work with my colleagues in the Committee on Transport and Tourism and I would like to thank all my fellow Members for that and Chairman Costa, in particular, for his report, which we are currently discussing, and also for his readiness to work on a sensible compromise on airport slots.

President. – Thank you, Mr Blokland. I also wish you good fortune and happiness in your future endeavours outside of Parliament.

Luca Romagnoli (NI). – (IT) Mr President, ladies and gentlemen, to me it seems entirely appropriate that the exemption from current Community law should allow airlines to retain their slots.

This exemption is proposed to tackle a crisis that is plain for all to see and which we have discussed many times. It should also be remembered that it is an exemption that can in some way, and I believe this is a positive thing, hinder the takeover by companies from third countries which, unlike Community carriers, are often able to benefit from State aid and other support, and I think this too should be considered.

For the rest, my sympathies are wholly social, and my support for this initiative should be seen in that light. I am happy to say that those who, on the other hand, are confirmed liberalists, must this time take the complete opposite approach; who knows, they may mend their ways, which I would be very pleased to see.

So, I take this opportunity – this will be my last speech this session and it is unlikely that I will be back here for the next parliamentary term – to thank everyone, those Members who without prejudice have allowed me to work with them and have thus undoubtedly given me an incomparable experience, both personally and politically.

I wish you all well, and would especially like to thank my colleagues in the Committee on Transport and Tourism, Chairman Costa, Commissioner Tajani and all the Members of this House, and I would just like to conclude with an appeal for greater transparency, which I hope the next Parliament will truly offer, because we voted for transparency regarding the situation of the *stagiaires*, assistants and many of our co-workers, but it unfortunately has yet to materialise. Most of all, I would emphasise what we should offer in terms – I am finishing, Mr President – of transparency regarding the work we do here, since the press coverage, especially in the majority of the Italian press, is demagogical and totally absurd.

The attendance lists should be made public, and information on the work of individual Members should be officially published by the European Parliament.

President. – Thank you, Mr Romagnoli, and I wish you every success in your future work.

Reinhard Rack (PPE-DE). – (DE) Mr President, everything of importance that needs to be said on this important text for air transport and for the people who depend on air transport, either as employees or

passengers, has already been said. Just not by me. So I have deliberately chosen not to repeat what has already been said, but I would like to take this opportunity to say something about the crisis.

Mr Tajani, you pointed out that this was not the first and, unfortunately, would probably not be the last crisis in the aviation industry that we, as well as the aviation industry, would have to deal with. It is right that we react quickly in such critical situations and try to find sensible solutions. We have managed to do that. But we should not hide the fact that the crisis has also sometimes been used, is being used and will be used as a pretext to organise regulations that do not really serve the aviation industry or people but specific interests.

In the Denied Boarding Directive, with its relatively imprecise wording on the issue of 'extraordinary circumstances', we gave airlines the opportunity to interpret this notion very extensively. That is precisely what they are doing – at the expense of passengers. In this directive, we also neglected to impose fines for delays. In the last weeks and months in particular, airlines have exploited the fact they do not have to pay for delays but basically only have to grant minimum rights to passengers – again at the expense of passengers. We should not make the same mistake again.

I therefore ask that, in the next parliamentary term, you, or those who will take over this dossier, submit a proposal to change this legal text.

On another point, this is also my last day of school in this House, as it is for many fellow Members. On the first day of school you normally get a school bag. Perhaps on the last day there will also be a bag of sweets. Mr Tajani, I would like to request a 'sweet'. Please do away with the nonsense we created at that time with the regulation on liquids and security checks at airports as quickly as possible. This regulation has been of benefit to no one and has protected no one. It has only caused anger. Just because no one is brave enough and resolute enough to tell people this and to carry out this abolition, we are all still suffering under this unspeakable regulation. Please fill this school bag and do away with this nonsense.

I sincerely thank all of you with whom I have had the privilege of working in the last few years.

President. – Thank you, Mr Rack. Rest assured the House will miss you and we wish you all the best for the future.

Gilles Savary (PSE). – (FR) Mr President, I listened to Mr Boso just now, and I am not underestimating the fact that there are special cases, particularly in Italy, where it would be preferable today to see slots opened up. However, I do believe that we need to keep a cool head and recognise that the crisis is affecting the aviation sector more quickly and more profoundly than ever before. It is without doubt one of the first sectors to be affected by budget cuts – corporate budgets, in terms of business travellers, and household budgets, in terms of summer holidaymakers. The other option would have been to open up slots completely, resulting in all likelihood in a scenario where the most powerful airlines would turn their empty aeroplanes round on the best slots, would abandon the least profitable spatial-planning slots, and where the low-cost airlines, which have a different economic model, would take advantage of it to sell off a few slots.

In short, this probably would have been a redistribution of roles under the worst of circumstances. It would have had nothing to do with the real economy, with a functioning market; rather, it probably would have played a part in social dumping or in the defence of positions acquired, in the case of the most powerful airlines. That is why I believe that this moratorium is the least worst solution, provided that it is only temporary, that the events and the impact of this crisis are closely monitored, that developments are accounted for before Parliament, and that we open up the slots market while taking the time to effect a policy change and to consolidate a new European Union policy.

This is my final speech before this House. It is a great privilege, after 10 years of working in the same committee, to take the floor at what is practically the end of the parliamentary term, in one of the very last debates, and to do so among one's friends. I should like to say what a pleasure it has been for me to work with such strong and such brilliant personalities; I shall not forget the experience. This committee is an elite committee, I think it must be said. It has done remarkable work; it is a credit to the work of Parliament, it is a credit to the European Parliament. I should like to thank all of my colleagues, from all of the political groups. I do not think that I will enjoy another such rich, honest, sincere and profound political experience as this one.

I should also like to say to Mr Tajani that I congratulate him on having accepted such a difficult mandate and portfolio as transport during this term of office, and that, because patience and length of time are what make

a person competent here, he deserves to have this portfolio reassigned to him under the Commission's next mandate. Ladies and gentlemen, thank you for everything.

President. – Thank you, Mr Savary. One of the things you said about the Commission perfectly demonstrates your qualities and the effort you have made in your work in Parliament. I am sure that in the future you will have equally enriching experiences.

Ryszard Czarnecki (UEN). – (PL) Mr President, I am speaking straight after Mr Rack and Mr Savary, and I would like to thank both of them for their work in the European Parliament. I do not know if this will be my last speech here. It depends on the upcoming elections.

Ladies and gentlemen, today we are discussing something which is interesting because it shows the confrontation between the absolutely fundamental interest of airlines and the interest of consumers and passengers. At a time of crisis the airlines are saving themselves by asking for these limits, just as we have said here, to be extended into next year. If we help the airlines here, and I think that would be sensible, they must not do this at the cost of passengers. A situation in which the airlines really treat this matter as a pretext and cancel flights with impunity is a very dangerous situation.

With Mr Rack I think that we should lift the restrictions on passenger pools, because this situation is becoming increasingly surrealistic and is very irritating. I would like to take the opportunity to congratulate Commissioner Tajani on his very good work.

Timothy Kirkhope (PPE-DE). – Mr President, having heard from a number of speakers who will no longer be with us after the next election, I am hoping that the electorate in Britain will allow me to come back here for another term. This is the last time that I shall be speaking from this particular seat in the Chamber: I shall be relocated during the changes. Can I just congratulate Mr Jarzembowski in particular on the work he has done on behalf of us all in the committee, and thank Mr Tajani, and also Mr Costa for bringing this matter before us.

Debating the suspension of the 80/20 rule is very important, but it can only be a short-term measure and it must not be allowed to become part of the aviation policy in the longer term. The positives are obvious: helping carriers, especially the large national flag carriers, through the present economic downturn; also, not being able to fly empty planes to fulfil slot obligations is good for the environment. But the solution is not in this and it must not become permanent.

The current problems are linked to the present financial crash, but to claim the crisis in the aviation industry is wholly down to this would be wrong. The health of some of our flag carriers has been poor for a number of years, and they need to have a careful look at their own business models for the future. They must be viable business entities, not specially privileged organisations, and resorting to protectionist measures is not acceptable in general to me and to my colleagues.

We will, of course, support the Commission in this. But I do not support the use of simplified procedure in the future and I think it would be a good idea for us to have a hearing on the Slot Allocation Directive, perhaps in the autumn or winter when we come back. We must find measures to put in place market-based incentives for airlines and airports. In times of difficulty, efficiency and innovation need to be rewarded – I am a fan of regional airports in particular.

Lastly, let us just mention the plight of pilots: the suspension of 'use it or lose it' may well see some pilots out of a job. Speaking as a pilot myself: can the Commission please explain why the pilots' associations were not consulted in this matter, and could it also confirm that the concerns of pilots and other people working in this industry will be fully taken into account?

Emanuel Jardim Fernandes (PSE). – (PT) Mr President, Mr Tajani, ladies and gentlemen, the European Commission has adopted, as a matter of urgency, a proposal to amend Regulation (EEC) No 95/93 on the allocation of airport slots. The basic aim of this proposal is to suspend the 80/20 rule or, in other words, to prevent slots purchased previously from being auctioned off where they have not been used. This is not intended as a principle *ad eternum* nor as a right of ownership – as the committee chairman, Mr Costa, has just said – but as a temporary measure.

This suspension is based on an awareness that the economic crisis has led to a widespread decline in passenger and freight air traffic, with a substantial impact on national carriers and other economic sectors, therefore making this a worrying time for jobs. As a result, we have a duty not to force airlines to operate flights at

significant economic and environmental cost simply to retain their slots. That is why I support the suspension of this 80/20 rule.

Having said this, I must take this opportunity to question whether this approach will be sufficient to effectively respond to the global crisis affecting this sector or whether, as I believe, the Commission should consider and propose a programme of support for this sector, so that it is stable and in a position to grow after the crisis.

We should remember that many airlines, as is the case with my country's flag carrier, having previously overcome economic crises and having consolidated financially, now find themselves in a crisis situation that will be difficult to overcome, a crisis not of their making, but from which they are suffering.

Mr President, ladies and gentlemen, this is my last speech in this legislative term and could be my last overall, depending on what the voters decide. I could not therefore let this opportunity pass without expressing my gratitude for the support and cooperation that I have always received from my fellow Members in my modest contribution to the construction of a European project and a response to the citizens.

I therefore want to express my thanks and gratitude, in this House, to you, Mr President, to Vice-President Tajani and to all my colleagues in my group. I must in particular mention those who have spoken here today – Mr Simpson and Mr Savary – and also those Members from other groups, such as the chairman of our committee, Mr Costa, with whom I have had the pleasure of working on several reports, and also Mr Jarzembowski, who I cannot miss out. He has led his group in this area of transport and has always been very cooperative, often rejecting my ideas, but telling me that he understood, and always with great elegance and a great sense of democracy.

At the very least this is what I will take home with me, in order to work on what must be good democracy: the democracy of respect for pluralism and for the pursuit of our common goals.

President. – Thank you, Mr Fernandes. Let us hope that the Portuguese electorate appreciates your leadership as we do and, indeed, that you may be re-elected to your seat.

Marian-Jean Marinescu (PPE-DE). – (RO) The allocation of slots is an issue directly linked to the insufficient capacity available at airports, especially large ones. The economic crisis and the relative decrease in traffic caused by this only serve to put off, in the short term, dealing with the real problem, namely, the difficulties created by saturating large airport hubs and the potential saturation of small airports.

It is our duty to find solutions to the problems which have occurred at the moment, but we must not lose sight of resolving the problems of the future either. Parliament has called on the European Commission to produce a coherent master plan for increasing airport capacity. A number of European airports have similar plans, but what is absolutely necessary is to coordinate them at European level as part of the single European sky initiative approved recently. I firmly believe that, as a result of setting up the European Observatory last November, this wish will come true in the near future. This plan is crucial for the sustainable development of the air transport sector, which is vital to the European economy.

The issue of slots is not only a European problem. Traffic at European airports does not only come from Europe. For this reason, a global solution needs to be found for the slots issue with the support of IATA, Eurocontrol and all the other agencies concerned in this area. This is why I believe that the recommendation made today to the Commission by Parliament to re-examine in the near future the impact of the crisis on air traffic and to review in this context Directive 95/93 is the most suitable method which we can propose at this time of uncertainty.

Without carrying out a thorough analysis, we risk damaging in an unacceptable way both the principle of competition, which is fundamental to the economy, and emerging airlines whose development still depends, unfortunately, on the 'use it or lose it' rule. The losers in this situation would primarily be passengers, something which must not happen.

Nina Škottová (PPE-DE). – (CS) Mr President, ladies and gentlemen, as we have already heard here, air transport is affected by various critical situations, including SARS and Mexican flu. At the same time, there has been a fall in passenger numbers. I would like to mention one of the factors that may be playing a part in the decrease in passenger numbers, and that is the quality and capacity of airport services, especially security checks. I have to say that they are not only undignified – for instance, taking off your shoes and walking barefoot through the security check – but also, in terms of hygiene, a liability and a health hazard. I would not be surprised if passenger numbers had declined because of fears about infection – fears which

the media are currently encouraging. So I would like the European Union to have better control over the hygiene of safety checks in airports, so that it can improve the well-being, safety and comfort of passengers. As this is the last time I shall take the floor before this House, I thank you all for your cooperation and wish you every success in the future.

President. – I also wish you happiness for the future, Mrs Škottová.

Miloslav Ransdorf (GUE/NGL). – (CS) I would like to say that the current situation is marked, above all, by the gap between steadily improving technological capabilities and security measures which are making life difficult for airport passengers and staff alike. I think it is in our interests, especially in the economic crisis now making itself felt throughout the world – and probably the autumn will bring another wave of this crisis, another attack of financial insecurity – that we should do everything we can to ensure that this sector overcomes its crisis and expands. It is my opinion that those who have resources and do not put them to use are destined to go into decline. I would like the European Union to avoid such a situation, and I would like us to be at the forefront of progress where the transport sector is concerned.

Antonio Tajani, Vice-President of the Commission. – (IT) Mr President, I would like to thank you and all those Members who took part in this debate regarding a temporary measure – and I would emphasise that temporary nature – in the field of air transport. Most importantly, I too would like to thank all those who are leaving Parliament for the work they have done.

(FR) I should also like to thank Mr Savary, who is no longer in the Chamber. I share his sentiment; I therefore hope to work with him again in the years to come, even if he is no longer an MEP.

(IT) I sincerely thank those Members who are leaving the House for the help they have given the Commission, for their intelligent comments and also for the criticism they have offered. Parliament should fulfil this role, and no one is more convinced of this than I am, because I believe that, without Parliament's strong input, the European institutions would be incomplete and unable to provide the best protection for citizens' interests.

For precisely that reason I would like to reassure Mr Jarzembowski, who asked me a question about the comitology procedure: the compromise, which has the Commission's full support, provides for the use of codecision procedure as regards possible renewal for the winter season. This is purely hypothetical, because, I would emphasise, the measure is a temporary one and applies for six months only. Nonetheless, any future proposal for renewal must always be preceded by an impact assessment, taking account of the effects on consumers and on competition. It will also form part of a general review of the slots regulation, to which I have made a commitment before the Council, at the request of the UK transport minister, as I have confirmed many times in this House.

It is, however, the crisis that prompts this urgent intervention. Indeed, data provided by the European Airport Association tells us that 80% of European airports have seen a reduction in traffic, in January, between 8% and 10% as regards passengers, and between 25% and 30% as regards freight. This is therefore a difficult situation. I, too, share the hope and wish expressed by certain Members that the current influenza will turn out to be less serious than it was initially believed to be. We cannot hide the fact, though, that the proposal to suspend flights from the entire European Union to a country or to areas where the epidemic first broke out was on the agenda at last week's meeting of the Council of Transport Ministers, as well as the Council of Health Ministers. There could be repercussions, therefore, but no decision was taken since the situation was not deemed serious enough. However, it is clear that there is debate in this sector; some crews have decided not to fly to areas with known cases of influenza, which has caused a further drop in air passenger numbers.

I believe that as regards passenger rights – since it is a subject highlighted by many influential Members – the main thing is to maintain connections and frequency for the benefit precisely of citizens, and then to overcome the crisis. The financial soundness and sustainability of our airlines are key parameters to safeguarding the advantages of the internal market, and thanks to the internal market passengers have access to a variety of connections, routes and prices unprecedented in Europe. I want passengers to be able to continue to enjoy this possibility of choice. As regards the regulations on supervision, we must strengthen the monitoring and application of Regulation 261. To this end, the Commission will publish – let me address this to Mr Rack – a communication on the application of the regulation in the second half of 2009. On the basis of this evaluation we will draw conclusions as to the future.

With regard to liquids, as you know, we have already published the formerly secret annex behind this, and thanks to the use of new and more effective technologies from the point of view of security, we hope to be able to review the situation before 2010. I was highly sceptical of the liquids affair when I was an MEP, I

remain so today and I am working precisely in order to reach that objective. As regards the concerns expressed by other Members over certain airports that could run into problems following this measure – I refer in particular to a European airport that forms part of one of the EU's priority projects, the Malpensa airport – I can offer some information concerning airlines other than Alitalia-Air France. Let me read you some statistics: at Malpensa airport, a German airline, Lufthansa, had 8 741 slots in 2008 and on 24 March 2009 had 19 520, an increase in capacity of more than 100%. Also at Malpensa, a low-cost airline, easyJet, had 15 534 slots in 2008 and on 24 March 2009 had 22 936, a significant rise representing a 47% increase in capacity. It is also well known that the new airline Lufthansa Italia has plans, as we can read on the airline's own website, thus in the public domain, to expand its network with new flights from Milan to Rome and to the cities of Naples and Bari as well as other European cities – Barcelona, Brussels, Bucharest, Budapest, Lisbon, Madrid and Paris. I can say then with absolute certainty that this measure will not cause any harm – and I say this as European Commissioner for Transport – to an airport and European hub like Malpensa, which is included in the Union's priority projects.

I would like to conclude by thanking Parliament again for this debate, confirming what I said in my earlier speech, in reply to Mr Jarzembowski, Mr Simpson and Mr Blokland, as regards the commitment I am making today as Commissioner for Transport – and I hope to be able to do so again as future Commissioner for Transport – concerning the codecision procedure for matters relating to the issue of slots. Some of the ideas put forward, such as those included by the rapporteur in his initial amendments, deserve to be properly studied in the context of the future review of the regulation on the allocation of slots and – I repeat – the Commission staff, whom I thank again for the valuable contribution they have made in these weeks of difficult work, are willing to do this and are indeed in the process of drafting the new text. At the same time, as stipulated in the amendment we are debating today, the Commission will watch carefully to see how the air sector crisis develops and will propose measures to address this as necessary and appropriate, attaching great importance to safeguarding passenger rights. I will do this not only in the field of air transport but also in maritime, rail and bus and coach transport. This is a commitment we have made: there are legislative measures being discussed. I hope that the next parliamentary term can bring these to a conclusion, as our primary objective nonetheless remains to meet the needs of the people who elect this Parliament and who, through the consensus of this Parliament, rely on the European Commission, the Community executive.

Mr President, may I also thank you, Mr Costa, and all those Members who have taken part in this debate, for their productive cooperation. The commitment I am making is to continue to work with Members of this House and with its Committee on Transport and Tourism to ensure that the democratic institution representing European citizens can play an increasingly influential role. I hope that with the Treaty of Lisbon the next Parliament will be able to make the voice of the European people heard more clearly.

Paolo Costa, rapporteur. – (IT) Mr President, ladies and gentlemen, I think we must simply stress three concepts. Firstly, on the issue in question, we came to a compromise, and a compromise must be respected. We know it is a compromise among institutions that keep their promises. It is a temporary measure and there will not be a second one: if there is a second measure it must be within the framework of an analysis and a more thorough proposal on slots.

Just two suggestions, which I hope may be of some use: the first is to follow closely the effects of this suspension since, clearly, it will lead to a reduction of slots and mean that some slots and therefore some lines will not be used. The choice of what to do and what not to do will be in the hands of individual companies. In future, I think it would be better to consider that, if we have to reduce this activity again, then there should be public control of that choice, rather than leaving it purely to the profitability criteria of individual businesses.

The final suggestion is that, regardless of the existence or otherwise of the crisis, the subject of slots must be addressed properly, for its own sake. Restoring slots to the concept of public goods that can be authorised for use but cannot become the property of companies is a fundamental issue, although it must be handled with great care so that it does not instead become an instrument that threatens the viability of many of the airlines that we all depend on. Thank you all again for your cooperation.

President. – The debate is closed.

The vote will take place today at 12 noon.

It is also my last debate as President in this parliamentary term and I should like to thank you all. This debate has felt somewhat strange on account of having to say goodbye and good luck to so many colleagues. Whatever happens, it is my belief that it will take a good deal of work and time before the new arrivals achieve the standard of those leaving us now.

Written statements (Rule 142)

Christine De Veyrac (PPE-DE), *in writing*. – (FR) I am delighted that an agreement has been reached on this text to allow a freeze on flight slots during the summer season.

We needed to act quickly and effectively in the face of the major crisis that is hitting the air transport sector.

It is already the third time that, following a significant reduction in air traffic, the Union has had to use this automatic slot-renewal mechanism.

As we have recently discovered, the rule on the obligation to fill 80% of slots, while necessary for the balance of the sector, is at times removed from the reality of the market.

Having empty planes take off makes no sense from an economic or an environmental perspective.

In future, we will be able to reflect on ways of relaxing this rule while taking the situation of airports into account.

Furthermore, I am pleased to note that the compromise negotiated between Parliament and the Council calls for a full impact assessment to be carried out if the freeze on slots is renewed.

The text on which we are voting is an emergency measure, but if the situation were to continue, we would have to consider the situation not only of airlines, but also of consumers and airports.

(The sitting was suspended at 11.23 a.m. pending voting time and resumed at 12 noon)

IN THE CHAIR: MR ONESTA

Vice-President

President. – We are about to begin a rather special vote, since, for all those who, like me, are due to leave Parliament, I think that this final moment spent together will be somewhat emotional. I am going to take advantage of the time left us by some of our fellow Members who have arrived late and are taking their seats to pay tribute to the services, which have ensured that our Tower of Babel has never come crashing down.

(Loud applause)

Thank you to Birgitte Stensballe and to all of her team; to the ushers, who make sure that the documents always arrive at the right place, at the right time; to the technicians; to the secretaries; and to the translators. Obviously, thank you to the interpreters, to whom I offer my humblest apologies. I know the stress I have caused you as President by running through items very quickly.

(Applause)

I know that you secretly hope that my record of 900 amendments voted on in one hour will never be beaten!

To conclude, I am going to let you in on a little secret, just while the last few Members take their seats. You perhaps wonder how we classify our amendments: is Amendment X, written in Latvian, closer to the original Portuguese text than Amendment Y, written in Slovenian? Who is responsible for this classification? Well, the answer is sitting next to me. It is this gentleman who has the formidable task of carrying out this semantic classification. Why entrust it to him? Quite simply because Paul Dunstan speaks 27 languages.

(Applause)

I believe that we can all be very proud of the quality and dedication of our staff.

Gary Titley (PSE). – Mr President, I rise under Rule 145 in order to make a personal statement.

Yesterday, during the debate with President Pöttering, Mr Farage – during a harangue he gave Parliament – accused me of calling him ‘reactionary’. I have to say to Parliament that this is entirely true – he is a reactionary!

(Laughter)

That is as nothing compared to the comments I have had from members of his party in e-mails. I have been described by members of UKIP as a ‘paedophile’ and a ‘big fat git’. Indeed, when I had a bomb in my office, UKIP members wrote to me, and Mr Farage put out a press release, basically saying that it was what I deserved.

Recently I have had UKIP e-mails telling me that the heir to the British throne is better known as 'Big Ears'. That tells you all you need to know about the UK Independence Party.

(Applause)

President. – Your personal statement is of course recorded, in accordance with our Rules of Procedure.

If you do not mind, ladies and gentlemen, we shall not re-open the debate.

I will give you 30 seconds, but I warn you that it will be 30 seconds only, as a gesture of goodwill, because these really are the last few moments of the parliamentary term.

Michael Henry Nattrass (IND/DEM). – Mr President, that was not a point of order and most of it was rubbish. UKIP people do not write that kind of stuff, and they do not waste their pens on the kind of person that says that kind of thing. That is absolutely outrageous.

President. – I would inform you that it was indeed a point of order, under Rule 145 on personal statements. Mr Titley's request to take the floor before our House was fully justified.

9. Voting time

President. – The next item is voting time.

(For details of the outcome of the votes: see Minutes)

9.1. Gender mainstreaming in EU external relations (A6-0225/2009, Libor Rouček)

- Before the vote

Libor Rouček, rapporteur. – Mr President, the EU and its Member States have committed themselves to pursuing gender equality and women's empowerment as one of the key priorities of the international agenda.

Yet, closer inspection reveals that the practical implementation of gender mainstreaming in the EU's external policies is still weak. For instance, only eight of the 27 Member States have adopted national action plans on the implementation of UN Security Council Resolution 1325.

Furthermore, women are still seriously underrepresented in high-level posts in the Commission and the Council. In fact, there is not a single female EU special representative at the moment. For this reason, the report stresses that the EU needs to fully implement its commitments in this field. For instance, the Commission should speed up its work on an EU action plan on gender equality. I am convinced that this is key to strengthening the gender dimension in EU foreign policy.

Let me conclude by saying that women's rights are part of the broader concept of human and civic rights. Without addressing gender equality and promoting women's rights in the EU's foreign policy, that policy cannot be effective.

(Applause)

9.2. Parliament's new role and responsibilities in implementing the Lisbon Treaty (A6-0145/2009, Jo Leinen)

- Before the vote

Jo Leinen, rapporteur. – *(DE)* Mr President, ladies and gentlemen, I would like to say just a few words in German. The fact that, to round off its work in this parliamentary term, this House has adopted five reports, all of which are connected with the Treaty of Lisbon, is an important signal for the European elections and for the time after that.

This House has always worked continuously and consistently for the Reform Treaty, even in times of difficulty and when many had doubts and even wanted to abandon the project. Yesterday, with the 'yes' in the Czech Senate, we took a huge step forward. Congratulations to the country that has the Presidency.

(Applause)

We may now be justifiably optimistic that this reform project will enter into force at the end of 2009 with a positive vote in Ireland.

The newly elected European Parliament will have many new powers and capabilities. This newly elected Chamber of Citizens in the European Union can fulfil the promise we have made to achieve a better EU with more democratic control and more transparency. I thank all my colleagues in the Committee on Constitutional Affairs, especially today's rapporteurs and the overwhelming majority of Members in this House who supported all the reports and made this progress possible. Thank you very much.

(Applause)

President. – Our fellow Member, Hans-Peter Martin, has asked to take the floor; it really must be for a point of order.

Hans-Peter Martin (NI). – (DE) Mr President, I have just one question. If the Irish say 'no' again, how often must they keep going to the polls? A third, fourth, fifth time? That is not democracy, it is a karaoke parliament.

President. – It was not a point of order, but I had the good grace not to make a martyr of you.

Proinsias De Rossa (PSE). – Mr President, I want to make a personal statement in relation to what Mr Martin just said. The Irish Parliament is not a 'karaoke parliament', and I object to it being described as such by that man.

(Applause)

9.3. Financial aspects of the Lisbon Treaty (A6-0183/2009, Catherine Guy-Quint)

- Before the vote

Catherine Guy-Quint, rapporteur. – (FR) Mr President, ladies and gentlemen, you are going to be disappointed. You are going to be disappointed by the brevity of my speech. Firstly, I should like us to make a technical correction to footnote 2 in paragraph 16; the last figure is '2021', not '2022'. It is a question of arithmetic.

I would also like to say a few political words in order, firstly, to thank all those who have supported me in the drafting of this report – it may seem extremely technical to you, but it is eminently political. It is very important that our Parliament vote in favour of this report, because it clarifies the future budgetary powers of Parliament as a budgetary authority.

Often, you vote on the budget as a management tool, when in fact it is the very essence of politics, and Parliament's role depends on its being implemented. That is what we wished to cover in this report; I hope that you will read it one day. May I say, however, that the new MEPs will have to grab hold of it and realise that making a European policy takes budgetary courage and that it is on this courage – which I hope they will all have and we will all have – that the future of the Union depends.

(Applause)

9.4. European Refugee Fund for the period 2008-2013 (amendment of Decision No 573/2007/EC) (A6-0280/2009, Bárbara Dührkop Dührkop)

9.5. Minimum standards for the reception of asylum seekers (recast) (A6-0285/2009, Antonio Masip Hidalgo)

9.6. Application for international protection lodged in one of the Member States by third-country nationals or stateless persons (recast) (A6-0284/2009, Jeanine Hennis-Plasschaert)

9.7. Establishment of 'Eurodac' for the comparison of fingerprints (recast) (A6-0283/2009, Nicolae Vlad Popa)

- Before the vote

Nicolae Vlad Popa, rapporteur. – Mr President, the Eurodac report is a recast and would make the system work more efficiently. Rapid data collection and transmission can shorten the period of granting, or not, human rights, and that is very important.

This is the last plenary session I shall be attending as an MEP. I want to thank you all and say optimistically: goodbye, *auf Wiedersehen, au revoir, arrivederci, hasta luego, la revedere!*

(Applause)

9.8. Establishment of a European Asylum Support Office (A6-0279/2009, Jean Lambert)

9.9. Bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations (A6-0270/2009, Tadeusz Zwiefka)

9.10. MEDIA Mundus: audiovisual cooperation programme with professionals from third countries (A6-0260/2009, Ruth Hieronymi)

9.11. Common rules for the allocation of slots at Community airports (A6-0274/2009, Paolo Costa)

9.12. Bilateral agreements between Member States and third countries on judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations (A6-0265/2009, Gérard Deprez)

9.13. Situation in the Republic of Moldova

- Before the vote

Hannes Swoboda (PSE). – (DE) Mr President, for technical reasons, we Social Democrats were unable to sign the joint resolution within the time allowed but signed it later. The entire Group is behind it. I also say that especially for our Romanian colleagues, with Mr Severin at the helm.

- Before the vote on paragraph 10

Marian-Jean Marinescu (PPE-DE). – Mr President, I want to propose the following oral amendment to paragraph 10: I wish to add the name of Mr Sergiu Mocanu. The text would read: '... politically-motivated arrests, such as those of Anatol Matasaru, Sergiu Mocanu and Gabriel Stati';.

(The oral amendment was not accepted)

9.14. Human rights in the world 2008 and the EU's policy on the matter (A6-0264/2009, Raimon Obiols i Germà)

- Before the vote

Hartmut Nassauer (PPE-DE). – (DE) Mr President, on behalf of the Group of the European People's Party (Christian Democrats) and European Democrats I would like to ask you, pursuant to Article 151(1) and (3), to reject Amendment 45a, tabled by the Group of the Alliance of Liberals and Democrats for Europe, as inadmissible insofar as it deals with the statement made by Pope Benedict for the following reasons. First, this statement was made in 2009, while the report deals with human rights violations that took place in

2008. This amendment does not therefore amend the text it is intended to amend. Second, this amendment compares the statements made by the Pope with human rights violations of the most serious kind, the use of the death penalty, human rights violations in China, and torture everywhere. This comparison shows a cynical disregard for the victims of human rights violations throughout the world.

(Applause)

Third, it is such an unbelievable aspersion, such an unbelievable discrimination against the Pope that the ALDE Group may well be identified with it, but under no circumstances should the European Parliament be.

(Loud applause)

President. – Ladies and gentlemen, I am going to give you the opinion of the legal service and of the President of the European Parliament, since he has of course been consulted in accordance with our Rules of Procedure.

Daniel Cohn-Bendit (Verts/ALE). – (FR) Mr President, I just wanted to say, on a legal note, to Mr Nassauer, that the Pope does not count the years, for he counts eternity.

President. – Please, please ... The legal service has checked this carefully, from a technical perspective, from the perspective of the elements mentioned, from a content perspective and from the perspective of the period under examination.

The legal service is of the opinion that the amendment is admissible, and this is also the opinion of the President of the European Parliament. It is therefore the opinion of Mr Pöttering only that shall prevail. Thus, I am sorry, Mr Nassauer, but the amendment is admissible.

- Before the vote on paragraph 25

Raimon Obiols i Germà, rapporteur. – (ES) Mr President, I wish to refer strictly to an update of information, because the text was condemning the imprisonment of a Sudanese leader who has been released.

(The oral amendment was accepted)

- Before the vote on Amendment 2

Alexander Graf Lambsdorff (ALDE). – (DE) Mr President, Mr Nassauer, the right to self-determination is a human right and that includes sexual self-determination. To that extent it was already topical in 2008 and what was said is particularly unfortunate.

I will read Amendment 2 aloud. On the one hand, it is about a correction of fact and, on the other, a somewhat more balanced formulation:

‘Underlines the importance of promoting sexual and reproductive health rights, as a precondition for any successful fight against HIV/AIDS, which causes enormous loss in terms of human lives and economic development, affecting particularly the poorest regions in the world; is concerned about declarations made by Pope Benedict XVI, which create the impression that condom use could even lead to an increased risk of contagion; is of the opinion that those statements will severely hamper the fight against HIV/AIDS’. The remainder of the amendment remains unchanged.

(Applause from the left)

Hartmut Nassauer (PPE-DE). – (DE) Mr President, the amendment is not as rude in tone as the prototype but the facts are unchanged. We therefore reject the oral amendment.

(The oral amendment was not accepted)

- After the vote on Amendment 16

Christopher Beazley (PPE-DE). – Mr President, forgive me for interrupting your chairing, but my understanding was that Amendment 16 was actually rejected, and yet you announced it was adopted. Could you just clarify the situation?

President. – Yes, please excuse me, it was a slip of the tongue. Indeed, the majority was against. It was worth having it checked, but the services had already rectified my mistake.

Thank you for your point.

9.15. Development of an EU criminal justice area (A6-0262/2009, Maria Grazia Pagano)

9.16. Institutional balance of the European Union (A6-0142/2009, Jean-Luc Dehaene)

- Before the vote

Jean-Luc Dehaene, rapporteur. – (NL) Mr President, first of all, I would like to make a technical remark. As I understood it, Amendment 1 was not intended to replace the text but, rather, be a complement to it. It was in that sense that I agreed to this amendment.

I would like to take this opportunity to thank the entire Commission for their very close cooperation and to point out how important it is that, under the Treaty of Lisbon, we have close interinstitutional cooperation from the very beginning. That is why I would also stress that, in the period of transition from Nice to Lisbon, we need to remain in close consultation with the European Council as well if we want to avoid beginning the next term in a state of absolute confusion.

President. – I can in fact confirm that Amendment 1 is tabled as an addition.

9.17. Relations between the European Parliament and national parliaments under the Treaty of Lisbon (A6-0133/2009, Elmar Brok)

9.18. Implementation of the citizens' initiative (A6-0043/2009, Sylvia-Yvonne Kaufmann)

- Before the vote

Daniel Cohn-Bendit (Verts/ALE). – (FR) Mr President, pursuant to Article 1 of the code of honour of the European Parliament, on behalf of my group I should like to thank you for the sittings you have chaired. You were one of the best – thank you.

(Loud applause)

President. – It is true that we are coming to the final vote – may I say a few personal words of thanks to you for your confidence and for the friendship you have shown me for so long. For the last time in this parliamentary term, and for the last time in my existence, I am therefore going to ask you to vote. We shall then go our separate ways.

I am convinced that, our political differences and our paths aside, we shall all remain true to Europe's ideals, but you should know that, from my perspective, to have had the good fortune to chair these debates, in this collegial atmosphere, for 10 years will forever remain a very great honour in my life.

(Loud applause)

9.19. Draft Commission Regulation on REACH, as regards Annex XVII

- After the vote

Joseph Daul (PPE-DE). – (FR) I too should like to thank you, and I would point out that Article 2 contains the mistake of no longer including you on the list. That is a real shame!

(Applause)

President. – Thank you.

10. Explanations of vote

Oral explanations of vote

- Report: Jo Leinen (A6-0145/2009)

Michl Ebner (PPE-DE). – (DE) Mr President, the new role of Parliament after the Treaty of Lisbon will be very important, and I hope that Parliament will seize the opportunities it is given to the best of its ability. As a member of an ethnic minority traditionally present in the European Union, I am particularly pleased that the rights of ethnic minorities are mentioned as individual rights for the first time in Article 2. I hope that group rights will follow as quickly as possible.

I am retiring voluntarily, of my own volition, but not without a feeling of nostalgia after five years as a Member of this Parliament and fifteen years as a Member of Parliament in Rome. As an Italian national, with German as my mother tongue, of Austrian Slovene descent, with a Tyrolean nature – a proper European – I have been particularly pleased that we are all reunited in this Chamber as minorities and that minorities have been given opportunities. Many have not yet really sensed that they belong to a minority, but I hope they will feel this more and more, including the States. I am grateful to this House for the understanding for minorities that has been forthcoming.

Laima Liucija Andrikiienė (PPE-DE). – (LT) I voted in favour of Mr Leinen's report and resolution for the following reasons. We are used to repeating that the European Parliament is the only European Union institution which is directly elected by the people. However, given that it is an institution elected by the people, in my opinion the European Parliament's powers have until now been insufficient.

Therefore, I think that what we have adopted today, that is, Parliament's new powers when applying the codecision procedure, new budget management powers, the new approval procedure, and new supervisory powers, is very important. I also think that the Treaty of Lisbon will strengthen the European Union's democratic legitimacy, especially when increasing Parliament's powers to apply the codecision procedure.

Daniel Hannan (NI). – Mr President, now I understand what the tactic is: it is simply to disregard the votes and implement the Lisbon Treaty as though the electorates of France, the Netherlands and Ireland had in fact voted 'yes'.

One by one, its most contentious articles and provisions are being brought in: the foreign minister and the foreign policy, the Charter of Fundamental Rights and the harmonisation of justice and home affairs. Then colleagues are going to turn around to the Irish electorate and say: 'It is too late to vote "no" now, because we have implemented the whole thing, so all you would be doing is annoying everybody and isolating yourselves when, in fact, the bulk of the Lisbon Treaty is already in force *de facto*, if not *de jure*.'

I do not know whether that is going to work. That is going to be up to the Irish electorate, but I would be rather disappointed if they gave in to pressure. It is, of course, for them to take their own decision, but these are, after all, people whose fathers saw off the might of the British Empire. If they now give in to the European Parliament, I think they would be diminished as a people.

Syed Kamall (PPE-DE). – Mr President, may I also add to the growing numbers of tributes that were paid to you earlier on. Thank you very much for your chairmanship and your patience whenever we have risen to speak.

I think it is very important that we recognise, when it comes to the Lisbon Treaty, that it has not been ratified yet, and we should not behave as if it has been ratified. We should not ignore the will of the voters who have not yet ratified it and those countries that have not yet ratified it.

Let us also remember the rules at the start of the game and let us not try to change the rules half-way through. At the start of the constitutional process the rules were that every country had to ratify or it fell. France and the Netherlands failed to ratify so the Constitution fell. Also with the Lisbon Treaty, the rules at the beginning were that every country has to ratify, otherwise it falls. Yet when the Irish people voted 'no' we decided to continue and to make them vote again.

If you really want the will of the people to follow this, then I suggest to the British Government that they meet their manifesto commitment and have a referendum on the Lisbon Treaty.

Gay Mitchell (PPE-DE). – Mr President, the Irish people will certainly be very foolish if they follow the sceptical wing of the British Conservative Party. I can assure Mr Hannan that the Irish people will not – and have never – followed the sceptical wing of the British Conservative Party.

Its agenda is not even in the best interests of Britain – it is in the best interests of the Conservative Party. It is a disgrace that a country that gave us Winston Churchill has sent these people to this Parliament to put their own narrow interests before the interests of the British people and the interests of Europe.

It is strange to see these British Conservatives bedfellows of the abstentionist Sinn Féin party, neither of whom have been in this House today or yesterday. They do not turn up to this House. They do not participate in the committees of the House. How they draw their salary and expenses, I do not know, but they told this House that to approve this and other reports was the worst thing to happen in this term, and then they do not even come here to vote. That is an absolute disgrace.

- Report: Antonio Masip Hidalgo (A6-0285/2009)

Robert Evans (PSE). – Mr President, after 15 years this will be my last speech in the European Parliament and I think there are few more important issues than the whole question of asylum and how European countries face this challenge.

There is no easy response to this issue either. If there was, some country would have found it by now. In reality, I would suggest that the only way to reduce the number of desperate people who seek refuge or asylum in a country other than their own is to address the root causes that force them to leave their homes and countries of origin. That is why it is so important that we in the EU, and in all developed democratic countries, offer advice, help and support – including financial support – to those countries that are affected by war, internal violence, lack of human rights or discrimination.

Equally, we have to address the poverty around the world which contributes to migratory pressures. We should never condemn people who are forced to seek asylum or refugee status. Instead, we should offer sympathy and offer our support. That is our challenge today.

- Report: Jean Lambert (A6-0279/2009)

Daniel Hannan (NI). – Mr President, the right to control your borders is a defining attribute of statehood and the bestowal of residence or nationality rights is a characteristic of nationality. When we transfer that from national to European level, we are treating the EU as a single jurisdiction with its own external borders and the other trappings of nationality. This has no mandate: nobody has voted for this creation of a European Asylum Office. But, of course, what we are doing is creating a new bureaucracy, which will now have a vested interest in the continuous harmonisation of policy at European level down the years, with or without any popular support.

I must just respond – on a different subject – to the words spoken and aimed at me by Gay Mitchell, the MEP for Dublin, a second ago. He threw Winston Churchill at me and said it was a disgrace for the party of Churchill to be sending to Strasbourg people like me.

Let me finish my speech by quoting Churchill himself on the subject. He said: ‘We have our own dream and our own task. We are with Europe but not of it. We are linked but not combined. We are interested and associated but not absorbed. And should European statesmen address us in the words that were used of old, “Shall I speak for thee to the King or the Captain of the Host?”, we should reply with the Shunamite woman “Nay, sir, for we dwell among our own people”.’

- Report: Ruth Hieronymi (A6-0260/2009)

Hannu Takkula (ALDE). – (FI) Mr President, very briefly I would like to say that I voted in favour of Mrs Hieronymi's report. I also wish to thank Mrs Hieronymi for having done such excellent work in the Committee on Culture and Education in the area of audiovisual issues. I know that she is to leave Parliament and that this was her last report for us in the European Parliament, at least for a while.

It is very important that the audiovisual component of the MEDIA Mundus programme is extended to make it accessible for third countries as well, including the African states. This is a way to broaden cooperation. This is also an excellent form of development cooperation and a way to encourage these countries to move towards a better life and better development. This is also a means whereby we can assume an ethical

responsibility, as is only right, for the African nations. Most of all, however, this speech of mine is a thank you to Mrs Hieronymi for her marvellous work.

- Report: Paolo Costa (A6-0274/2009)

Neena Gill (PSE). – Mr President, I rise in support of the Costa report. However, I am concerned, and I wanted to bring to the attention of this House how provisions like these are being used to stifle competition rather than protect airlines, the purpose of this legislation.

It is not unusual for airlines to hoard airport slots. Let me share an example with you: Birmingham airport in my constituency. We have seen the suspension of direct flights to Amritsar by Air India. This highly popular and profitable service was cancelled last October, forcing customers into unnecessary travel and inconvenience to go to other airports, the reason being that Air India did not want to lose its highly valuable Heathrow slots. It really takes your breath away that there are plenty of other airlines who would be filling to fill the slots but are unable to because Air India is holding onto them.

What I hope will happen as a result of this is that we will ensure that airlines do not hold on to slots unnecessarily. The Commission needs to be vigilant that this legislation is not misused. It is not just that I have a suspicious mind, but the chances are that the consumer will be left with precious few choices.

- Motion for a resolution B6-0261/2009 (Moldova)

Daniel Petru Funeriu (PPE-DE). – (RO) The situation in the Republic of Moldova is now clear. We have a Communist party which is behaving in exactly the same way as the Soviet-style Communist parties which enslaved half of Europe in the 20th century. We have an opposition inspired by democracy which is fighting for a Republic of Moldova attached to European values.

The resolution which we voted on today sends a powerful political signal to Chişinău, but this signal must be clearly backed up by specific actions from the Commission and the Council. I therefore call on the European Commission to actively cooperate with the democratic opposition in Chişinău to find effective ways of strengthening democratic awareness in the Republic of Moldova. The most effective way of doing this, in my view, is to lift the visa requirements for citizens from the Republic of Moldova within the Community.

I would like to clearly say to the Council that we must not be under any illusion. The key to democratisation in the Republic of Moldova still lies in Moscow. The European Union must take action to reduce this influence. In fact, history shows us that these actions must be vigorous. The citizens of Moldova are expecting from the European Union exactly what the citizens of Eastern Europe were expecting from the West before 1989.

Laima Liucija Andrikiienė (PPE-DE). – (LT) I voted for the resolution on the situation in Moldova, because on 5 April I was one of the international observers who monitored the parliamentary elections in that country. We all witnessed the unrest which occurred after the elections in Moldova, but one month on from the elections, I think that it is particularly important to emphasise once more that relations between the European Union and the Republic of Moldova must continue to be developed and that we want this as we strive for greater European stability, security and well-being, and as we strive for new dividing lines.

However, the European Union's cooperation with Moldova must go hand in hand with a genuine and clear obligation on the part of Moldova's governing institutions to strive for democracy and to honour human rights.

- Report: Raimon Obiols i Germà (A6-0264/2009)

Laima Liucija Andrikiienė (PPE-DE). – (LT) I am really delighted with the result of the vote on the resolution on the report about the global human rights situation in 2008. I am particularly pleased with the position demonstrated by Parliament when voting on the second amendment, which discussed Pope Benedict XVI.

I feel that the language, propositions and vocabulary used in that amendment are completely unacceptable and I would find it hard to imagine a situation where this Parliament could end its legislative term by adopting a statement which condemns Pope Benedict XVI for his statements and for the teachings of the Church.

I therefore congratulate Parliament on adopting this document, an important document on the global human rights situation last year, which underlines the most important problems – capital punishment, torture, brutal, inhumane behaviour, the situation of human rights defenders, the situation of women's and children's rights and many other matters.

Bernd Posselt (PPE-DE). – (DE) Mr President, I am very grateful to this House for rejecting the scandalous attack on the Pope by the Liberals. Even in the somewhat more carefully chosen words of Mr Graf Lambsdorff it would have been a scandalous statement. I have to say quite clearly that attempts are being made in this House to place the highest moral authority of the 21st century, which extends far beyond the billion Catholics and provides support for Europe and the entire world, on an equal footing with torturers, human rights abusers and dictators. These are unheard of matters in hand and will return to haunt the Liberal Group and also the German FDP Party.

Daniel Hannan (NI). – Mr President, whenever we discuss human rights we seem to be talking about a virtual EU: a European Union that exists only in Parliament resolutions, Commission press releases and Council communiqués. It is that wonderful, peaceful, human rights EU that spreads its values not through daisy-cutter bombs but rather through trade accords and partnership agreements.

However, I feel it is incumbent on somebody to stand back and ask where this European Union is in the real world. In the real world, Brussels is seeking to sell arms to the Communist regime in Beijing and isolating Taiwan, it is cosyng up to the Ayatollahs in Tehran, it is refusing to do business with the anti-Castro dissidents in Cuba and it is trying to funnel cash to Hamas. It is running protectorates – or satrapies as they were in Ottoman days – in Bosnia and in Kosovo, and within its own borders it is disregarding the will of the people in referendums.

Perhaps when we respect that basic right of being able to change your government through the ballot box and change public policy through your vote within the European Union, then we will have earned the moral authority to lecture others.

- Report: Maria Grazia Pagano (A6-0262/2009)

Syed Kamall (PPE-DE). – Mr President, one of the issues that concerns a number of my constituents in London is the massive erosion of civil liberties that we have seen in Britain under the Labour Government since 1997. What concerns them even more is when I tell them about the massive erosion of civil liberties arising at the EU level. We have seen a number of treaties, such as the Prüm Treaty, that have caused great concern. Fortunately, a recent ruling by the ECJ forced the British Government to hand back the data and profiles of people who were proven innocent, when the Government wanted to keep hold of them.

However, the decision by the British Government to only remove the profiles of innocent people after at least six years shows that it has scant regard for our freedoms. The decision highlights that in Britain 'innocent until proven guilty' is treated as a dismissible sound bite, rather than as a fundamental precept of our society. It is bad enough that British police forces have access to this large amount of data and personal information, but other European governments will be able to access it too.

The Prüm Treaty was forced into European law without proper democratic scrutiny. It was thought that over 3.5 million people could now have their personal information flung around the EU. This will fill few people with confidence.

- Reports: Jean-Luc Dehaene (A6-0142/2009) and Elmar Brok (A6-0133/2009)

Christopher Heaton-Harris (PPE-DE). – Mr President, I know this place has little concept of what the people of Europe actually want. It much prefers to tell them how we feel what they should want. I am being unkind; I guess Members in this place do understand what our electors want and how they feel about Europe. However, many of us in this place simply do not care.

They do not care about listening to minorities in this place who believe that the EU is heading in the wrong direction, and they certainly do not care to take on board the votes across the EU that go against them in referenda. They do not care if they get their way by governments – like the one in the UK – lying to their electorate, getting a false mandate, promising a referendum on these matters and then reneging on that promise. What people do care about here is time. Why? Why the big rush to get the Lisbon Treaty ratified across the 27 Member States? The answer is very simple: to deny the British people a say on this matter.

I leave this place today, hopefully to go back to my Member State Parliament, the House of Commons, to represent people in Woodford Halse, Daventry, Long Buckby, Guilsborough, Brixworth, Earls Barton and elsewhere across the constituency known as Daventry. They are people who have had enough of being ignored by the current UK Government, by people in this place and by the European Commission. Should I get to the House of Commons, I will not rest until my constituents have their say on this Treaty. Fortunately,

I am led to believe that that vote in the UK will come quite quickly. So rush through what you like here. The people of Britain will get their say.

- Report: Elmar Brok (A6-0133/2009)

Glyn Ford (PSE). – Mr President, I would like to make an explanation of vote on the Brok report: firstly, as a tribute to the work that Mr Brok has done in this institution; secondly, to show my support for the ratification of the Lisbon Treaty, but, more importantly, to urge my Government, when the Lisbon Treaty is ratified and when we have an extra seat coming to the United Kingdom, to allocate that seat to the people of Gibraltar.

I am proud to have represented Gibraltar for the past five years in this Parliament and I am happy to continue. But I honestly have to say that it is difficult for the seven Members who have been elected to represent Gibraltar to do full justice over the range of issues that come to us: human rights, whistle-blowing, pensions, cross-border pollution and, of course, bilateral relations with Spain.

Some people argue that the numbers do not work. It will be giving up too much to give Gibraltar a seat. Well, for many years in this institution Denmark gave a seat to Greenland. Greenland has around twice the population of Gibraltar. Denmark gave 8% of its seats to 50 000 people. I am asking the British Government to give less than 1.5% of its seats to the 26 000 people in Gibraltar.

Daniel Hannan (NI). – Mr President, in 10 years in this Chamber I have listened to an awful lot of humbug, but I do not think I have ever heard such unadulterated piffle as I heard in the debate on this report yesterday from Paleo-federalists such as Mr Brok and Mr Corbett, canting about the sovereignty of national parliaments as though they cared about it.

The sovereignty of a parliament is shorthand for the sovereignty of the people. It is not there to guarantee the privileges of national parliamentarians. When we elect a parliament we entrust it with the safeguarding of our liberties for a temporary and contingent period. National parliamentarians have no right to make permanent derogations to those freedoms without going back and asking for an explicit mandate from the people.

We have 646 Members of Parliament in the United Kingdom. 638 of them were elected on the basis of an explicit promise that they would put the European Constitution to a referendum before they ratified it. When we hear all this stuff about how the European Constitution is now legal because all these parliamentarians have gone ahead with it, that does not invalidate the case for a referendum: it invalidates the case for representative democracy as it is.

If you want to restore honour and meaning and purpose to our existing systems of representative government, we should trust the people and give them their referendum – as we promised. *Pactio Olisipiensis censenda est!*

Written explanations of vote

- Report: Libor Rouček (A6-0225/2009)

Edite Estrela (PSE), in writing. – (PT) I voted for the report on gender mainstreaming in EU external relations. Greater integration of women in politics, particularly in external relations and diplomacy, is essential to the successful implementation of the EU's external policies, including in the areas of aid, development, enlargement, neighbourhood policy, conflict resolution, security and peace-building, and international trade.

Despite a number of policy documents adopted at EU level on gender equality and women's rights, the practical commitment to this issue is still weak and the budgetary resources earmarked specifically for gender issues are insufficient. It is important to underline that gender mainstreaming requires not only high-level policy statements but also the political will of the leadership of the EU and Member States.

Charles Tannock (PPE-DE), in writing. – British Conservative MEPs fully support a policy of equal opportunity and non-discrimination of women in all areas of public and commercial life. However, this document is over-prescriptive in its approach and tries to micromanage all areas of external action including setting up an EU Institute of Gender Equality without recognising the strides made by all EU institutions to make every opportunity available to female staff. The report talks of benchmarks and objectives highly suggestive of quotas in all but name, and advocates deploying women on ESDP missions without clarifying their combatant status. Therefore, British Conservatives abstained on this report.

- Report: Jo Leinen (A6-0145/2009)

Jan Andersson, Göran Färm, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) Parliament voted today on a report on its new role and responsibilities in implementing the Treaty of Lisbon. The report gathers opinions from different committees concerning the changes that the Treaty of Lisbon will entail. The report welcomes the fact that Parliament will have more influence on the EU's legislative work.

We have chosen to vote in favour of this report because the European Parliament needs to prepare itself to be able to implement the changes that will occur in connection with its work if the Treaty of Lisbon enters into force. However, our votes should not in any way be seen as us pre-empting the individual Member States' ratification processes. We fully respect each Member State's right to decide for itself whether to ratify the Treaty of Lisbon.

Martin Callanan (PPE-DE), in writing. – The European Parliament has no role or responsibility to implement the Lisbon Treaty. Why not? Because the treaty has not come into force: indeed, it was rejected comprehensively by Irish voters last year. Therefore, to talk about the European Parliament's new role and responsibilities in implementing the Lisbon treaty is breathtakingly arrogant and symptomatic of the institutional imperviousness to democratic opinion that characterises the EU.

I hope that when Irish voters go to the polls later this year they will reject the Lisbon Treaty again. The leader of my party, the Conservative Party, David Cameron, is committed to holding a national referendum on the Lisbon Treaty if it has not already entered into force. I would therefore hope that the people of Britain could have the chance to drive the final nail into the coffin of this wretched treaty. British Conservatives believe in a very different vision of the EU to the one represented by the Lisbon Treaty, and we are rightly forming a new political group in the European Parliament to champion our vision.

Edite Estrela (PSE), in writing. – (PT) I voted for Mr Leinen's report. This report presents a detailed analysis of the new powers of the European Parliament in light of the Treaty of Lisbon, particularly the new codecision powers, new budgetary powers, new consent procedure, new powers of scrutiny, new rights to be informed and new rights of citizens.

The end result is that the European Parliament will reinforce its powers, particularly on codecision, and increase its ability to influence decision-making, thus enhancing the democratic legitimacy of the European Union.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) This resolution forms part of a package of five resolutions, adopted today by Parliament, which shows the clearest possible contempt for the democratically and sovereignly expressed will of the French, Dutch and Irish peoples, who rejected the European Constitution and the so-called Treaty of Lisbon. It also forms part of the anti-democratic process and campaign aiming to impose this unacceptable draft Treaty.

With total disregard for the democratic will expressed by these peoples and for the provisions enshrined in the Treaties themselves – which the combined forces of the right and social democrats adopted – they are forcing the Irish people to vote in a new referendum (at the same time as preventing other people from being consulted in this way). They are also increasing the pressure and interference in order to force acceptance of this Treaty, which will increase the federalism, neoliberalism and militarism of the EU.

Such is our hypocritical and cynical European democracy. The same people who, ignoring what has been said (like the Portuguese Socialist Party and the Portuguese Social Democratic Party), have denied their peoples a debate and popular consultation by means of a referendum on the proposed Treaty of Lisbon, and who only respect the popular will when it is in line with their own, are now asking the people in each EU Member State to place their trust in them and vote for them in the imminent elections to the European Parliament ...

It is simply barefaced cheek ...

Nils Lundgren (IND/DEM), in writing. – (SV) The Treaty of Lisbon, which is 96 per cent identical to the draft Constitutional Treaty, was rejected in the referendum in Ireland. Prior to that, the draft Constitutional Treaty was rejected in referendums in France and the Netherlands.

The majority in this Parliament refuses to acknowledge its political losses. This is an outrageous crime against democratic principles and an equally outrageous example of the arrogance of power that characterises cooperation in the EU.

Mr Leinen's report on the new roles of the European Parliament includes steps towards a United States of Europe – as implied by the Treaty of Lisbon – and also proposes that the EU now moves into the area of education as well, including sport and so on.

It would have been desirable if the report had instead dealt with the problem of this Parliament's lack of democratic legitimacy. We are once again heading for an election in which voter turnout is predicted to be very low. The electorate in the Member States still feels little involvement with the super-centralist European Parliament. For as long as the political debates of representative democracy are focused on the elections to the national parliaments, it should be the national parliaments that are the highest decision-making bodies within the Union – not the European Parliament.

I have voted against the draft report.

- Report: Catherine Guy-Quint (A6-0183/2009)

Martin Callanan (PPE-DE), in writing. – Why are we even talking about the Lisbon Treaty when it has yet to come into effect? Why are we effectively ignoring the democratic will of the Irish people, who voted to reject the treaty a year ago? The reason, of course, is that the EU cares very little for democratic opinion and is determined to move rapidly towards ever-closer union despite a lack of popular legitimacy. Irish voters will have to vote yet again on this treaty because the EU simply does not take no for an answer.

The chasm between the EU and its citizens is growing all the time. Referring to the Lisbon Treaty as though it were a fact of life merely serves to reinforce this democratic deficit. For this reason, and many others, I am pleased that British Conservatives will be part of a new political group in the next parliament, dedicated to reforming the EU and challenging the prevailing orthodoxy of ever-closer union which has proved so unpopular and caused so much damage in my region of North-East England.

Charlotte Cederschiöld, Christofer Fjellner, Gunnar Hökmark and Anna Ibrisagic (PPE-DE), in writing. – (SV) We have voted in favour of the report on the financial aspects of the Treaty of Lisbon, which deals with the form the budget procedure will take if the Treaty of Lisbon enters into force.

We do not support the parts of the report that deal with the EU having its own resources through power of taxation. We also oppose the establishment of flexibility mechanisms.

Nils Lundgren (IND/DEM), in writing. – (SV) The Treaty of Lisbon, which is 96 per cent identical to the draft Constitutional Treaty, was rejected in the referendum in Ireland. Prior to that, the draft Constitutional Treaty was rejected in referendums in France and the Netherlands.

The majority in this Parliament refuses to acknowledge its political losses. This is an outrageous crime against democratic principles and an equally outrageous example of the arrogance of power that characterises cooperation in the EU.

I do not believe that the European Parliament should have greater influence on the EU budget. During my time in Parliament I have noted time after time how the federalist majority wishes to liberally hand out grants for everything from cultural projects to structural support and increased EU bureaucracy. According to the majority in the European Parliament, all the different interest groups within regional politics, the fisheries sector and agriculture must get a share of the EU's pie. In some cases the expenditure is nothing but a PR stunt. This liberal expenditure policy is being conducted by the EU at a time of financial crisis when Member States are having to cut their expenditure on health care, schools and welfare.

Most importantly, it is fortunate that the European Parliament has not so far had too great an influence on the EU's agricultural policy. If it had, the EU would end up mired in protectionism and heavy subsidies to all the various groups within the agricultural sector.

I have voted against the report.

- Report: Bárbara Dührkop Dührkop (A6-0280/2009)

Philip Bradbourn (PPE-DE), in writing. – UK Conservatives have voted against the asylum package as, while we believe in cooperation in this area, we do not believe in a communitarised approach to asylum and immigration policy. We believe that the protection of national borders for us remains a key element of public policy at national level.

- Report: Antonio Masip Hidalgo (A6-0285/2009)

Carl Lang and Fernand Le Rachinel (NI), *in writing*. – (FR) A fortnight ago the European Parliament adopted a report on a common immigration policy for Europe, thus paving the way for what had already been planned by the European Commission: mass immigration. Today it is the turn of asylum seekers; the idea is to establish a 'Europe of asylum'.

Indeed, the clearly stated objective is to ensure higher standards of treatment for asylum seekers with regard to their reception conditions. That means not only standardising minimum reception conditions among all the Member States but also providing support for asylum seekers to settle in huge numbers.

To this end, the scope of this future directive will be extended to all persons legally or illegally entering European Union territory. The administrative restrictions that exist in the Member States with regard to labour market access will have to be completely abolished. Social, medical, psychological and housing assistance, as well as legal assistance, will have to be provided by the hosting Member State. Refusal of such assistance will be subject to legal appeals and investigations...that is often not the case for nationals themselves ...

By adopting this second phase of the 'asylum package', Brussels is facilitating and encouraging global immigration to Europe.

We shall always oppose this internationalist vision, the sole aim of which is purely and simply to destroy the peoples and nations of Europe.

Martine Roure (PSE), *in writing*. – (FR) For the last vote of this parliamentary term we are being asked to give our verdict on the asylum package. This marks the end of a process carried out throughout this term of office. While some progress has been made, the differences among the Member States unfortunately still exist with regard to the recognition of the status of refugees. Evidence of this is the limits that can be seen in the directive on the reception conditions of asylum seekers. Again, it is the Member States that are on the front line, to the detriment of the European unity that we require in this area. I hope that, during the next parliamentary term, at second reading, we shall be able to reverse this state of affairs in order to create a real European asylum law guaranteeing real protection for these particularly vulnerable men and women.

- Report: Jeanine Hennis-Plasschaert (A6-0284/2009)

Charlotte Cederschiöld, Christofer Fjellner, Gunnar Hökmark and Anna Ibrisagic (PPE-DE), *in writing*. – (SV) We Conservatives have today voted in favour of Mrs Hennis-Plasschaert's report A6-0284/2009 on criteria and mechanisms for determining the Member State responsible for applications for international protection lodged by third-country nationals or stateless persons.

We are aware of and understand that the large influx of people by boat via the Mediterranean puts some of the smaller countries on the southern maritime border of the EU in a difficult situation, and agree that something must be done to resolve the situation.

It is important that the so-called suspension mechanism is not formulated such that there is a risk of removing the incentive for Member States to improve the standard of the asylum and reception process, which would be contrary to the fundamental idea behind the joint regulation.

- Reports: Antonio Masip Hidalgo (A6-0285/2009) and Jeanine Hennis-Plasschaert (A6-0284/2009)

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), *in writing*. – (SV) We Social Democrats welcome any initiative that improves the situation of asylum seekers and people with no documents. We advocate a generous common asylum and immigration policy centred on people's needs in accordance with the commitments made by the Member States in the Geneva Convention. Although the 'asylum package' involves some good steps being taken, we have decided to vote against the reports by Mrs Hennis-Plasschaert and Mr Masip Hidalgo.

We Social Democrats object to the policy on asylum and immigration that is being conducted by the right-leaning majority in the European Parliament. In particular, we distance ourselves from the matter of oral information not having to be given in a language they understand, of detention not having to take place within the framework of the Geneva Convention, of medical examination in order to establish age and the matter of free legal assistance. We also consider it regrettable that the right does not wish to give asylum seekers the right to enter the labour market within six months.

- Report: Jean Lambert (A6-0279/2009)

Martin Callanan (PPE-DE), in writing. – The establishment of this office is yet another step towards a common EU asylum and immigration policy, which is a policy I totally reject. I believe that the issue of whom to allow into the United Kingdom should be the responsibility of elected parliamentarians and accountable ministers in the United Kingdom, not the responsibility of the EU.

Handing the EU control of asylum and immigration policy would be deeply inimical to our national interest and would potentially expose us to greater risks from terrorism and organised crime.

The progress towards a common asylum and immigration policy is another sign of the EU's determination to create a single political entity with uniform rules for everyone. That's not the vision that British Conservatives have for the EU, and we will be promoting a very different vision of the EU when we form a new political grouping in the next parliament.

Bruno Gollnisch (NI), in writing. – (FR) All the asylum-related reports voted on today offer a lax and extensive interpretation of the right to asylum that is ultimately detrimental to those who are in genuine need of international protection, in order to save their lives, their physical integrity and their freedom.

The new social, financial, family and other rights that you wish to force the Member States to grant to asylum seekers will act as a magnet for all would-be economic immigrants, will further overwhelm the services in charge of these problems, and will further slow down the examination of case files. All this, because you repeatedly refuse to take into account the abuses and the violations of procedures, and because you persist in confusing the rights and the status that recognised refugees could have with that which you wish to grant to ordinary asylum seekers.

Most unacceptable of all, though, is the Lambert report, which creates a European 'support' office that will be able to distribute asylum seekers among the Member States as it pleases.

We are not against intergovernmental cooperation in these areas, where respect is shown for the sovereign right of the Member States to decide who may enter their territory, and under which conditions, but we are against your policies.

- Report: Tadeusz Zwiefka (A6-0270/2009)

Edite Estrela (PSE), in writing. – (PT) I voted for the Zwiefka report as I believe it is very important to establish a procedure allowing Member States to negotiate international agreements on matters falling within the exclusive competence of the Community, in cases in which the Community has decided not to exercise its competence.

In other words, at the moment Portugal is prevented from concluding international agreements to speed up judicial cooperation, including on issues relating to divorce and annulment of marriages, as the Community is considered to have partially acquired exclusive competence over these areas. This proposal allows the Commission to authorise the conclusion of such agreements, provided that the Community itself does not intend to conclude or has not concluded an agreement on the same subject with a third country. I feel that it is very important that this regulation be negotiated as quickly as possible, as it is in the interests not only of Portuguese citizens but also of all citizens in the rest of Europe.

- Report: Ruth Hieronymi (A6-0260/2009)

Marie-Hélène Descamps (PPE-DE), in writing. – (FR) The relationships that have developed between the audiovisual industries of the EU Member States and those of third countries must continue and must be strengthened in the interest not only of professionals but also of consumers. The audiovisual cooperation programme MEDIA Mundus, as adopted today by the European Parliament, and which I support, comes under this objective.

Indeed, it provides an appropriate framework with which to improve the competitiveness and transnational distribution of audiovisual works worldwide. Initiated as it was by the European Parliament, this programme should also help to promote cultural diversity while giving real added value to the actions already carried out in this area by the Union and the Member States.

Thanks to the efforts made by our rapporteur to reach an agreement at first reading, new commercial opportunities should soon arise and should offer audiovisual professionals the prospect of forging long-term working relationships with their third-country counterparts.

- Report: Paolo Costa (A6-0274/2009)

Jim Higgins (PPE-DE), *in writing*. – I voted against the Costa report on airport slots, in order to highlight the complete lack of consultation with airport authorities, the lack of debate with MEPs and the rushed nature of the legislation. This measure will only exacerbate problems in the aviation sector.

- Report: Gérard Deprez (A6-0265/2009)

Edite Estrela (PSE), *in writing*. – (PT) I voted for the Deprez report. This regulation establishes a procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries. I believe that it is very important to establish a procedure allowing Member States to negotiate international agreements in cases in which the Community has decided not to exercise its competence.

As an example, at the moment Portugal is prevented from concluding international agreements to speed up judicial cooperation, including on issues relating to parental responsibility, maintenance obligations and divorce, as the Community is considered to have partially acquired exclusive competence over these areas. This proposal allows the Commission to authorise the conclusion of such agreements.

Given the close ties that Portugal has with certain countries, particularly the Community of Portuguese Language Countries, and the high number of Portuguese migrants in various countries, it is very important, in terms of family law, that Portugal be able to speed up recognition of the rights of Portuguese citizens in these countries by concluding or revising bilateral agreements. Although I have cited the example of Portugal, I feel it is equally important for all EU citizens that this regulation be negotiated as quickly as possible.

- Reports: Tadeusz Zwiefka (A6-0270/2009) and Gérard Deprez (A6-0265/2009)

Nils Lundgren (IND/DEM), *in writing*. – (SV) The European Court of Justice has established that the Community has exclusive power to enter into international agreements with third countries in certain areas. Under the same provisions, individual Member States that have previously entered into bilateral agreements with a third country, or that wish to do so in the future, are prevented from doing so because it is not deemed compatible with the EC Treaty. In exceptional cases, however, the EU may authorise the Member State to enter into bilateral agreements: if the Community has no interest in agreements with the third country, if the individual Member State has a particular interest in the agreement and the agreement does not negatively impact Community law.

The June List is in favour of the realisation of the internal market and supports the work on seeking solutions at EU level to the environmental challenges facing Europe. In these areas we accept a certain degree of supranationalism. However, we are opposed to the supranational legislative measures above. Of course individual Member States must be able to enter into bilateral legal agreements with third countries if they judge such agreements to be better for them than those that exist at EU level! While it is undoubtedly good that a small possibility of self-determination is now being proposed through the introduction of a negotiating procedure, it is nonetheless small comfort and does not change the clear – even if not explicitly expressed – aim of creating an EU state.

I have therefore voted against the report.

- Motion for a resolution B6-0261/2009 (Moldova)

Erik Meijer (GUE/NGL), *in writing*. – (NL) As regards the recent protests against the results of the Moldovan elections, my group has submitted a separate resolution which diverges from the compromise reached by the four groups. There is no difference between the two resolutions in relation to our calls for free and fair elections, but they do differ in their assessments of the government and the majority party in Moldova.

My group has followed the reasoning that the protests have been organised by non-democratic forces which seek to challenge the repeat vote for the Communist party cast by one half of the electorate. In addition, it has been assumed that the protests have been organised by Moldova's neighbour, Romania, which wants to annex Moldova. In the light of this, the majority of my group will be voting against the joint resolution. However, I, personally, will be voting in favour of it.

There are many Moldovans who have applied for Romanian nationality. Our political contacts with the party currently in office in Moldova must not prevent us from respecting the desire of a large section of the Moldovan population for annexation to Romania. That desire has been stimulated by the fact that public opinion in a number of Member States does not support further enlargement. Annexation to Romania would, then, be the only way that Moldovans could enter the EU.

Czesław Adam Siekierski (PPE-DE), in writing. – (PL) Moldova is experiencing great political and economic difficulties. The dramatic events of 5, 7 and 8 April on the streets of Chişinău after the elections show that society, and especially young people, wants change and speedy unification with the European Union. The communists are blocking essential reforms and are negotiating with Russia, even though officially they support rapprochement with European structures.

We should help Moldova on this road. Greater engagement of the EU will give the government and people of Moldova greater certainty that the EU and the possibility of membership are real.

The government must introduce fundamental reforms to allow normal political and economic development, reforms which will lead to a market economy, democratisation of civil life and observance of citizens' rights.

Silvia-Adriana Țicău (PSE), in writing. – (RO) I voted in favour of the European Parliament resolution on the situation in the Republic of Moldova. I think that it is extremely important that all the political groups gave their attention and proper support to this subject.

As a member of the Socialist Group in the European Parliament, I support the fact that the European Union continues to give the Republic of Moldova all the support it requires to enable it to fulfil its European destiny, in line with the aspirations of its people. It is important for the Republic of Moldova to develop economically and offer its citizens the best possible living conditions and the chance to fulfil their potential. I believe that Romania, as a European Union Member State neighbouring the Republic of Moldova, must contribute, under the terms and on the basis of an agreement promoting cooperation, good neighbourliness and mutual respect, to the economic and social development of this country.

- Report: Raimon Obiols i Germà (A6-0264/2009)

Martin Callanan (PPE-DE), in writing. – One of the positive aspects of the EU is the way in which it seeks to spread values of democracy, human rights and good governance throughout the world by way of its relationships with third countries. It is, however, deeply ironic that the EU places so much emphasis on democracy elsewhere while ignoring democracy within the EU itself, as can be seen by the reaction to Ireland's rejection of the Lisbon Treaty.

I wish to draw attention to two parts of the world: firstly, Central Asia. Although I recognise the strategic importance of this region to the EU, I believe that continued engagement on the EU's part must be matched by advances in human rights and democratisation in Central Asia.

Secondly, I would like to contrast the human rights situation in the authoritarian Communist dictatorship of China with the vigorous and free democracy of Taiwan. Taiwan enjoys an exceptionally high standard of human rights in east Asia and can serve as an example to China of what societies can achieve when they take the bold decision to become truly free.

Avril Doyle (PPE-DE), in writing. – This report on the Annual Report on Human Rights 2008 evaluates the state of human rights actions around the world and calls for improvements in some key areas.

Regarding Amendment 2, while I disagree strongly with Pope Benedict's quoted stance on the prophylactic use of condoms to prevent the spread of HIV/AIDS, I could not support this amendment because of the gratuitous and inaccurate drafting.

Edite Estrela (PSE), in writing. – (PT) I voted for the Annual Report on Human Rights in the World 2008. This report essentially has two objectives. Firstly, it is intended to supply a documentary reference basis making possible awareness, discussion and evaluation of the year's actions, with the aim of improvement, correction and expansion in respect of future operations. Secondly, it is intended to inform the widest possible audience of the EU's actions to promote human rights worldwide.

I believe it is very important to have a debate aimed at setting priorities, identifying issues which require action at EU level, and maintaining, with periodic evaluation, a list of situations calling for especial vigilance.

This report also includes the issue of women's rights and shows that there is a gap which must be filled in the development of the EU's specific actions and policies in favour of women's human rights.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) You only have to look at the contents of the resolution on the situation in Palestine to see the extent to which it is an unacceptable exercise in hypocrisy and cynicism by a majority in Parliament with regard to human rights (in the world).

The resolution does not have a single word of condemnation for Israel's cruel aggression towards the Palestinian people, which nothing can justify. The resolution whitewashes the savagery inflicted on the Palestinian population in the Gaza Strip – which the resolution of the UN Human Rights Council denounced and condemned – and does not have a single word of solidarity for the Palestinian people, who are victims of the most brutal violations of human rights, perpetrated by the Israeli Army and by the terrorism of the Israeli state.

The aspects of the resolution with which we may agree cannot override the fact that this annual initiative by the EP is essentially nothing more than a perfidious exercise in the manipulation of human rights and their unacceptable use as a weapon of interference by the EU's major powers (and their large economic and financial groups) against people who are asserting their sovereignty and rights.

Once again we say: you can count on us to defend human rights, but do not count on us for exercises in hypocrisy.

Filip Kaczmarek (PPE-DE), in writing. – (PL) I voted for adoption of the Obiols i Germà report on Human Rights in the World 2008 and the European Union's policy on the matter. I voted in favour because the scandalous amendment attacking Pope Benedict XVI had been rejected. If the Pope were to be considered a threat to human rights it would mean that the world would be standing on its head. I do not understand the authors of that amendment.

There are, unfortunately, a great many cases of the violation of human rights in the world. These demand our engagement, condemnation and action. The Catholic Church and many other confessions are our allies in the fight to ensure respect for human dignity. Attacking the Pope is only evidence of pre-election cynicism and harmful radicalism. It is a pity that at the end of this term some MEPs have become entangled in such an embarrassing affair.

Nils Lundgren (IND/DEM), in writing. – (SV) An independent foreign policy is essential for maintaining national sovereignty. Each Member State's foreign relations must be subject to democratic control. The EU must not conduct a common foreign policy because such a development risks taking away from people their opportunity to hold their elected politicians accountable for their actions in their relations with foreign countries.

The present report contains a number of important statements supporting specific aspects of human rights. Naturally I have voted in favour of these. However, the report as a whole is a means of promoting the EU's positions on foreign policy.

I have therefore voted against it in the final vote.

Søren Bo Søndergaard (GUE/NGL), in writing. – (DA) I recognise the importance of the resolution's aim of improving the human rights situation in a number of vulnerable countries. I share its ambition to abolish the use of the death penalty and improve the working situation of human rights campaigners and NGOs. At the same time, I agree that requirements must be set of human rights in the countries with which the EU cooperates.

Nonetheless, I cannot vote in favour of the resolution because I strongly oppose the mention of delayed ratification of the Treaty of Lisbon, which is an insult to the Irish population's rejection of the Treaty. Moreover, I am opposed to the aim of having joint structures and personnel for creating actual EU embassies. I believe that the EU does not have competence in this area; nor should it have.

Charles Tannock (PPE-DE), in writing. – I take issue with amendment 2, which criticized the Roman Catholic Church and its leader Pope Benedict for his views on the use of condoms, but wisely the House rejected this amendment. There is little evidence that promoting the use of condoms actually prevents the transmission of AIDS.

Pope Benedict is entitled to his views as his own human right, whether or not others agree with them. I wonder whether this report would have dared to criticize a leader of another major world religion in the same hostile way. It is the role of the Roman Catholic Church to lead the faithful, not to be led. We should accord more respect to a Church and a religion on which the values of our Union are founded.

British Conservative MEPs support high standards of human rights in the world, but overall abstained on the report in the final vote as it included issues like 'Reproductive Rights' – which effectively mean abortion – and the death sentence, which are individual conscience matters, as well as advocating policy areas like the ICC, and the Lisbon Treaty, which we have a party position opposing.

Geoffrey Van Orden (PPE-DE), in writing. – I am the strongest supporter of genuine human rights and therefore have no difficulty with many aspects of this report. I was personally responsible for introducing a paragraph asking the Council and Member States to take more effective action over the human rights catastrophe caused by the Mugabe regime in Zimbabwe.

However, the report consistently and unaccountably refers to the EU as if it were a sovereign state – references that I and other Members attempted unsuccessfully to remove at the committee stage. The idea that individual Member States should surrender their national prerogative on matters of human rights to the European Union, whether in the forum of the United Nations or elsewhere, is totally unacceptable. I also object to the gratuitous and unnecessary references to the Treaty of Lisbon, which Conservatives and many others have consistently opposed. I therefore abstained on the final vote on the report.

Anna Záborská (PPE-DE), in writing. – (SK) Articles 84 and 96 of the report deal with the human rights situation in Cuba. It must be said that, despite international pressure, systematic intimidation, interrogation and sophisticated forms of violence have continued against the Women in White even in 2008. Several weeks ago the regime attempted in all manner of ways to prevent them from mounting a silent protest on the sixth anniversary of their husbands' imprisonment. As a mark of support, a solidarity march for the Women in White and their husbands was held in Bratislava on 28 April 2009. Of the 75 activists imprisoned six years ago, whose cause has been backed by organisations including the EU, 54 remain behind bars. Only if we monitor their plight will we succeed in getting them out of prison before they are reduced to human wrecks. Let us not forget that we will soon be commemorating the 20th anniversary of the fall of communism in the countries of Central and Eastern Europe. What we can do for the Cuban prisoners and their wives now is to leave the paragraphs on human rights' violations in Cuba in the text of the report.

I feel I have to mention Amendment 2, which sharply criticises Pope Benedict XVI. This amendment maligns the head of the Catholic Church. Besides that, it places his statements on the same level as crimes committed in countries where the death penalty is abused, where people are tortured and killed for expressing their opinions and where there is no respect for the most basic human rights. Let us reject this amendment.

- Report: Maria Grazia Pagano (A6-0262/2009)

Philip Bradbourn (PPE-DE), in writing. – UK Conservatives believe that, while cross-border cooperation in criminal justice is important, the report seeks to create a common justice area at an EU level, which would significantly compromise the traditions of those countries which base their legal system on common law. Therefore, we cannot support this proposal.

Martin Callanan (PPE-DE), in writing. – Criminal justice is rightly the responsibility of EU Member States. I can accept that Member States need to cooperate in trans-national matters related to criminal justice but I do not accept the development of an EU criminal justice area. Extending the EU's so-called 'competence' into criminal justice would be an unwarranted and unacceptable intrusion into British sovereignty. People in my region of North-East England want criminal law to be made by accountable British parliamentarians and applied by British judges.

The fact that the EU is seeking to extend its powers into areas hitherto reserved for Member States exclusively shows the true aim of the EU: to create a federal superstate. People in my region do not want to see that occurring. They reject the conventional wisdom of ever-closer union and want to see a looser, more flexible system of intergovernmental cooperation. I hope the new group in which British Conservatives will sit in the next parliament will be able to deliver what most Britons want from Europe.

Carl Lang (NI), in writing. – (FR) Under the guise of combating mafia organisations and organised crime in general, the Eurocrats of Brussels wish to further impose their federalist views, which destroy nations, peoples and identities.

Indeed, while everyone knows that each EU Member State has its own laws, legal traditions, and codes, here we have yet another assault by these fanatical Euro-federalists, in the shape of their desire to create a 'European judicial culture'.

In order to establish this culture, the following should accordingly be created: a European Judicial School, an academy of European law for judges, prosecutors, defence lawyers, and all others involved in the administration of justice.

What about national judicial schools? What about the inextricable differences between the legislations deriving from common law and those from written law?

No answer is given, obviously.

In practice, it will be the entire judicial and penal systems of the Member States that will disappear in the face of this forced harmonisation – downwards harmonisation, that is.

These sorcerer's apprentices of Europe's have not understood a thing: only the nation states, Europe's main components, will be able to enrich it and to restore it to its rightful place in the world.

Europe must not be built at the expense of its nations and its peoples.

- Report: Jean-Luc Dehaene (A6-0142/2009)

Jan Andersson, Göran Färm, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) Parliament voted today on a report on the impact of the Treaty of Lisbon on the development of the institutional balance of the European Union. The report proposes that the additional Members which Sweden and other Member States will be given if the Treaty of Lisbon enters into force be elected already in the forthcoming elections to the European Parliament and then be given the status of observers in Parliament. The report also proposes that the appointment of a new President of the Commission be carried out in accordance with the Treaty of Lisbon. This means that the choice of the President should reflect the political majority within the European Parliament and that the choice of candidate should be preceded by discussions between the Council and the political groups within Parliament.

We have chosen to vote in favour of this report because the European Parliament needs to prepare itself to be able to implement the changes that will occur in connection with its work if the Treaty of Lisbon enters into force. However, our votes should not in any way be seen as us pre-empting the individual Member States' ratification processes. We fully respect each Member State's right to decide for itself whether to ratify the Treaty of Lisbon.

Edite Estrela (PSE), in writing. – (PT) I voted for the report on the impact of the Treaty of Lisbon on the development of the institutional balance of the European Union. This report looks at the Treaty of Lisbon's impact on the development of the EU's institutional balance. It highlights the importance of implementing the new provisions and making the first appointments.

The possible entry into force of the Treaty of Lisbon by the end of 2009 calls for a political agreement between the Council and the European Parliament in order to ensure that the procedure for the choice of the next President of the Commission and for the nomination of the future Commission will, in any case, respect the substance of the new powers that the Treaty of Lisbon assigns to the European Parliament on this issue.

As a result, the report sets out a series of recommendations aimed at developing an institutional balance and stresses that the Treaty of Lisbon strengthens each of the European institutions in its area of competence.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) This resolution forms part of a package of five resolutions, adopted today by the majority in Parliament, which shows the clearest possible contempt for the democratically and sovereignly expressed will of the French, Dutch and Irish peoples, who rejected the European Constitution and its twin brother, the so-called Treaty of Lisbon, in referendums. It is also one of the many initiatives aiming to impose this unacceptable draft Treaty.

Instead of burying the Lisbon Treaty once and for all, the EP is again adopting a resolution which glorifies the anti-democratic institutional balance of the European Union proposed in the resolution, concealing the fact that, among many other examples, this:

- transfers sovereign powers from the Portuguese people to the EU's supranational institutions, dominated by the major powers, an example of which is the management of the marine biological resources in our Exclusive Economic Zone;
- extends the application of the majority rule in decision-making, which will reinforce the domination of the major powers and prevent Portugal from vetoing decisions that go against the national interest;
- increases the removal of authority from the national democratic institutions (the only ones which directly result from the democratic will of the people), an example of which is the transfer of powers from the national parliaments, which are losing the power to make decisions in fundamental areas and which are becoming a kind of advisory body without the right to veto Community decisions that go against national interests.

Nils Lundgren (IND/DEM), *in writing*. – (SV) The Treaty of Lisbon, which is 96 per cent identical to the draft Constitutional Treaty, was rejected in the referendum in Ireland. Prior to that, the draft Constitutional Treaty was rejected in referendums in France and the Netherlands.

The majority in this Parliament refuses to acknowledge its political losses. This is an outrageous crime against democratic principles and an equally outrageous example of the arrogance of power that characterises cooperation in the EU.

It is worth noting that in paragraph 4 of Mr Dehaene's report it is stated (quote): 'Welcomes the fact that the Treaty of Lisbon stipulates that the European Council may by unanimity, and with the consent of the European Parliament, provided there is no opposition by a national parliament, extend qualified majority decision-making and the ordinary legislative procedure to areas in which they do not yet apply'.

Notwithstanding the fact that voters in many Member States are clearly sceptical of an increasingly supranational Union, the federalist majority in the European Parliament indicates the possibility of making the Union even more supranational under the Treaty of Lisbon and shifting even more power to the EU without having to agree on a new treaty.

I have voted against the report.

- Report: Elmar Brok (A6-0133/2009)

Jan Andersson, Göran Färm, Inger Segelström and Åsa Westlund (PSE), *in writing*. – (SV) Parliament voted today on a report on the development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon. This report welcomes the new powers that will be given to the national parliaments by the Treaty of Lisbon. It also investigates the possibilities for future development of the relations between the European Parliament and the national parliaments.

We have chosen to vote in favour of this report because the European Parliament needs to prepare itself to be able to implement the changes that will occur in connection with its work if the Treaty of Lisbon enters into force. However, our votes should not in any way be seen as us pre-empting the individual Member States' ratification processes. We fully respect each Member State's right to decide for itself whether to ratify the Treaty of Lisbon.

Edite Estrela (PSE), *in writing*. – (PT) I voted for Mr Brok's report. This report welcomes the new powers given to the national parliaments by the Treaty of Lisbon and examines the possibilities of future cooperation between the national parliaments and the European Parliament.

The adoption of the Treaty of Lisbon in the Czech Republic represents an important step towards its rapid entry into force. This report shows how important this new Treaty of the European Union is.

Bruno Gollnisch (NI), *in writing*. – (FR) We voted against this report firstly because it lacks a purpose: the Treaty of Lisbon does not exist; it was rejected by three referendums.

We voted against it secondly because it recommends subordinating the national parliaments to the European Parliament: the latter, secure in the strength of its superiority and, no doubt, its unbearable arrogance, would provide its support to the national parliaments – made up in its eyes, no doubt, of philistines and idiots – to examine European texts. Is this support or pressure? It would invite itself to the plenary sessions of national parliaments; it would play the role of adviser; it would influence the way in which parliaments transpose texts in order to encourage uniformity; it would assert itself to make sure that defence budgets are debated ...

would it also dictate to them the way in which they should control governments and their activities within the Council?

Lastly, we voted against it because it is based on a double hypocrisy: the national parliaments have obtained nothing other than a very difficult to implement and hence ineffective right to monitor respect for the principle of subsidiarity; this principle is an illusion since many supposedly exclusive EU competences are sanctuarised, and the definition of subsidiarity as provided by the Treaties in fact promotes Brussels's powers.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) This resolution forms part of a package of five resolutions, adopted today by the majority in Parliament, which shows the clearest possible contempt for the democratically and sovereignly expressed will of the French, Dutch and Irish peoples, who rejected the European Constitution and its twin brother, the so-called Treaty of Lisbon, in referendums. It is also one of the many initiatives aiming to impose this unacceptable draft Treaty.

This resolution on the 'development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon' is a prime example of deceit.

The EP welcomes the 'obligations and rights of the national parliaments under the Treaty of Lisbon ... which enhance their role in the political processes of the European Union'. It would be a laughing matter if it were not so serious. The EP is hiding the fact that, with regard to the supposed enhancement of the role of the national parliaments in the decision-making process, what is actually happening with the Treaty of Lisbon is that these parliaments are losing much more than they are (falsely) gaining, bearing in mind the extensive transfer of powers to the institutions of the European Union. Even the (pseudo-)scrutiny of respect for the principle of subsidiarity (over the exercise by the Community institutions of powers transferred in the meantime to the EU by the national parliaments) does not give any of the national parliaments the right of veto.

Nils Lundgren (IND/DEM), in writing. – (SV) The Treaty of Lisbon, which is 96 per cent identical to the draft Constitutional Treaty, was rejected by the referendum in Ireland. Prior to that, the draft Constitutional Treaty was rejected in referendums in France and the Netherlands.

The majority in this Parliament refuses to acknowledge its political losses. This is an outrageous crime against democratic principles and an equally outrageous example of the arrogance of power that characterises cooperation in the EU.

Mr Brok's report praises the Convention that produced a draft Constitutional Treaty. This Convention has been heavily criticised for having been entirely undemocratic and controlled from the top by its chairman Giscard d'Estaing.

In my opinion, Mr Brok's report should have come to the conclusion that, for as long as the political debates of representative democracy are focused on the elections to the national parliaments, it should be the national parliaments that are the highest decision-making bodies within the Union – not the European Parliament.

I have voted against the report.

- Report: Sylvia-Yvonne Kaufmann (A6-0043/2009)

Jan Andersson, Göran Färm, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) Parliament voted today on a report requesting the Commission to submit a proposal for a regulation on the citizens' initiative as soon as the Treaty of Lisbon is ratified. The citizens' initiative will mean that one million citizens coming from a significant number of Member States will be able to take the initiative to request the Commission to submit a legislative proposal. This will give citizens the same right as the Council to request the Commission to initiate legislative proposals.

We have chosen to vote in favour of this report because the European Parliament needs to prepare itself to be able to implement the changes that will occur in connection with its work if the Treaty of Lisbon enters into force. However, our votes should not in any way be seen as us pre-empting the individual Member States' ratification processes. We fully respect each Member State's right to decide for itself whether to ratify the Treaty of Lisbon.

Richard Corbett (PSE), in writing. – I and my Labour delegation colleagues support the introduction of the Citizens' Initiative in the event of the successful ratification of the Lisbon Treaty. It would strengthen citizens'

rights of participation in the European political process and be additional to the valuable existing right to petition the Parliament.

However, I am concerned that Mrs Kaufman's proposals would lead to the citizens' initiative process becoming bogged down or hampered by onerous bureaucratic requirements (like Member States having to check every signature and pre-certification by the Commission that it is legal). To encourage more participation, we should follow the spirit of the Citizens' Initiative – namely that it should be as accessible and easy to use as possible. Therefore, we had no alternative but to abstain on this report.

Edite Estrela (PSE), in writing. – (PT) I voted for the report on the implementation of the citizens' initiative. The Treaty of Lisbon introduces the European Citizens' Initiative or, in other words, the right of citizens to take part in the European legislative process. This is a completely new instrument which strengthens democracy and the rights of citizens.

It is undoubtedly a way of bringing European citizens closer to the European institutions and raising their awareness of and increasing their participation in the decision-making process.

Bruno Gollnisch (NI), in writing. – (FR) The Kaufmann report aims to direct the way in which we implement a 'citizens' initiative', as defined in Article 11 of the abortive Treaty on European Union: 'citizens of the Union numbering not less than one million who are nationals of a significant number of Member States may take the initiative of inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties'.

The report therefore lays down precise conditions of admissibility and concrete procedures that make the process of achieving such an initiative extremely difficult.

I should like to put the citizens on their guard here. This new 'right' is an illusion. It provides for only one thing: the possibility of asking the Commission to enact new European laws, but not to repeal or to change those that already exist; not to change the policies. And, in any case, there is absolutely no obligation for the Commission to listen to them.

If the Eurocrats are so keen to give rights to European citizens, they should start by respecting their vote and by finally realising that 'No' means 'No' in French, Dutch, English, Gaelic and every other language.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) This resolution forms part of a package of five resolutions, adopted today by the majority in Parliament, which shows the clearest possible contempt for the democratically and sovereignly expressed will of the French, Dutch and Irish peoples. It is also one of the many initiatives aiming to impose the unacceptable draft Treaty of Lisbon.

This resolution is characterised by its absurdity and its hypocrisy.

The EP may well rhetorically extol the 'smooth, transparent and effective exercise of the right of participation of the citizens' and the so-called 'citizens' initiative' introduced in the draft Treaty, now known as the Treaty of Lisbon. The truth is that the forces guiding and promoting this European integration and this Treaty of Lisbon have done and are doing everything they can to prevent the people from debating and understanding the content of this draft Treaty and from being consulted through a referendum.

What is more, following the Irish rejection of this federalist, neoliberal and militaristic draft Treaty, they are doing everything they can to force another referendum to be held in that country (as many times as necessary until the Irish people say 'yes').

In other words, they are preventing the people from expressing their democratic and sovereign will through a referendum and then, with honeyed words, they are throwing up a smokescreen by extolling a so-called 'citizens' initiative', which, on the face of it, will right from the start be subject to many conditions.

Nils Lundgren (IND/DEM), in writing. – (SV) The Treaty of Lisbon, which is 96 per cent identical to the draft Constitutional Treaty, was rejected by the referendum in Ireland. Prior to that, the draft Constitutional Treaty was rejected in referendums in France and the Netherlands.

The majority in this Parliament refuses to acknowledge its political losses. This is an outrageous crime against democratic principles and an equally outrageous example of the arrogance of power that characterises cooperation in the EU.

Mrs Kaufmann's report counts its chickens before they are hatched. It shows an exceptional arrogance towards democracy, and above all towards the Irish population, which is once again to be forced into a referendum because – in the view of the political establishment – they gave the 'wrong' answer last time. In this situation there is no point in discussing this report in the European Parliament. The proposed citizens' initiative is in itself an extremely unclear proposal for citizens' influence in respect of elected politicians. The latter can choose to disregard these initiatives entirely if it suits them.

I have voted against the report.

- Motion for a resolution B6-0258/2009 (Chemical substances)

Kartika Tamara Liotard (GUE/NGL), in writing. – (NL) Although this is a good resolution, I have voted against it because the European Parliament has agreed, in the resolution, to the Commission exempting certain electrolysis installations from the asbestos ban. I think that, if you say that there is an absolute ban on asbestos in Europe, you have to be consistent with that and allow no exemptions. We still have people who are critically ill because of exposure to asbestos, and I find it incomprehensible that the Commission has failed to take that into account. I have therefore voted against the resolution out of solidarity with the victims of asbestos.

11. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 1.20 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

Vice-President

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

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

13.1. Iran: the case of Roxana Saberi

President. – The next item is the debate on six motions for resolutions on Iran: the case of Roxana Saberi⁽²⁾.

Tunne Kelam, author. – Madam President, Iran is notorious for its human rights record, as was noted just yesterday during the debate on the human rights situation in the world.

Today we are addressing the case of Roxana Saberi, a journalist who had her trial just three weeks ago and was condemned to eight years in prison for so-called espionage. The fact is that Ms Saberi has had no access to her lawyer for more than a month. There was no chance of a fair or transparent trial, because the trial was held *in camera*. She was on hunger strike for at least two weeks. It is true that she has ended this, but her health is in a very precarious state.

Therefore, we are here today to address a message to the Iranian authorities that we clearly condemn the sentence pronounced by the Iranian Revolutionary Court on 18 April 2009 and ask that Ms Saberi be immediately and unconditionally freed on the basis that the trial was held *in camera*, without legal process.

I would like to add that Iran is notorious for its massive, systematic public executions, whether by stoning or by hanging, including of juvenile offenders. That, too, is part of our message.

Erik Meijer, author. – (NL) Two and a half minutes, Madam President. Over the last five years, we have had many debates on Iran. My group had sympathy for the revolution at the end of the 1970s, not because of any affinity with the religious extremists of the time, but because the previous government, led by the Pahlavi family, did not represent the people. That government was only able to survive because of its close links to the United States and Europe.

⁽²⁾ See Minutes.

Because the previous government to that, which had been led by Prime Minister Mossadeq and which had enjoyed more popular support, had been removed as a result of foreign pressure, the huge swathe of the population which was opposed to the government acquired an extreme anti-Western attitude. The West was not seen as an ally in the fight for democracy and progress, but as a colonial profiteer and oppressor.

Nowadays, there is no longer any doubt that power has fallen into the hands of groups which not only seek conflict with the United States and Israel, but are also extremely conservative, intolerant and undemocratic. They oppress their own citizens, they have brought the judiciary and the army under the firm grip of religious fanatics and they are preventing the electorate from voting for people who hold more moderate views. The rights of women and the rights of ethnic and religious minorities have been shoved to one side and the death penalty is often carried out in public, in the cruellest of manners, as a means of suppressing non-conformist behaviour.

Moreover, opposition activities within Iran can result in detention. Members of the opposition who have fled abroad are being persecuted and discredited by the governments, media and public opinion of the countries where they now live. This can be seen from their attempts to place the opposition in exile on a list of terrorist organisations, as well as their attempts to close the Ashraf refugee camp in Iraq. Quite rightly, this Parliament has recently spoken out against these two practices.

(The President cut off the speaker)

Paulo Casaca, author. – (PT) Madam President, the first of May, which is a day of celebration for us in the West, unfortunately continues to be a day of struggle in Iran. This year it was marked not only by the usual brutal repression of demonstrations by Iranian workers, but also by the execution of a young woman aged 17, Delara Darabi, who was convicted of a crime, despite everything pointing to the fact that she did not commit this crime.

According to Amnesty International, on the day before her execution, this young woman had told her mother of her plans for the future, in the expectation that the huge campaign for her release would be successful.

Delara Darabi is yet another martyr of religious fanaticism, like so many others whose execution we have denounced in this House.

Human rights organisations have also this week confirmed the information, published on 1 May by the National Council of Resistance of Iran, about the stoning in Lakan prison of a man accused of adultery, and announced the imminent stoning of another man in the province of Gilan, once again belying the supposed Iranian moratorium on this barbaric practice.

As reported by the movement which fights for the abolition of the death penalty, *Tire as Mãos de Caim*, Iran is the country with the highest number of executions *per capita* in the world. Just this morning, four people were executed in Evin prison, with another eight having been executed in Taibad prison on 2 May.

The imprisonment of nationals of third countries, such as the American, Roxana Saberi, is also a routine practice in order to blackmail other countries into granting diplomatic concessions.

In this regard, the comment made by the Secretary of *Tire as Mãos de Caim*, Sergio D'Elia, is extremely pertinent and highlights the most important point: the brutality of the Mullahs' regime is not only the responsibility of the Iranian fundamentalist regime. European governments are consenting to this through their silence, tolerance and constant desire to appease, and they are succumbing to the Iranian political and commercial blackmail. The Tehran regime is threatening the peace and security of the whole world and, even more clearly, of its own citizens, through acts which have been practised for decades. Instead of taking this into account, Europe is making Iran the solution to the problems of the Middle East, when it is actually the main problem.

On this final occasion that I will speak before the European Parliament, I call on those who will be here at the next sitting not to abandon the Iranians to their jailers and not to abandon the people of the Middle East to the abyss of religious fanaticism.

Marios Matsakis, author. – Madam President, I will not repeat what was said already regarding the ruthless Iranian theocratic regime. I agree with those positions, but I want to approach the subject from an angle similar to that used by my fellow MEP, Mr Mayer, who has just left.

Iran, a country with thousands of years of civilisation and culture, is today in a sorry state of affairs as far as democracy, civil rights and justice are concerned. Some of our countries in the West are not free from blame

for this situation. Let us not forget that governments such as those of the USA and Britain have for years supported, armed and kept in power the well-known monstrous dictatorship of the Shah of Iran. It was inevitable that, when the Shah was finally overthrown by popular uprising, Islamic extremists would find fertile ground to root themselves in power and cultivate feelings of hate towards the West.

Then came the excessively aggressive behaviour of successive US administrations and the position of drastic sanctions, which only caused further suffering to ordinary Iranian people and further aggravated their hostile feelings towards the West. Hopefully the new President of the USA, Mr Obama, who has shown signs that he prefers to fight with his brain rather than with his fists, as the previous President, Mr Bush, so unsuccessfully did, will give new hope for the improvement of the likes of the Iranian people and the betterment of relations with the West.

Such an approach will help ordinary Iranian citizens understand that the West wants to be their friend, not their enemy, and eventually the people of Iran will themselves overthrow the Islamic fundamentalist regime that so undemocratically controls their lives and causes them so much suffering, as in the case at the centre of our debate here today.

Ewa Tomaszewska, author. – (PL) Madam President, Roxana Saberi is a 32-year-old journalist with dual American and Iranian citizenship, and is a graduate of several universities in the United States, the United Kingdom and Iran. She was working as a journalist in Iran and continued to do so following the expiry of her accreditation, and was arrested and sentenced to eight years in prison on a false charge of spying for the United States. In protest at the false charges and the lack of a fair trial she went on hunger strike. She is very emaciated. She began to drink sweetened water under medical care and has now ended her hunger strike, and is waiting for her appeal to be heard. Her health and her life are still in danger.

Iran is well known for its draconian punishments, and also for carrying out public executions, including on juveniles. We call for the release of Mrs Saberi. We appeal for her to be given a fair trial. I think that the international community should put pressure on Iran to end these draconian practices.

Laima Liucija Andrikiienė, on behalf of the PPE-DE Group. – (LT) We are talking about Roxana Saberi, an American-Iranian journalist who worked for ABC Radio, the BBC and South African television. Accused of spying, sentenced to eight years and imprisoned, she went on hunger strike. On 1 May, very weak, she was transferred to the prison hospital. We know that for five weeks she was denied access to a lawyer. Her trial was neither fair nor transparent.

Yesterday the BBC announced that next week, on 12 May, the Appeal Court will hear Roxana Saberi's appeal, but that this would again take place in a closed-door session. We condemn the Iranian Revolutionary Court's unfounded decision on Roxana Saberi. In addition, I think it is very important to once again urge Iranian Government institutions to comply with the provisions of all international human rights instruments ratified by Iran, in particular, the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, which both guarantee the right to a fair trial.

Justas Vincas Paleckis, on behalf of the PSE Group. – (LT) On the last day of this legislative term, such a beautiful spring day, it would be nice to hope that somehow this subject, human rights violations, will one day no longer be on Parliament's agenda, that we will no longer have to discuss it in this beautiful Chamber. However, sadly, this is just an illusion and today, as always, our agenda is overloaded and does not even contain all of the painful cases from various countries around the world.

This is not the first time we have discussed Iran in this plenary session. This time we are concerned about the unlawful imprisonment of Roxana Saberi. She was first arrested for an apparently minor offence – purchasing wine – although in Iran it is an offence. Then, however, there was the charge that she was working as a journalist without official accreditation, which later turned into the charge that she was a US spy. The Iranian Government organised a one-day closed-door trial without witnesses or concrete, publicly declared charges.

This is not the first time the Iranian Government has trampled on human rights, imprisoned people unlawfully and passed verdicts which contravene international standards. The execution of Delara Darabi, the detention of the journalist Maryam Malek and defenders of workers' rights – these are but a few examples. We must recognise that Iranian fundamentalists continue to organise political trials in an attempt to further intimidate free thinkers. It is regrettable that Iran is continuing its policy of self-isolation in this way and is failing to exploit initiatives by the international community and the new US Administration to normalise relations.

I have always said that dialogue and mutual understanding are better than confrontation, but this time I propose that we react in a very strict, hard manner to this case and that we demand that the Iranian regime's court respect all international standards.

Struan Stevenson (PPE-DE). – Madam President, the jailing of the journalist Roxana Saberi on trumped-up spying charges is shameful and another appalling crime in the long list of criminal abuse by the fascist regime in Tehran.

Last Friday, as Paulo Casaca told us, their executioners took a 23-year-old girl from her cell and led her to the gallows without first allowing her access to her parents. They hanged Dilara Darabi for a crime she denied committing at the age of 17.

This is what passes for justice in Iran. The medieval torture and execution of women – even pregnant women – and children is commonplace. The abuse of human rights is a daily fact of life, and yet we have people in this Parliament who support this corrupt and evil regime: just like those European companies which continue to do business with Iran, their eyes and ears are closed to the screams of the oppressed. Shame on them and shame on the brutal mullahs. They should remember the lessons of history: every fascist regime is doomed to fail; freedom and justice will always prevail over evil.

Erik Meijer (GUE/NGL). – (NL) Madam President, my original speaking time was unfairly cut short as it approached the two-and-a-half-minute limit, but the conclusion of my argument was that you cannot create change through foreign interventions or other forms of military violence. It was exactly that kind of approach in the past which led to the birth of the current regime. If you threaten Iran with foreign interventions, many people in Iran who hate the current government will actually rush to the government's support in order to defend their fatherland.

However, we must not go to the other extreme, either. It is wrong to seek cooperation with this regime in the belief that the current grouping will remain in power permanently or that supporting stability in this country will benefit the European energy supply. Consistently standing up for human rights and lending support to the democratic opposition are the only ways to bring about improvement. That will also include the kind of improvement which will benefit the victim who has been the subject of this debate.

Christopher Beazley (PPE-DE). – Madam President, I wish to support my colleague – even though he is Scottish – Struan Stevenson.

Persia, as we all know, was one of the great civilisations of our continent and this world. There are many Iranians who are decent and good people. Struan spoke from the heart, and he is right. No man kills women and children and lives to boast of it. What are we going to do? We are merely Members of the European Parliament. We can merely shout in rage against this form of brutality, this form of inhumanity.

My only conclusion is that we should support those democratic, civilised Iranians and work with them to secure a decent, humanitarian, civilised government for the good people of Iran and let the murderers be condemned.

Leonard Orban, Member of the Commission. – Madam President, the Commission is following closely the case of Ms Roxana Saberi, including the preparations for the appeal process that will begin early next week. The Commission is concerned about Ms Saberi's health, weakened by a hunger strike that, according to Ms Saberi's father, she started after she was sentenced to eight years in jail for alleged espionage by the Revolutionary Court of Tehran last month.

The Commission considers that Ms Saberi's trial, held behind closed doors, did not meet the minimum standards required for a fair and transparent trial. The Commission fully supported the declaration issued by the Czech Presidency of the Council on Ms Saberi's case on 22 April 2009. We hope that the Iranian judiciary will ensure a fair and transparent appeal trial without any delay, with all the guarantees provided by the Iranian legislation.

The Commission is deeply concerned at the steady deterioration of the situation of human rights and fundamental freedoms in Iran. The recent execution of Ms Delara Darabi, hanged on 1 May for a crime she allegedly committed when she was a minor, is another confirmation of this dismal situation. Also in this case the EU issued a statement strongly condemning the execution.

The Commission has repeatedly urged, and will continue to do so, the Iranian authorities to respect their international commitments on human rights, including in relation to the International Covenant on Civil

and Political Rights and the Universal Declaration on Human Rights. The improvement of the human rights situation in Iran is, for the Commission, essential to enhance its political dialogue and cooperation with Iran in the near future.

President. – The debate is closed.

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

Written statements (Rule 142)

Glyn Ford (PSE), in writing. – The sentencing of Roxana Saberi on 18 April 2009 for ‘spying’ was done without her having any access to a lawyer and on the basis of a trial that was neither fair nor transparent.

I am not naive. The US does engage in spying but, if Roxana Saberi was a spy, the Iranian authorities by their actions did nothing to convince anyone of that case. The bias and manipulation of the trial and the accused were a travesty of any sense of justice.

I can only welcome the resolution’s demand that Roxana Saberi should be released immediately on the grounds that the trial was held in camera without due legal process and there was a complete failure to comply with international norms.

13.2. Madagascar

President. – The next item is the debate on six motions for resolutions on Madagascar.⁽³⁾

Mikel Irujo Amezaga, author. – (ES) Madam President, as can be seen from the resolution itself, after two months of violent clashes, Andry Rajoelina, former mayor of the capital of Madagascar, staged a coup d’état on 17 March of this year; he was supported by the army and a self-proclaimed ‘High Authority of Transition’, over which he presides, and he suspended the national assembly and the senate. Furthermore, pressure from rebels forced the democratically elected president to leave Madagascar.

However, last February Mr Rajoelina, who had been elected mayor of Antananarivo in December 2007, had, in turn, been forcibly removed from power by the previous government. I should add that the malaise felt by the population was exacerbated by the former government’s plan to rent one million hectares of land in the south of the country to a Korean firm.

Of course, we also condemn the coup d’état and any attempt to seize power by undemocratic means. We also believe that the United Nations Security Council and international organisations of which Madagascar is a member do not recognise this *de facto* regime and we want constitutional order to be restored. We ask, too, that legal and constitutional systems be immediately re-established in the country and we call on all Malagasy parties to fully comply with the provisions of the constitution of Madagascar in order to overcome this crisis.

However, we also consider that democracy does not simply consist in holding elections and we should report major irregularities in the – *a priori* – legitimate government of Madagascar.

Nevertheless, we are convinced that when constitutional order is restored it should be based on the objectives and principles that already appear in Recital K of this resolution, that is: a clear timetable for free, fair and transparent elections; the participation of all political groups and social stakeholders in the country, including the legitimate President Marc Ravalomanana and other key figures; thirdly, the promotion of a consensus between Malagasy parties; fourthly, respect for the constitution of Madagascar; and lastly, compliance with the relevant African Union instruments and Madagascar’s international commitments.

What is clear is that we are once again facing a situation in which human rights are systematically breached. While the leading classes of Madagascar engage in a power struggle through coup d’états and fight over important, lucrative business contracts, 70% of the population is living on less than one dollar a day. That, and that alone, is what we need to resolve. Let us hope, then, that the European Union assumes its proper role in this matter.

⁽³⁾ See Minutes.

Madam President, changing the subject completely and taking advantage of the fact that Commissioner Orban is present in the last session of this term, I would like to thank him personally for his management of his Directorate-General.

Bernd Posselt, author. – (DE) Madam President, Bavaria and its municipalities have many contacts all over the world, as does the Catholic University of Eichstätt. I should therefore like to welcome a delegation of mayors from this region.

Madagascar is a country with which we work closely and intensively. There are many cultural, economic and scientific contacts and a strong and supportive ecclesiastical presence. That is why it is all the more regrettable that, in this scenically beautiful and culturally rich country, such appalling abuses are being committed. There is a real danger that Madagascar, in its strategically important location, will become a failed state, like others we know of in Africa, first and foremost of which is Somalia.

It is therefore important that orderly and democratic relations are restored there as quickly as possible. That is why I am pleased that we met the contact group a few days ago to discuss first concrete steps. We must create an appropriate structure to prepare for new elections under the leadership of the ousted democratically elected president, whom we continue to recognise as the only legitimate head of state.

A dialogue must be opened, which must include the prime minister, who is currently in prison and who must be released immediately. Not only humanitarian aid but also vital development aid, especially medical care, must continue to be given to the fullest extent.

For all these reasons, we in the European Union are called upon to be involved in the negotiations there, not only as a humanitarian factor and not only as an economic factor, but especially as a political factor bringing about peace in the region. To achieve this, we count on the cooperation of the African Union, which once again has the opportunity to establish itself little by little as a factor in democratic stabilisation – stabilisation can in fact also be anti-democratic – which we will intensively support with the means at our disposal.

(Applause)

Erik Meijer, author. – (NL) Madam President, in Madagascar, the incumbent president was forced to step down by popular protest. He came to agreements with foreign companies that brought short-term revenue to his government but were detrimental to his people. That made his position untenable.

Afterwards, with the help of the army, the leader of the opposition, who had previously been the capital's mayor, was appointed interim president, despite the fact that, by law, he was too young to be appointed to that office. This process, in particular the intervention of the army, has led to criticism. The African Union has called this an illegal coup and rejects the new government.

However, I think that we could also draw a comparison between this and recent events in one particular European country, Iceland. In that country, too, the government had to step down in the face of popular protest. A minority government of a totally different political persuasion then took power, but nobody considered that a coup. Since then, a new election has been held and the new government has secured a large majority. Such an outcome is also possible in Madagascar, provided that an election is held within the foreseeable future.

Glyn Ford, author. – Madam President, I speak on behalf of the Socialist Group and as the Party of European Socialists' shadow rapporteur on the Economic Partnership Agreement (EPA) with the group of southern African countries that included Madagascar. In April we overwhelmingly approved that Economic Partnership Agreement with reservations about the situation in Zimbabwe. If we were debating that EPA today, we would have to enter our reservations regarding Madagascar.

Yet only 15 years ago there seems to have been the potential for Madagascar to be so different. I can remember in 1993 the visit of the then newly elected President Albert Zafy. But, of course, by 1996 he had been impeached for corruption and the abuse of power. Since then, Madagascar has been troubled by unstable governments with threats of secession and impeachment punctuating a rough politics.

Now we have a situation – an army coup d'état – partly triggered by a plan by the former government to lease one million acres of land in the south of the country to a Korean firm for intensive farming, when a substantial majority of the population live on less than one euro a day. This unconstitutional change of government is a serious setback for democratisation.

We welcome the fact that the UN has appealed for nearly USD 36 million worth of humanitarian aid, anticipating the food shortages that will result later this year from the current political events in Madagascar, but we strongly condemn the coup d'état and all attempts to seize power by undemocratic means. We call for the immediate restoration of the legal and constitutional order in the country and ask all Malagasy parties to comply fully with the provisions of the constitution. We want to see the suspension of the National Assembly and Senate lifted and urge that the mandates and immunities of parliamentarians be respected.

But this is only going to happen if the international community can work together to step up its efforts and exercise pressure to end the political violence and the political impasse in that country.

Thierry Cornillet, *author*. – (FR) Madam President, we cannot keep silent regarding the situation in Madagascar and we shall not be the only ones to condemn it. The African Union, the Southern African Development Community, the International Organisation of French-Speaking Countries, the Interparliamentary Union, the European Union, speaking via the Commission, the United States, and a large number of countries, including my own and Norway – to speak of countries from the European continent – have condemned the coup d'état – for that is what it is – which has taken place in Madagascar.

We cannot keep silent and we are calling for a return to constitutional order. We are simply asking for a 'back-to-basics' approach with, where necessary, arbitration by the Malagasy people through consultation in the form of a presidential election or a referendum. It is the responsibility of the assemblies and the politicians of Madagascar to decide on the most effective form of consultation.

Thus, what we are calling for with this joint motion for a resolution is to add our voice to that of the international community in order to make it clear to those who have seized power in a totally undemocratic fashion, in the form of a coup d'état – as disguised as it may be – that Madagascar's constitutional order must be restored, as one of the guarantees of the future development of this large island in the Indian Ocean.

Ewa Tomaszewska, *author*. – (PL) Madam President, the political crisis in Madagascar has led to an unconstitutional change of government. This was accompanied by unrest, in which over 130 people lost their lives.

Madagascar was under French rule until 1960. It is a country in a difficult situation. It is in need of humanitarian aid, and especially food aid, and this help has been given to Madagascar. The authorities and successive elections which they organised were supported by the army. President Ravalomanana lost support, and he stood down on 17 March 2009. Power was seized by Rajoelina, who was designated by the army.

The European Union does not recognise the new government because of the undemocratic way in which this change was made. The African Union has suspended Madagascar from membership, and is critical of the removal of Ravalomanana by force. It has threatened to impose sanctions if constitutional order is not restored within six months.

We call for restoration of constitutional order in Madagascar. We appeal to the international community to support efforts to restore the legal basis of the function of this state. I think that the electoral process should be closely monitored and observed by representatives of international organisations, including in particular Members of our Parliament.

Lidia Joanna Geringer de Oedenberg, *on behalf of the PSE Group*. – (PL) Madam President, in the first weeks of March we were witnesses of a dramatic coup d'état in Madagascar. The rivalry, which has existed for several years, between the deposed president and the leader of the opposition led the island to the brink of civil war. On 17 March 2009, the day following capture of the Presidential Palace by the army, Andry Rajoelina declared himself head of state. The Malagasy Supreme Court stated that the former Mayor of Antananarivo holds this office in accordance with the Constitution. Doubts have been raised about this, if only because there is a clause in the organic statute which says that to be president a person must be at least 40 years of age, and the new president is only 34.

The assumption of power and the decision of the Supreme Court have aroused universal controversy. The swearing-in ceremony was boycotted by most foreign diplomats, and the African Union has suspended Madagascar from membership. The political crisis has led to general chaos and destabilisation in the country, where most people have lived for years in terrible poverty on USD 1 a day, and have limited access to food and water, basic medical services and education. I lived in Madagascar for six years, and I became thoroughly acquainted with these problems, and therefore I very strongly support the UN appeal for urgent humanitarian aid for the people of Madagascar.

The European Parliament should strongly condemn the coup d'état and all attempts at taking power which break democratic principles. The European Union should call for a renewal of the work of both houses of parliament, which have been suspended by the new regime. We should also support the efforts of the special envoy of the African Union and representatives of the UN in their talks with representatives of local political parties and all interested groups in order to bring about an immediate restoration of constitutional order in the country, and the international community should decidedly increase its efforts at bringing humanitarian aid to the people of the island, who are living on the brink of poverty.

Marios Matsakis, *on behalf of the ALDE Group*. – Madam President, Madagascar, which is a former French colony, seems to be undergoing the sad – but not unusual – post-colonial turmoil in its political life, with the consequent suffering for its people.

Many other colonies of European countries have suffered – or are still suffering – for the same reason. There are many examples. My own country, Cyprus, is one. Having partly gained independence from its colonial master, Britain, in 1960, British foreign diplomacy hawks managed in 1963 to manipulate an inter-community struggle which eventually resulted in the division of the island in 1974.

This is a division that persists today and a state of affairs which suits Britain. A divided Cyprus cannot successfully attempt to get rid of the remaining two British colonial areas of Akrotiri and Dhekelia, which Britain uses for military purposes, and which the British Government has in fact managed to disgracefully keep outside the EU so that the *acquis* cannot be applied to the thousands of Cypriot civilians – now EU citizens – who live there.

Leonard Orban, *Member of the Commission*. – Madam President, firstly I would like to underline the Commission's great concern at the current volatile situation in Madagascar. I would also like to stress the Commission's continued commitment to the Malagasy people.

The situation in that country after the forced removal of President Ravalomanana on 17 March deserves and requires our full attention and, like the European Parliament, the Commission is following events very closely.

The Commission has fully endorsed the Czech Presidency statement issued on behalf of the European Union on 20 March condemning the transfer of power and calling on the Malagasy parties to comply fully with the provisions of the Constitution of Madagascar.

The Commission considers that there has been a flagrant violation of essential elements of the Cotonou Agreement and that this is a 'case of special urgency' within the meaning of Article 96 of that Agreement. The Commission has therefore launched the procedure to propose to the Council to open consultation with the authorities in power in order to examine possible solutions to the crisis, aimed at the re-establishment of constitutional order.

The Commission will continue to use all the dialogue means it has at its disposal to find an overall solution to the current crisis. To that end, it is enhancing the political dialogue, based on Article 8 of the Cotonou Agreement, with all the relevant stakeholders in Madagascar.

It is also participating in the main international efforts deployed, notably in the framework of the international contact group set up recently by the African Union. At this stage, the prevailing view is that the relevant Malagasy political stakeholders agree on a road map for a return to constitutional order and the holding of elections.

President. – The debate is closed.

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

13.3. Venezuela: the case of Manuel Rosales

President. – The next item is the debate on three motions for resolutions on Venezuela⁽⁴⁾.

Pilar Ayuso, *author*. – (ES) Madam President, Commissioner, I have signed this resolution and asked to speak in this plenary because I was a witness to the so-called 'expulsion' of our colleague Luis Herrero, which was, in fact, a kidnapping. What is more, I had a chance to see how political persecution, abuses of power by the

⁽⁴⁾ See Minutes.

Chávez regime, intimidation of the opposition, threats, disregard for human dignity and the misuse of justice are all a normal part of life in Venezuela.

The case of Manuel Rosales was the last straw and the catalyst for this resolution, but there are thousands of cases just as bloody as his; some of them are quoted in the resolution and others are not, like the case of Eligio Cedeño who was born in the poor Caracas suburb of Petare, a notoriously dangerous area well known for electing a mayor who was not from the Chávez regime. Eligio was educated with the help of others, in particular, from Citibank; he managed to set up his own business, the Bank of Caracas, and then lived a normal life, also providing help to the most needy. Today, however, he is illegally imprisoned in a Caracas jail following two years of detention with no coherent case being made against him. His only crime was to be a part of the economic oligarchy.

Another case is that of Nixon Moreno, a student leader at the University of the Andes, elected to the university council several times and president of the Federation of University Centres. In 2003 he won the Federation election against the current Minister of Interior and Justice, and that is his crime. Today he is accused of attempted murder and lewd violent acts, despite having been exonerated of the accusations.

Cases such as these are a feature of everyday life in Venezuela, where persecution of the opposition with the aim of excluding them from political life and of suppressing dissidents has become part of normal life. Nevertheless, we need to send a message of hope to Venezuelan democracy: despite the challenges, I am sure democracy will be established and President Chávez will be voted out.

Marios Matsakis, *author*. – Madam President, the case of Manuel Rosales is another example of the arrogance and paranoid behaviour sometimes exhibited by the increasingly more authoritarian Government of Venezuela. The political persecution of Mr Rosales and many others is regrettable and should be condemned in the strongest possible terms. We will call on the Government of that country in earnest to start behaving sensibly and democratically and to stop violating the human rights of its citizens.

Madam President, since this is the last time I will be making a speech in the plenary, permit me to take the opportunity to thank you and all our colleagues who have faithfully attended the Thursday afternoon human rights debates and have contributed towards making our world a better place to live in.

Let me also take the opportunity, as I have so often done in the past, to remind my colleagues of the plight of my own country, Cyprus, which for the past 35 years has been suffering under the military occupation of its northern part by Turkey. The citizens – EU citizens – of areas such as Kyrenia, Famagusta, Karpasia and Morfou have been living in exile since the devastating Turkish invasion of 1974. We are looking towards the EU for the fulfilment of their humble wish to return to their homes and live there in peace and security. I hope the EU will not let them down.

Ewa Tomaszewska, *author*. – (PL) Madam President, when political changes point to restrictions on the rights of the opposition to free public expression, we should be on our guard. It is a strong signal that democracy is under threat. Arresting the opposition is an even stronger signal.

That is what is happening today in Venezuela. Manuel Rosales, Mayor of Maracaibo and opponent of President Chávez in the 2006 election, has had to flee the country. Shortly after President Chávez won a referendum making it possible for him to hold office for further terms, a warrant was issued for the arrest of Mr Rosales. He managed to escape to Peru, where he is in hiding.

This matter should be the subject of the next sitting of EuroLat. Venezuela is obliged to respect conventions which it has signed in which it guaranteed to respect human rights.

Bernd Posselt, *on behalf of the PPE-DE Group*. – (DE) Madam President, 20 years ago socialism collapsed at the pan-European picnic on the Austro-Hungarian border. I had the honour of being allowed to take part in the relevant preparations and I will never forget, a short time later, the Chancellor of Unity, Helmut Kohl, and Pope John Paul II, two spearheads of this development, striding through the Brandenburg Gates and saying that socialism should not be replaced by predatory capitalism but by freedom and a social market economy.

Today, we are witnessing in Latin America a dangerous regression into socialist dictatorship and oppression. The germ from which this comes is, I am afraid to say, Venezuela. President Chávez is attempting to stifle freedom throughout Latin America by means of oil money. That is why the case of Manuel Rosales is so important. Mr Rosales is not only an outstanding democrat, whom we must defend; he is also a symbolic

figure for democracy in Latin America. We shall support him and continue to stand up for the freedom of the Latin American people.

Pedro Guerreiro, *on behalf of the GUE/NGL Group*. – (PT) By means of yet another grotesque exercise in the distortion of reality, we are once again faced with an ignoble attempt by the European Parliament to interfere in Venezuela. In essence, this attempt forms part of the manoeuvres conducted by those conspiring against the democratic and sovereign process of emancipation and social progress initiated a decade ago by the Venezuelan people and reaffirmed in 14 electoral processes.

Once again, what is really bothering the authors of this initiative is the fact that, despite all the problems, threats, dangers and interference, the Venezuelan people have been an example of the fact that it is worth fighting and that it is possible to build a fairer, more democratic and more peaceful country, and world.

This is being demonstrated by the development of widespread popular participation, the reduction in levels of poverty, social inequality and unemployment, the fight against illiteracy and the extension of education to all levels, access by millions of Venezuelans to health, the national network of food markets at subsidised prices, the *de facto* nationalisation of the state oil industry and strategic sectors of the economy, the use of productive land by farmers, and solidarity with other peoples, among many other examples.

We have to ask ourselves: in the end what right does this Parliament have to give lessons in democracy and respect for human rights, when it wants to impose a draft Treaty rejected by the French, Dutch and Irish peoples, when it adopts the inhumane Return Directive which violates the human rights of migrants, many of whom come from Latin America, and when it does not have a single word of condemnation for the barbaric aggression of Israel against the Palestinian people in the Gaza Strip?

For the umpteenth time we say: stop pretending that you can give lessons to the world.

Erik Meijer (GUE/NGL). – (NL) Madam President, I used to live in Venezuela myself and I am familiar with that country's past and, in particular, the dictatorship of Marcos Pérez Jiménez in the 1950s. Poverty and injustice were the hallmarks of life at the time, and I consider Hugo Chávez's government to be a very significant and much-needed improvement.

Nevertheless, I am of the view that even a sympathetic government should behave decently towards its opponents and avoid employing any techniques which make life extra-difficult for its opponents.

I will be voting in favour of the joint resolution for exactly that reason because it is critical with regard to protecting democracy in general and because it was not formulated with the aim of overturning what in my opinion is the beneficial regime of Hugo Chávez.

José Ribeiro e Castro (PPE-DE). – (PT) Madam President, Commissioner, ladies and gentlemen, I want to correct Mr Guerreiro who is misinformed because, according to figures from the United Nations Development Programme, in the last 10 years Venezuela has not reduced poverty one iota.

President Chávez has brought demagoguery and dictatorship, unfortunately with support through the ballot boxes, but also with a great deal of intimidation of the people, as once again shown by this case of Manuel Rosales.

I have met Manuel Rosales. I had the honour of meeting him on a visit to Venezuela. The fate that has befallen him is a great shame, because he wants to be a free man in his own country, but he cannot be a free man in his own country. That is the problem with Venezuela.

I met him when he was governor-elect of the State of Zulia. He was elected by his people as Mayor of Maracaibo, but cannot live in his own country because, in Venezuela, people are persecuted and slandered. They are slandered, as is unfortunately happening with Manuel Rosales. It is the worst punishment that can be inflicted on a politician and we, who are politicians in this House, must all be aware of this.

We can fight for our ideas, but we do not have the right to slander anyone, persecute them or throw them into jail. This is exactly what is happening in Venezuela.

It is time, ladies and gentlemen, that we defined a strategy for Latin America. This must be a strategy of active diplomacy for Latin America. It must certainly be on the side of social progress, in line with the many millions that we invest every year in development and cooperation, but it must be 100% on the side of democracy, 100% on the side of pluralism, and 100% on the side of fundamental freedoms. Long live a free Venezuela!

Zita Plešinská (PPE-DE). – (SK) Poverty always provides fertile soil for totalitarian leaders wishing to pose as the saviours and defenders of their people. In reality they do this only for their own benefit. At first, Hugo Chávez did not talk about socialism but only about the right to a better world. With the passage of time, however, he did start talking about socialism. His opponents were not invited to cooperate and they became his mortal enemies and later on political prisoners. He then interfered with media freedoms and those who would not toe the line were shut down. One-sided information, the leader-defender, violations of human rights, lack of freedom: this all adds up to totalitarianism. The case of Manuel Rosales only confirms what I am saying.

Other leaders playing the same game as Hugo Chávez include Castro's heirs, Lukashenko and the like. I would like to thank all my fellow Members of the European Parliament for sending a clear signal to the whole world via these Thursday afternoons during the plenary session that the European Parliament will never tolerate human rights violations anywhere in the world.

Madam President, I would like to thank you for chairing our meetings in the European Parliament, for your cooperation and for your personal friendship.

Zdzisław Zbigniew Podkański (UEN). – (PL) Madam President, the current term of the European Parliament is drawing to a close, and so the time has come for a certain summing up. We can say objectively that we have done a huge amount of work, and that among the results of our work we can clearly see a commitment to protecting human rights and the effects of this. This is especially visible in third countries. We are capable of making a very thorough analysis, as we are doing today, of the situation in Iran, Madagascar and Venezuela. We can adopt suitable resolutions and even give them public effect. These resolutions do not always bring the desired results, but we are working at a long distance from the countries and societies which have these problems, and our communication and ability to implement and convey our ideas is not always particularly good.

It is worse, ladies and gentlemen, with democracy and the protection of human rights within the European Union. This is an unpleasant and embarrassing matter. Today millions of people are working illegally. So what has happened to human rights? The trafficking of children and women is flourishing. So where are human rights in the EU? How are we protecting them? Why are we not effective?

It must also be said that an unpleasant incident occurred when here in this Chamber we demonstrated for a referendum, and Mr Pöttering called in security, which was a breach of human rights and our right to demonstrate and express our views. Nevertheless, the overall result is positive, and I think that we should definitely continue this kind of debate, and this kind of action, in the next parliamentary term.

Christopher Beazley (PPE-DE). – Madam President, I rise on a point of order under our Rules of Procedure to make a personal statement. This is my valedictory speech to the European Parliament, since I was first elected a quarter of a century ago and my father was elected 30 years ago – Peter Beazley, a Member of the European Parliament for Bedfordshire and North Hertfordshire.

I wish to thank all my fellow Members of this House, particularly our President, Hans-Gert Pöttering, with whom I had the honour of securing British Conservative membership of the Group of the European People's Party.

I wish to recall the service of Lord Plumb – Henry Plumb – as President of this Parliament, of British Commissioners of all parties – Roy Jenkins (President), Arthur Cockfield, Chris Patton, Prime Minister Ted Heath and Winston Churchill – all true Europeans.

The leader of my party, Mr David Cameron, has made a serious mistake. He is in error: he thinks that by becoming anti-European in the House of Commons this will secure him the premiership of my country. I, as a British Conservative, reserve the right to object – that is my final word. There are British Tories, Socialists, Liberals. We are Europeans. We will stand with our partners and our allies and, if my party leader seeks to rip up 30 years of work by British Tory pro-Europeans, he is wrong!

(The House accorded the speaker a standing ovation.)

Leonard Orban, Member of the Commission. – The Commission is closely following the situation in Venezuela with concern. The Commission is aware of the case of Manuel Rosales. He was granted political asylum in Peru after being charged with corruption in Venezuela. The Commission has taken note of the explanation provided by the president of Rosales' party, according to which he has gone into hiding for his own protection.

The Commission believes that the request for asylum made by Manuel Rosales, and its acceptance by the Peruvian Government, is a bilateral case and that it is not for the Commission to pronounce itself on the merits of this request.

We are aware that recently the judicial institutions have opened some judicial processes against opposition leaders in Venezuela. We know that some sectors of Venezuelan society have criticised the proliferation of measures which they consider adversely affect the right to freedom of expression and the freedom to exercise political rights. This same sector considers that the Government is showing an intolerant attitude towards criticism. We are conscious of these facts and we are closely following the political situation in Venezuela.

I would like to underline the importance that the European Union attaches to freedom of expression and opinion, a fundamental human right and a cornerstone of democracy and the rule of law. We hope that the democratic institutions of Venezuela will respect the rule of law and preserve democracy in the country, whilst complying with the obligation arising from the international agreements signed and ratified by Venezuela, including the American Convention on Human Rights and, specifically, the provisions on political rights set out in Article 23.

I wish to assure Parliament that the Commission will continue to follow developments in Venezuela closely. The Commission's commitment to supporting and strengthening democracy and the protection and promotion of human rights and fundamental freedoms will continue to be reflected in our cooperation policies and relations with Venezuela.

President. – The debate is closed.

The vote will take place immediately.

14. Voting time

President. – The next item is the vote.

(For details of the outcome of the vote: see Minutes)

14.1. Iran: the case of Roxana Saberi

- Before the vote

Laima Liucija Andrikiienė (PPE-DE). – Madam President, my proposal is that the words 'Iranian authorities' at the beginning of paragraph 3 should be replaced by 'Appeals Court at its hearing of 12 May'. Paragraph 3 would then read: 'Urges the Appeals Court at its hearing of 12 May to release Roxana Saberi...'

(Parliament agreed to accept the oral amendment)

- Before the vote

Marios Matsakis, author. – Madam President, after this joint motion for a resolution was agreed and submitted, the news came of yet another disgracefully brutal case of stoning to death of a citizen in Iran.

Therefore we thought it was appropriate to add to paragraph 7 the following: 'in this context insists that the authorities of Islamic Republic of Iran urgently abolish the practice of stoning; condemns strongly the recent execution by stoning of Vali Azad, and expresses great concern over the pending execution of Mohammad Ali Navid Khamami and Ashraf Kalhori;'. I understand that this meets with the approval of the other groups' representatives.

(Parliament agreed to accept the oral amendment)

14.2. Madagascar

- Before the vote

Glyn Ford, author. – Madam President, concerning the next vote, on 'Venezuela: the case of Manuel Rosales', the Socialist Group, of course, has withdrawn its signature from the compromise resolution. We have not taken part in the debate and we will not take part in the vote.

14.3. Venezuela: the case of Manuel Rosales

- After the vote

President. – Thank you very much. This was a emotionally charged sitting, not only because of the human rights issues, but because it was our last sitting. Thank you for your participation.

Zdzisław Zbigniew Podkański (UEN). – (PL) May I, on behalf of all Members of the European Parliament, and also our Parliamentary services and assistants, offer you, Madam President, our sincere thanks – to you personally, to the Bureau of the European Parliament and to the entire administration – for chairing the debates so well, for good cooperation and for mutual understanding. We wish you further success, re-election to Parliament, much satisfaction in your public activity and happiness in your personal life.

President. – Thank you very much. I should also like to take this opportunity to thank everyone in Parliament's services for their valuable work.

15. Corrections to votes and voting intentions: see Minutes

16. Request for the waiver of parliamentary immunity : see Minutes

17. Signature of acts adopted under codecision : see Minutes

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

19. Declaration of financial interests: see Minutes

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

21. Written declarations included in the register (Rule 116): see Minutes

22. Dates of forthcoming sittings: see Minutes

23. Adjournment of the session

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

(The sitting was closed at 4.15 p.m.)

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 8 by Mairead McGuinness(H-0221/09)

Subject: Dairy sector

Is the Council aware of the deep economic problems facing the EU dairy sector and if so, why hasn't more action been taken to address the problems as a matter of urgency?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Council shares the concern expressed by the Honourable Member regarding the difficult situation on the milk market. After an unprecedented period of record prices for milk and dairy products in 2007 and early 2008, European producers now face weak and uncertain markets characterised by a sharp drop in global dairy product prices.

On 23 March the Council held an extensive exchange of views on the difficult situation on the milk market and took note of a memorandum presented and supported by a number of delegations.

The legal framework regulating the milk and dairy market has changed considerably over the course of the last two years, with the adoption by the Council of the so called "mini-milk package" in September 2007, the increase of national quotas for milk by 2% as from 1 April 2008 and the adoption of the "Health Check" package in January 2009.

This new legislative framework was set with the long term competitiveness of European producers in mind. Short-term market effects have to be countered by the existing instruments of market support measures.

The Honourable Member will be aware of a number of market support measures taken by the Commission. These include the reactivation of export refunds for all dairy commodities, the introduction of private storage aid for butter and intervention for butter and skimmed milk powder. The Commission updates the Council regularly on the situation in the milk market.

It is for the Commission to present further proposals to the Council on this matter. The Commission has declared its readiness to examine the possibilities for extending the dairy products eligible for the "school milk scheme". However it stated that it was not ready to re-open any discussion on the "health-check" package.

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Question no 9 by Rodi Kratsa-Tsagaropoulou(H-0223/09)

Subject: Deadlock in negotiations to conclude a free trade agreement between the EU and the States of the Gulf Cooperation Council (GCC)

After 20 years of negotiations, the EU and the GCC have still not concluded a free trade agreement and, last December, the GCC States unilaterally withdrew from the negotiations.

How does the Council intend to rekindle the Gulf States' interest in the negotiations in order to conclude the agreement as soon as possible? Which particular matters are still unsettled and preventing an agreement being reached? How does it intend to involve the Gulf States more actively in deliberations on reforming the international financial institutions, in particular the International Monetary Fund and the World Bank, given the fact that Saudi Arabia is taking part in the G-20 summit and has voiced its interest in reforming those institutions? What subjects will be dealt with, in particular, at the forthcoming 19th Joint Council and Ministerial Meeting between the EU and the Gulf States?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The conclusion of the negotiations on a Free Trade Agreement with the Gulf Co-operation Council (GCC) remains high on the agenda of the Council and has been a priority for both the former Presidencies and the present Czech Presidency of the Council. The Presidencies and the Commission, that negotiates the Agreement on behalf of the EU, have been in close contact with the GCC side in order to take forward the negotiations.

At the 19th EU-GCC Joint Council and Ministerial Meeting in Muscat on 29 April 2009 both sides reviewed their recent consultations on a Free Trade Agreement and agreed to continue these consultations between them on all outstanding issues towards the resumption of negotiations.

The discussions at the ministerial meeting included issues of common interest such as the Middle East Peace Process, Iran and Iraq as well as number of global issues including counter-terrorism and non-proliferation. In the light of the importance of the global financial crisis, the EU and the GCC have expressed their deep concern at the impact of crisis on the global economy. They also welcomed the six key messages and recommendations of the G-20 summit and called for immediate and decisive measures to implement these decisions and recommendations in order to restore confidence to global markets and stability to financial markets.

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Question no 14 by Ryszard Czarnecki(H-0235/09)**Subject: EU-US summit**

What is the Council's opinion on the outcome of the EU-US summit in the context of combating economic protectionism?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

At the EU Heads of State and Government informal meeting with President Obama on 5 April 2009 in Prague, three topics were discussed, namely the economic and financial situation, climate change and energy security and external relations (Peace in the Middle East, Afghanistan, Pakistan and Iran). As far as the economic and financial situation is concerned, Heads of State and Government expressed satisfaction with the results achieved at the London G20 meeting on 2 April, while stressing the importance of implementing the measures agreed at that meeting as soon as possible. The Heads of State and Government agreed on the need to fight all forms of protectionism and expressed their support for an early conclusion of the Doha Round. In the context of keeping trade and investments flows open, the role of co-operation within the Transatlantic Economic Council was also highlighted.

The Council is satisfied that the informal discussions with President Obama were fully in line with the language agreed by the European Council on 19-20 March on the leading international action necessary to promote a swift return to sustainable economic growth.

In particular, as concerns the need to combat economic protectionism, the European Council agreed to keep markets open and avoid all forms of protectionist measures (no new barriers to investment or to trade and no new export restrictions), and to strive to swiftly reach agreement on modalities for the Doha Development Agenda with an ambitious and balanced outcome.

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Question no 15 by Kathy Sinnott(H-0237/09)**Subject: Exceptional occurrences**

While Article 103 of the Treaty on European Union says that neither the Community nor the Member States shall be liable for or assume the commitments of central governments without prejudice to mutual financial guarantees for the joint execution of a specific project, Article 100 states that where a Member State is seriously threatened with severe difficulties caused by exceptional occurrences beyond its control, the Council, acting by a qualified majority, may grant, under certain conditions, Community financial assistance to the Member State concerned.

Has the Council considered what these exceptional occurrences may be and does it have a definition of this? Does the Council foresee in the current economic situation that these circumstances will occur for any of the Member States?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The second paragraph of Article 100 of the Treaty establishing the European Community, which appears to be the paragraph to which the Honourable Member is referring in her question, has never been the legal basis for any proposal examined by the Council. Similarly, the Council never examined any proposal based on the second paragraph of Article 103a of the EC Treaty as inserted by the Maastricht Treaty, which was the corresponding provision prior to the paragraph in question.

No definition of "exceptional occurrences beyond the control of a Member State" exists and the Council has never discussed it. Similarly, the Council has never discussed the possibility of invoking "exceptional occurrences" in the context of the current economic situation.

The Council stands ready to examine any proposal from the Commission based on Article 100(2) of the EC Treaty, should the Commission present such a proposal. In accordance with Article 114(2) of the EC Treaty, the Economic and Financial Committee would be involved in the preparation of the Council's examination of any Commission proposal based on Article 100(2).

The Council recalls the terms of the Declaration on Article 100 of the Treaty establishing the European Community, which is attached to the Nice Treaty. According to this declaration, "decisions regarding financial assistance, such as are provided for in Article 100 and are compatible with the 'no bail-out' rule laid down in Article 103, must comply" with the provisions of the inter-institutional agreement on budgetary discipline and financial perspectives.

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Question no 16 by Nikolaos Vakalis(H-0239/09)**Subject: EU earthquake policy: actions taken by the Council in the wake of the recent catastrophic earthquake in Italy**

In November 2007 Parliament adopted resolution (P6_TA(2007)0507) on an integrated approach to earthquakes by the EU (prevention, response and repairing damage) in which it called for the adoption of specific measures as regards a policy for protection, reinforcing buildings (with special emphasis on buildings of historic and cultural significance), funding, research, public information, etc.

How has the Council responded to this resolution? What actions has it taken hitherto and which initiatives does it intend to take to implement its proposals? Did it react immediately to the recent deadly earthquake in Italy, and, if so, how? Was the EU natural disaster response mechanism activated? Has the EU taken political and economic measures to provide compensation?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Council is aware of the European Parliament's Resolution on an integrated approach to earthquakes by the EU. It had already on 5 March 2007 adopted a decision establishing a Civil Protection Financial Instrument aimed at providing financial assistance to improve the effectiveness of response to major emergencies as well as to enhance preventive and preparedness measures for all kinds of emergencies. Following the resolution, the Council adopted on 8 November 2007 the Council also adopted a new Decision establishing the Community Civil Protection Mechanism aimed at providing, support in the event of major emergencies and to facilitate improved coordination of assistance intervention provided by the Member States and the Community. In addition, the Council adopted in November 2008 conclusions which called for the strengthening of the civil protection mutual assistance between Member States and for the establishment of a European Disaster Management Training Arrangements. The Presidency believes that those acts and initiatives will improve significantly the technical and financial resources available for better needs assessments, joint interventions of Member States' civil protection teams as well as their transport and coordination.

After the earthquake that hit the Abruzzo region in Italy, on 6 April 2009, the Presidency wishes to express its condolences with the relatives of those who lost their lives and to pay tribute to all first responders, other professionals and volunteers who worked constantly and risked their lives during the whole campaign in order to save lives and limit the damages on properties and the environment.

On 10 April 2009 the Italian Civil Protection Department requested through the Monitoring and Information Centre (MIC), established according to the Community Civil Protection Mechanism, technical experts to support Italy in assessing the stability of buildings. Following this request, , 6 technical experts started their assessment of the situation on 18 April. As the MIC is established and managed by the Commission, the Honourable Member is invited to raise any additional questions to the Commission.

Finally I would like to draw your attention your attention of the fact it is for the Commission to decide whether assistance can be granted through the European Union Solidarity Fund which can be mobilised in case of natural disasters, such as earthquakes.

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Question no 17 by Athanasios Pafilis(H-0243/09)

Subject: Obstruction of anti-imperialist and pacifist demonstrations in Strasbourg

On 3 and 4 April during the NATO summit meeting in Strasbourg the French authorities used every means at their disposal to obstruct the demonstrations which had been planned by pacifist organisations from all over Europe and terrorized the city's inhabitants, deterring them from taking part in these demonstrations. At the same time, in collusion with the German authorities, they barred thousands of pacifist demonstrators from entering the city. They turned the centre of Strasbourg into an exclusion zone by erecting a large number of police checkpoints. It is characteristic of their behaviour that, at a checkpoint far from the demonstrations, the police stopped an MEP, the author of this question, as a suspect, detaining him for over half an hour, despite the fact that he had had revealed his identity and had showed his European Parliament pass and diplomatic passport!

How does the Council view the conduct of the French and German authorities which flagrantly violated the right of the peace movement to express its opposition to NATO's aggressive strategies against the peoples of the world? Did it take any part in planning and implementing these repressive measures? If so, what role did it play?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Council can confirm that the French and German authorities have notified their EU partners and the Commission in advance that controls at their common land border would be reintroduced for a few days, for safety reasons related to the organisation of the NATO summit, based on the provisions of Title III, Chapter II of the Schengen Border Code⁽⁵⁾.

(5) Regulation (EC) N° 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders, OJ L 105 of 13.4.2006, p.1.

Otherwise, the Council did not discuss the issues raised by the Honourable Member.

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Question no 18 by Georgios Toussas(H-0246/09)

Subject: Unacceptable anti-Communist legislation in Lithuania

A drawing of portrait of the historic leader of the October Revolution, Vladimir Ilyich Lenin, was found recently in the village of Svirplyay in Lithuania. The police immediately launched an investigation to prosecute the 'perpetrators' on charges of 'publicly exhibiting Communist symbols'. This measure has been taken under the notorious anti-Communist legislation which was used to outlaw the country's Communist Party as early as 1991 and to ban the use of Soviet and Communist symbols in 2008.

These actions form part of - and stoke - the anti-Communist hysteria in which the EU's institutions play a leading role, characterised by historically misguided efforts to equate Fascism and Communism, the attempt to criminalize Communist ideology and the prohibition of the use of Communist symbols and the actions and operations of the Communist parties. History has demonstrated that anti-Communism and the persecution of Communists are invariably the precursors of a general assault on working people, democratic rights and popular freedoms.

Will the Council say whether it condemns this unfolding anti-Communist campaign and indeed the very existence of this unacceptable anti-Communist legislation which seeks to prevent the free movement of ideas and unhindered political activity in Lithuania, and also in other EU Member States?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Council has not discussed this issue as it is an internal matter of the Member State concerned.

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Question no 19 by Marusya Ivanova Lyubcheva(H-0249/09)

Subject: Maritime piracy

During recent months we have been witnessing intense maritime piracy activity and several cases of ship seizures. At present, 16 Bulgarian citizens are being held as hostages and their whereabouts is unknown.

Having regard to the Resolution of the European Parliament of 23 October 2008 on piracy at sea (P6_TA(2008)0519 - B6-0537/2008) and the recent debates on the third maritime safety package, what measures is the Council taking to improve cooperation in the field of maritime traffic safety and to ensure the release of the kidnapped European citizens? Since 22 of the EU Member States are coastal countries, does the Council envisage the consolidation of common measures to counter this form of maritime terrorism?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The issue of piracy off the coast of Somalia and within the Gulf of Aden is a matter of considerable concern, and has been raised in the Council on a number of occasions, most recently on 30 March when there was agreement on the need to step up all possible measures in order to make this important sea package safe for all merchant fleets and ships carrying humanitarian aid.

Combating piracy is also being extensively discussed within the framework of the International Maritime Organization (IMO) Maritime Safety Committee.

Following the adoption of UNSCR 1816 (2008), the Council decided on 8 December 2008 to launch a European Union maritime operation (Atalanta) to contribute to the deterrence, prevention and repression

of acts of piracy and armed robbery off the Somali coast. The purpose of this operation is to contribute to the security of maritime traffic in the area.

This operation is part of a wider effort by the international community that involves a number of countries affected by piracy, as well as the maritime community. The headquarters of the operation have established the necessary structures and processes to ensure maximum coordination with other actors in the region and with representatives from the maritime industry.

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Question no 20 by Laima Liucija Andrikienė(H-0250/09)

Subject: Cooperation in the field of accidental or deliberate marine pollution

When it comes to shaping and implementing EU responses to the issue of sea-dumped chemical weapons, how does the Council assess and utilise the existing international documents and arrangements including the London Convention of 1972 and its Protocol of 1996 prohibiting disposal of chemical and biological agents, the Chemical Weapons Convention, the Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention), the work of the Helsinki Commission and the decision of the European Parliament and of the Council (Article 2 (b), Decision 2850/2000/EC⁽⁶⁾) in setting up the Community framework for cooperation in the field of accidental or deliberate marine pollution?

How could the Council support the promotion of cooperative activities with governments and the relevant international organisations and interested partners with a view to improving their capabilities for response in the case of incidents with sea-dumped chemical weapons in various parts of the world, as well as national and international responses to them?

How will the Council promote cooperation between the Baltic Sea States in exchanging and furthering the experience of those states in dealing with chemical weapons dumped in the Baltic Sea?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Community and Member States are active parties to most major conventions and agreements covering regional seas around Europe, such as the 1992 Helsinki Convention for the protection of the Baltic Sea, the 1983 Bonn Agreement for the protection of the North Sea, the 1976 Barcelona Convention for the protection of the Mediterranean Sea and the 1992 Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR).

At Community level, the framework established by the European Parliament and the Council for cooperation in the field of accidental or deliberate marine pollution, for the time period 2000-2006 provided support to Member States in their efforts to protect the marine environment. This framework concerned in particular discharges of harmful substances into the seas, including substances linked to the presence of dumped material such as munitions.

Under this framework a Community information system, hosted by the Commission, was set up with the aim of exchanging information amongst Member States on intervention capacities and measures in place in the event of marine pollution.

In October 2001, a Community Civil Protection Mechanism was set up by the Council in order to improve coordination of assistance provided by Member States and the Community and to mobilise assistance from them when inter alia marine pollution accidents occur. The Community Civil Protection Mechanism was recast by the Council Decision on 8 November 2007.

Particular reference should be made, in this specific area, to the role of the European Maritime Safety Agency (EMSA), established by Regulation (EC) N° 1406/2002 of the European Parliament and of the Council of 27 June 2002. To reduce the risk of all kinds of marine pollution from ships, including sea dumped chemical

⁽⁶⁾ OJ L 332, 28.12.2000, p. 1.

weapons; this agency provides technical assistance to the Commission and to the Member States of the EU on the implementation, monitoring, development and evolution of relevant EU and international legislation.

The Presidency would like also to recall that the Council, in its conclusions of December 2008 on the integrated maritime policy, welcomed progress on the proceedings on the proposal for a Directive of the EP and the Council⁽⁷⁾ on pollution caused by vessels and the introduction of penalties for infringements, currently examined by the Council.

Furthermore, the Council encouraged Member States to begin work required for the implementation of the Marine Strategy Framework Directive, adopted in 2008, which establishes a framework within which Member States shall take the necessary measures to achieve or maintain good environmental status in the marine environment by the year 2020 at the latest.

As regards the specific question raised by the Honourable Parliamentarian of promoting Baltic States cooperation, the European Council in December 2007 invited the Commission to present an EU strategy for the Baltic Sea region at the latest by June 2009. Such a strategy should, inter alia, help to address the urgent environmental challenges related to the Baltic Sea. The Council, in its conclusions of 8 December 2008, reiterated the importance of the future strategy for the Baltic Sea for the integrated maritime policy of the European Union.

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Question no 21 by Rumiana Jeleva(H-0253/09)

Subject: EU-Egypt Association Council: Egypt's non compliance with EU-Egypt Action Plan by broadcasting Al-Manar TV into Europe

The broadcasting of the outlawed terrorist media 'Al-Manar TV' into Europe by the Egyptian satellite provider Nilesat continues to be in direct violation of the EU-Egypt Action Plan and constitutes a threat to European security.

Did the Council take steps to raise the broadcasting of 'Al-Manar TV' into Europe via Nilesat during the EU-Egypt Association Council meeting on 27 April 2009? If not, when does the Council intend to raise this violation of the EU-Egypt Action Plan with Egypt?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Council understands the concern of the honourable Member that some material broadcast by the Al-Manar television station in question might amount to incitement to hatred.

The Council addressed these concerns in its statement for the last EU-Egypt Association Council, which took place on 27 April 2009. It was stated that "The EU encourages Egypt to continue to pursue efforts aimed at fighting discrimination on all grounds and at promoting tolerance in matters related to culture, religion and beliefs and minorities. In this context, the EU is concerned about the discriminatory content in some of the broadcasts of the Al-Manar television channel distributed by the Egyptian satellite Nilesat. The EU condemns any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence".

Furthermore, the EU raised its concerns during the EU-Egypt expert meeting on Counter-terrorism, which took place on 31 March in Brussels. The Egyptian side took note of this issue.

The Council believes that dialogue with Egypt, through the institutional structure of the sub-committees and political dialogue, is the most effective way to encourage the Egyptian government to progress in the area of human rights. The sub-committee on political matters with Egypt, whose second meeting is scheduled for 7 July, might also allow for issues related to the fight against racism, xenophobia and intolerance to be raised. These include the undertaking in the joint EU-Egypt Action Plan to "strengthen the role of media in

⁽⁷⁾ COD/2008/055

combating xenophobia and discrimination on the grounds of religious belief or culture” and encouraging the media “to assume its responsibilities in this regard”.

The Council will continue to pay close attention to this issue and may raise it on other occasions within the EU's regular political dialogue with Egypt.

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Question no 22 by Alexander Alvaro(H-0255/09)

Subject: Freedom of speech and the Czech Act limiting the freedom of the press

An unprecedented law limiting freedom of speech and freedom of the press has recently been introduced in the Czech Republic, namely the Czech Act of 5 February 2009 which amends Act No 141/1961 Coll., on criminal court proceedings (Criminal Code), providing for up to five years in prison and a heavy fine of up to EUR 180 000 for publishing any account from police wiretapping.

Is the Council aware of whether the recently adopted Czech Act has a precedent in any other EU country?

Does the Council recognise that the newly-adopted Czech Act is in clear contradiction with the European Human Rights Court Judgment of 19 March 2007 in the case of *Radio Twist, A.S. v. Slovakia* stating that publishing police wiretapping records in the public interest overrides the right to privacy protection?

Does the Council think that the aforementioned Czech Act complies with the basic principles of freedom and liberties, as outlined by the Charter of Fundamental Rights and Article 6 of the TEU on which the European Union is based?

Answer

(EN) 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 May 2009 part-session of the European Parliament in Strasbourg.

The Council considers that freedom of expression is a fundamental right as recognised by Article 6(2) of the Treaty on the European Union and reflected in the Chapter of Fundamental rights of the European Union. Member States are answerable for restrictions imposed in respect of the exercise of this freedom to the European Court of Human Rights in Strasbourg.

The Council cannot take a position on the issue raised by the Honourable Member, which concerns an internal matter of the Member State concerned.

The Presidency can only inform that a constitutional complaint on this issue has been lodged to the Czech Constitutional Court in April 2009.

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QUESTIONS TO THE COMMISSION

Question no 35 by Justas Vincas Paleckis(H-0220/09)

Subject: EU-Russia partnership in the field of transport

A Baltic Sea strategy is currently being prepared. An important role in this strategy is to be given to the Northern Dimension policy, the regional expression of EU cooperation with Russia, Norway and Iceland. Under the Northern Dimension, the Russian Federation is a very important partner in terms of transport logistics. However, at present Russia is reserved in its approach to cooperation with the EU in the field of transport: for example, since March it has levied charges on road users from the EU. This has a serious impact on transport companies from neighbouring EU countries in particular.

What is the Commission's position on this matter? How does the Commission intend to foster cooperation with Russia in all areas of transport, including transport logistics under the Northern Dimension? How is the Commission seeking to encourage Russia to reject protectionist policies in the transport sector?

Answer

(EN) As requested by the European Council the Commission is currently preparing an EU Strategy for the Baltic Sea Region. Some parts of the Strategy and in particular of its Action Plan will call for cooperation with our external partners, such as the Russian Federation. Northern Dimension policy and the structures within it, especially existing and future Partnerships, will provide good formats for pursuing this cooperation.

The Northern Dimension is a common policy between the EU, Russia, Norway and Iceland. In addition it is the regional reflection of the four Common Spaces agreed between the EU and Russia. It is clear that the issues of transport and logistics form an important part of this cooperation.

The Northern Dimension Ministerial meeting which took place last October 2008 in St. Petersburg decided to establish a Northern Dimension Partnership on Transport and Logistics. Work is still underway to solve the few outstanding issues with the aim of the Partnership becoming fully operational as from 1 January 2010. The Partnership will play a crucial role in addressing various transport/logistics related bottlenecks as well as facilitating key infrastructure projects agreed by all partners.

An important concern remains the imposition of a new road user charge scheme by Russia, which it has implemented as of 1 February 2009. The Commission urged Russia to remove these discriminatory tariffs, which give an unfair advantage to Russian hauliers in a market that should be balanced and fair. In this context, agreeing to revitalise the EU-Russia Transport Dialogue and the discussion of Commissioner in charge of Transport on this issue with Russian Transport Minister Levitin in February are two steps in the right direction. The Commission is presently in contact with Russia with a view to re-energising our Transport Dialogue and convening Working Group meetings covering all areas of mutual concern. The Commission will make further efforts to stop implementation of the scheme so as to avoid raising new barriers in our trade and transport relations.

The Commission is determined to pursue constructive cooperation with Russia also in the field of transport and logistics. Our bilateral transport dialogue as well as the Northern Dimension Partnership will be important tools in this regard.

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Question no 36 by Eoin Ryan(H-0230/09)**Subject: Air travellers' rights**

A recent report published in Ireland highlighted the fact that only 5% of Irish citizens are aware of their rights when they travel by plane.

What is the Commission doing to ensure that European air travellers are fully protected and aware of their rights?

Answer

(FR) For years the Commission has been undertaking many initiatives and actions that are designed to make passengers aware of the rights granted to them by Community law and to enforce those rights in practice.

Firstly, in 2007 the Commission undertook the large-scale distribution of new posters and brochures, available in all the official languages of the European Union. The Commission's poster, which offers an insight into the various types of rights granted to passengers, has now been placed in the large majority of Community airports by the ACI (Airports Council International). These posters and brochures are free of charge and can also be ordered via the Internet on the Commission's website.

Through the 'Europe Direct Contact Centre' passengers can also receive the information they need by telephone, e-mail or web-chat. This Commission-funded information centre responds to requests for information in all the official languages of the European Union.

In November 2008 the Commissioner for Transport set up a new contact point that can be accessed via his website and that of the DG TREN⁽⁸⁾. Here passengers can address their requests for information on all

⁽⁸⁾ Directorate-General for Energy and Transport

Community regulations relating to their rights. These information requests are answered very promptly via the Europe Direct service.

Next, the Commission has verified that the vast majority of the competent national authorities (NEBs) have also set up websites providing necessary information in their national language on Regulation No 261/2004 on passengers' rights in the event of cancellation, long delays and denied boarding, and on Regulation No 1107/2006 concerning the rights of disabled passengers and persons with reduced mobility when travelling by air.

NEBs also carry out inspections to verify that airlines are fulfilling their obligation to provide written information to passengers, directly at check-in and in case of incident, under Regulation No 261/2004.

Lastly, in 2008 the Commission launched a video to coincide with the entry into force of Regulation No 1107/2006 on the specific rights of persons with reduced mobility when travelling by air. This video has also been distributed as a communication tool to all airports belonging to the ACI. Information concerning Regulation 1107/2006 and its implementation is a regular agenda item at the meetings of the High-Level Group, whose participants include representatives of European civil society most directly affected by such legislation.

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Question no 37 by Georgios Toussas(H-0247/09)

Subject: Scandal of shipowners' subsidies

Between 2000 and 2008, Greek shipowners collected 226,822,254.98 euro in subsidies for operating ferry services to islands on unprofitable routes. The subsidies soared with the PASOK government's introduction of Law No. 2932/2001, which implemented Regulation (EEC) No. 3577/92⁽⁹⁾. In 2003, when the law entered into force, the subsidies shot up from 12,000,000 euro in 2002 to 25,180,000 euro. The scandal of shipowners receiving subsidies paid for by the Greek people is also being perpetuated by the current New Democracy government which, in 2008-2009 alone, secured the shipowners more than 100,000,000 euro, i.e. a profit of 267,315.41 euro per route. During the same period, fares rose by 376%.

What is the Commission's position on the substantiated allegations that shipowners are enjoying a 'goldmine' of subsidies for 'patented' unprofitable ferry routes? Why does it not publish the related report on ferry services within the Member States of the EU?

Answer

(FR) In accordance with Council Regulation (EEC) No 3577/92 (on maritime cabotage), public service contracts may be concluded where the market does not provide an adequate maritime transport service to islands. There is very broad scope for the Member States to assess the 'adequate' nature of the service.

In return for services provided, the Member States grant financial compensation to the shipowner in charge of providing the public service. The compensation may not exceed the amount necessary to cover the costs of the service, taking into account the operators' revenue and a reasonable profit.

The Member States are not obliged to notify the Commission of either the public service contracts concluded, or the associated compensation. For this reason the Commission does not have access to detailed information on the amounts granted to shipowners in the Member States. The Commission would point out, however, that compensation of this kind is granted by all Member States which have islands and use this type of public service contract.

The honourable Member is suggesting that certain profitable routes are deemed to be unprofitable in order to justify the payment of compensation. If this is in fact the case, the Commission believes that the routes in question should be made subject to a purely commercial system. The Commission would be very grateful if the honourable Member could provide it with detailed information on the routes in question.

Lastly, with regard to the report on the application of ferry services, a consultation is under way with the national maritime authorities and the other interested parties with the aim of collecting information for use

⁽⁹⁾ OJ L 364, 12.12.1992, p. 7.

in assessing the operation of ferry services and the effects of their liberalisation. The report to which the honourable Member refers should be published by the end of the year.

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Question no 38 by Gay Mitchell(H-0208/09)

Subject: Green-collar jobs

In the context of both economic recovery and climate change there has been a lot of discussion and promotion of the idea of 'green-collar' jobs as a part of the solution to both challenges.

In what way is the Commissioner for Energy working in a coordinated way with the Commissioner for Employment to ensure that these proposals become a reality, rather than mere rhetoric?

Answer

(EN) The Commission recognises the importance of moving to a resource-efficient, low-carbon economy⁽¹⁰⁾. Progress made towards this structural change will depend principally on the development of new up to date and coordinated policies in various fields, on the pace of implementation of existing policies including those aimed at reducing carbon dioxide in the Member States, the speed at which markets and technologies mature, and the degree of responsiveness of the labour markets to accommodate all these changes.

In order to mitigate and adapt to climate change and meet other environmental challenges, a comprehensive strategic approach and coordinated action by policy-makers involved are needed in several fields in addition to energy and employment (such as the environment, industry, R&D, transport and education). In relation to adaptation, the ingredients for coordinated action across different sectors and levels of governance were set out recently by the Commission in its White Paper 'Adapting to climate change: Towards a European framework for action'⁽¹¹⁾. With regard to mitigation, the climate and energy package adopted last December is a fundamental step in the right direction and its implementation will create employment opportunities in the energy sector. E.g. the renewable energy sector is expected to have between 2,3 to 2,7 million jobs by 2020, with a high contribution from small and medium sized enterprises⁽¹²⁾.

Further efforts to facilitate the transition to a low-carbon economy may be facilitated under the Lisbon Strategy to help speed up the restructuring process and ensure it runs smoothly. The Economic Recovery plans for most, if not all, Member States, contain a focus on investment in green technologies, and on the aim of creating green jobs. EU policy in this area seeks to create more and better jobs and to make employment cost-effective and sustainable. Reducing the carbon footprint at the workplace would make all jobs in the EU economy greener.

Information on skills profiles in a 'green' economy is scarce, partly because not enough awareness exists of the potential effects of structural change. It is reasonable to assume that the 'greening' of skills will involve, first, the application of traditional qualifications and skills to the production/use of new 'greener' techniques, material and products, and secondly, specific 'green' skills, such as for reducing the carbon footprint. The Commission has therefore recognised two measures as important, namely developing a capacity to identify skills for the green economy and to match labour-market requirements, and the organisation of training programmes to develop the skills needed to fill new positions.

In its Communication to the Spring European Council⁽¹³⁾, the Commission underlined the importance of improvements in monitoring and anticipating skills needed, and matching and upgrading skills in line with future labour-market needs, such as for jobs required by the green economy. It will therefore support the Member States and the social partners in anticipating the forthcoming changes linked to the greening of the

⁽¹⁰⁾ The European Economic Recovery Plan adopted by the Commission in November 2008 ('A European Economic Recovery Plan', COM(2008) 800 final) provides for policies that are good for the environment, reduce the energy bill, increase energy security, create jobs, support low-earning households, and may boost exports and innovation.

⁽¹¹⁾ COM(2009) 147 final.

⁽¹²⁾ See study "The impact of renewable energy policy on economic growth on employment in the European Union", prepared for European Commission, DG Energy and Transport in 2009, which will be available at http://ec.europa.eu/energy/renewables/studies/index_en.htm in the first half of May 2009.

⁽¹³⁾ 'Driving European recovery', COM(2009) 114 final.

economy and the associated labour-market challenges. The Commission's 'New Skills for New Jobs' initiative⁽¹⁴⁾ sets out a number of activities to improve knowledge of current and future labour-market demand and mobilise various Community instruments to support skills upgrading. In 2009 the Commission will accordingly step up cooperation with the ILO⁽¹⁵⁾ and Cedefop⁽¹⁶⁾ on the development of tools and methods for anticipating skills required, in particular from a 'green skills' perspective.

The Restructuring Forum which the Commission will host in June will consider issues relating to the easing of adverse effects on workers and employers due to the mitigation of and adaptation to climate change. It will also look at the issue of skills and at how to provide retraining for those affected or those who can take advantage of the opportunities associated with low-carbon technologies.

Simplifying the European Social Fund rules in line with the European Economic Recovery Plan will also make it easier to fund such measures as training and skills upgrading, activation measures for unemployed and redundant workers, and support for self-employment. The flexicurity approach⁽¹⁷⁾ may also assist in the process of adaptation to the structural challenges of climate change.

With ambitious spending on green economy and environmental projects (€105 billion for the 2007-2013 period), Cohesion Policy is making a considerable contribution to sustainable growth and jobs in Europe as well as to the EU objectives in the fight against climate change. In particular, Cohesion Policy is contributing €3 billion to the promotion of environmentally-friendly products and production processes in SMEs⁽¹⁸⁾ and to new "green-collar" jobs. One of the clear aims of funding for research and innovation is to boost overall investment in green technologies.

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Question no 39 by Mairead McGuinness(H-0222/09)

Subject: Retailers and businesses in border areas

Is the Commission aware of the extreme difficulties facing retailers and businesses in border areas in the Republic of Ireland due to the dramatic reduction in the value of sterling, resulting in an unfair competitive advantage being given to retailers in Northern Ireland?

What action or assistance, if any, can be given to these ailing businesses?

Is the Commission aware of similar situations occurring in Member States within the Eurozone, that border non-Eurozone Member States?

Answer

(EN) Exchange rates are subject to significant fluctuations, which are generally, although not always, related to changes in economic fundamentals. The recent fall in the British pound can be related to a number of economic factors. These include financial market participants' concern about the United Kingdom's twin deficit (a large trade deficit coupled with a growing budget deficit, including large contingent liabilities), fears that the recession will be deeper in the United Kingdom than in other advanced economies and sharp interest rate cuts by the Bank of England. In addition, although to a lesser extent than the United States dollar, the euro has benefited from flight-to-safety flows since the outbreak of the financial market crisis. Furthermore, the depreciation of the pound in 2007 and 2008 started from a level where the pound was clearly above its long-term historical average.

The Commission is not aware of similar situations in other border areas, although they cannot be excluded.

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⁽¹⁴⁾ 'New Skills for New Jobs: Anticipating and matching labour market and skills needs', COM(2008) 868.

⁽¹⁵⁾ International Labour Organisation

⁽¹⁶⁾ European Centre for the Development of Vocational Training

⁽¹⁷⁾ Flexicurity includes: (i) comprehensive lifelong learning strategies; (ii) effective active labour-market policies; (iii) flexible, reliable contractual arrangements; and (iv) modern security systems.

⁽¹⁸⁾ Small and Medium-sized Enterprises

Question no 40 by Rodi Kratsa-Tsagaropoulou(H-0224/09)**Subject: Deadlock in negotiations to conclude a free trade agreement between the EU and the States of the Gulf Cooperation Council (GCC)**

After 20 years of negotiations, the EU and the GCC have still not concluded a free trade agreement and, last December, the GCC States unilaterally withdrew from the negotiations.

How does the Commission intend to rekindle the Gulf States' interest in the negotiations in order to conclude the agreement as soon as possible? Which particular matters are still unsettled and preventing an agreement being reached? How does it intend to involve the Gulf States more actively in deliberations on reforming the international financial institutions, in particular the International Monetary Fund and the World Bank, given the fact that Saudi Arabia is taking part in the G-20 summit and has voiced its interest in reforming those institutions? What subjects will be dealt with, in particular, at the forthcoming 19th Joint Council and Ministerial Meeting between the EU and the Gulf States?

Answer

(EN) The Commission regretted the decision of the last Summit of the Gulf Cooperation Council (GCC, 29 December 2008) to suspend the negotiations for an Free Trade Agreement (FTA) with the EU.

Despite the suspension, the Commission, as negotiator of the Agreement, considers that an agreement is within reach if there is sufficient flexibility on the remaining issues (i.e., the political clauses, and the prohibition of export duties). It remains, therefore, committed to continuing the discussions.

The signals emerging from the 29 April 2009 EU-GCC Ministerial Meeting in Oman were positive : the GCC and the EU reviewed their recent consultations on the FTA and agreed to continue such consultations on all outstanding issues, so as to permit the resumption – and ideally the conclusion - of these long-running negotiations.

The Commission remains determined to make further efforts to find mutually acceptable solutions.

The results of the London G20 summit are very significant and deliver a strong message of global unity on both the diagnosis and the solutions in the face of the ongoing crisis. Saudi Arabia's role was very constructive, especially with regard to regulatory reform and the reform of the International Financial Institutions. The Commission welcomes, in particular, Saudi Arabia's support of the increase in International Monetary Fund resources.

In the light of the current international political environment, EU and GCC Ministers discussed the global economic and financial crisis and the way to address it at their Ministerial meeting in Oman held last week (29 April 2009). A detailed discussion on the current global imbalances will be the subject of the next economic dialogue between the Commission and the GCC on 15 June 2009 in Brussels.

The agenda of the EU-GCC Joint Council and Ministerial meeting (Oman, 29 April) included, like in previous years, cooperation issues and political matters of common interest for both the EU and the GCC:

Implementation of the 1989 Cooperation Agreement: state of play and prospects of cooperation activities in fields of mutual interest, such as energy, environment/climate change, research, higher education;

regional questions such as the Middle East Peace Process, Iran and Iraq;

a number of global issues such as counter-terrorism and non-proliferation, climate change, human rights and the global economic and financial crisis.

On all these issues, and on the FTA, the EU and the GCC exchanged views in Oman. A Joint Communiqué was agreed between the two parties. The main outcomes of the meeting were the decision to revitalize the bilateral relation between the two parties on the basis of the existing cooperation agreement, and the decision to continue talks on the FTA with a view to resume the negotiations.

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Question no 41 by Bogusław Sonik(H-0225/09)**Subject: Study centre for eastern Christianity at the Pontifical Academy of Theology of Krakow**

A proposal has been put forward for the establishment of a study centre for eastern Christianity at the Pontifical Academy of Theology of Krakow. The centre is designed to meet the need for research into the Muslim world and the Christian communities within it. It will seek in particular to focus on intercultural dialogue and respect for minority rights in the Middle East. This area is of special interest in connection with the development and integration of Europe. Once established, the centre could undertake research into the abovementioned field. The centre will be partly financed by the Academy, making it possible for scientific research to be undertaken and academic degrees to be awarded. Will the Commission say whether any additional funding for this centre is possible?

Answer

(EN) With regard to the Structural Funds and in according with the principle of subsidiarity, the Commission is not involved in the selection of projects, with the exception of so-called major projects (above €25 million for environment and €50 million for all other sectors) which the Commission appraises in accordance with Article 41 of Council Regulation (EC) No 1083/2006. The responsibility for the selection of projects rests with the national or regional authorities in Poland. Since the value of the project in question does not exceed the thresholds for major projects, any decisions taken on whether the project will receive support from the Structural Funds is the responsibility of the Member State. For projects being implemented within the framework of the Regional Operational Programmes, the institution responsible for their selection is the Marshal's Office, in its role as the Managing Authority of the operational programme.

The Commission therefore suggests contacting the Malopolskie Marshal's Office.⁽¹⁹⁾

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According to the Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund, Cohesion policy should contribute to increasing growth, competitiveness and employment by incorporating the Community's priorities for sustainable development as defined at the Lisbon European Council of 23 and 24 March 2000 and at the Göteborg European Council of 15 and 16 June 2001.

More generally, with regard to culture and its funding at national level it should be remembered that such funding is a responsibility of the Member States. Action at EU level is undertaken in full respect of the principle of subsidiarity, with the role of the EU being to support and complement actions of the Member States and not to substitute these.

However, the EU Culture Programme 2007-2013 promotes the transnational mobility of cultural professionals, of works of art as well as cultural and artistic products and it stimulates intercultural dialogue. More information on the Programme can be provided by the Cultural Contact Point in Poland.⁽²⁰⁾

⁽¹⁹⁾ Urząd Marszałkowski Województwa Małopolskiego

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⁽²⁰⁾ Cultural Contact Point Poland

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Question no 42 by Colm Burke(H-0226/09)

Subject: EU database of struck-off medical professionals

Can the Commission comment on the modalities of setting up an EU register of struck-off medical professionals, in light of the fact that the European Parliament has sought to include provision for such measures in its reading of the cross-border healthcare proposal?

Answer

(EN) Member States have established their own registers in which health professionals' members of a regulated profession are listed and where mention of disciplinary actions or criminal sanctions against them are included, where appropriate.

Furthermore, Directive 2005/36/EC⁽²¹⁾ on the recognition of professional qualifications has reinforced the administrative cooperation between competent authorities, as exchange of information between the home and the host Member State has become an obligation. More specifically, it concerns the exchange of information with regard to disciplinary actions or criminal sanctions taken or any other serious, specific circumstances which are likely to have consequences for the pursuit of the activities in question, as well as any information relevant to the legality of the service provider's establishment and his/her good conduct.

An electronic tool, called IMI (Internal Market Information system), has been developed and facilitates information exchange between the relevant competent authorities on the basis of standard forms, pre-translated into all languages, which contains questions relevant for the effective application of Directive 2005/36/EC. The IMI system is fully operational for the health professionals, such as doctors, dentists, nurses, midwives, pharmacists and physiotherapists.

This exchange of information between Member States has to respect personal data protection legislation provided for in Directive 95/46/EC⁽²²⁾ on the protection of individuals with regard to the processing of personal data and on the free movement of such data and Directive 2002/58/EC⁽²³⁾ on privacy and electronic communications.

In 2012, the Commission will provide a report on the application of Directive 2005/36/EC in which an assessment of its provisions will be made. If it then becomes clear that the various obligations and means of exchange of information remain inadequate to deal with the problems at stake, the obligations (and their modalities) related to the exchange of information may have to be reconsidered.

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(21) Directive 2005/36/EC of the Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (Text with EEA relevance), OJ L 255, 30.9.2005.

(22) Directive 95/46/EC of the Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995.

(23) Directive 2002/58/EC of the Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), OJ L 201, 31.7.2002.

The Commission's proposal for a directive on patients' rights in cross border health care focuses on the rights and mobility of patients. This proposal sets out the obligation for healthcare professionals to provide all relevant information to enable patients to make an informed choice. This may include confirmation of this registration status.

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Question no 43 by Liam Aylward(H-0228/09)

Subject: Child labour

In November of last year, the ACP-EU JPA adopted a report on child labour, which I co-authored, calling for the European Commission to oblige all large companies operating in the EU to take responsibility for labour practices at all levels of the supply chain, and noting that in order to support this, supply-chain compliance should be ensured by regular thorough inspections and independent audit at all levels.

What measures is the Commission taking to fulfil its responsibilities in this regard?

Answer

(EN) The question relates to the follow-up note provided by the Commission to the JPA Report on child labour⁽²⁴⁾. As indicated in the follow-up note, the definition of corporate social responsibility used by the Commission and EU Member States encompasses measures undertaken by firms themselves on a voluntary basis, not as a response to compulsory regulation. Thus obligatory measures such as supply chain monitoring by public bodies or other independent audits are not foreseen.

The Commission has engaged with the private sector through the European Alliance for Corporate Social Responsibility (CSR) and has supported a series of workshops or "laboratories" addressing social and environmental themes. These workshops have resulted in a number of recommendations and tools to support the corporate sector, including a new web portal providing guidance for companies on social and environmental issues in the supply chain.

The Commission hosts a Multistakeholder Forum for CSR involving employers, Non-Governmental Organisations (NGOs), Trade Unions, academic representatives and investors. It also participates in the OECD⁽²⁵⁾ initiative to develop and promote Multinational Guidelines, as well as encouraging EU industry to join the United Nations (UN) Global Compact. More recently, the Commission and Member States are examining the framework developed by John Ruggie, the UN Special Representative on Human Rights and Business, in his 2008 UN report entitled Protect, Respect, and Remedy. In particular, the Commission intends to launch, in cooperation with the UN Special Representative, a study on the legal framework regarding human rights and environmental issues applicable to EU companies when they operate in 3rd countries.

As indicated during the presentation of the follow-up note at the meeting of the JPA Social Committee in February 2009, the Commission would be happy to participate in the September 2009 meeting of the JPA Social Committee to discuss new developments and the outcome of further follow-up measures. One such follow-up measure will include the next meeting of the European Forum on the Rights of the Child⁽²⁶⁾ (a permanent advisory forum on children rights in internal and external action), which is being organised for 18 June 2009 and which will focus on child labour. One of the items on the agenda will be Corporate Social Responsibility and its contribution to fighting child labour. The Commission believes that these developments provide a sound basis for the continuing discussion on Children's Rights and Corporate Social Responsibility.

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⁽²⁴⁾ http://www.europarl.europa.eu/intcoop/acp/60_17/pdf/suivi_en.pdf

⁽²⁵⁾ Organisation for Economic Cooperation and Development

⁽²⁶⁾ http://ec.europa.eu/justice_home/fsj/children/forum/fsj_children_forum_en.htm

Question no 45 by Kathy Sinnott(H-0238/09)**Subject: Link between cancer and night work**

Working the overnight shift has been linked to an increased risk of developing cancer. Research has found that men who work night shifts have higher rates of prostate cancer, while women have higher rates of breast cancer.

The World Health Organisation declared night work a probable carcinogen. The designation was also endorsed by the American Cancer Association.

Is the Commission aware of this link between cancer and night work? Will the Commission step up support for research on how night work is contributing to cancer in the EU? Will it look into best practices and research on how night work can be made safer and what the maximum amount of safe night work is? In terms of employment, will the Commission publish guidelines on how night work is a risk factor for cancer so that employers and employees are aware of the risk?

Answer

(EN) The Commission is aware of the suggestions of a link between cancer and night work, considered to be "probable" by the WHO International Agency for Research on Cancer.

The Commission recognises that this "probable" link is known to the scientific community, whose research is based on the preliminary assumption that night shift work can impair normal rhythmic biological cycles. This has an impact on the production of melatonin which, in turn, induces an abnormal increased production of hormones, and thus the risk of developing certain types of cancer.

The Commission is actively involved in trying to reduce the negative impact of working conditions in relation to cancer. The European Agency for Safety and Health at Work and the European Foundation for the Improvement of Living and Working Conditions are also actively engaged in investigating the affects of disrupted sleep patterns on health.

Nevertheless, the main scope for preventing cancer remains through taking preventative actions based on major health determinants, as set out in the European Code against Cancer. It has been estimated that around one third of all cancers could be prevented by modifying or avoiding key risk factors, such as tobacco smoking and alcohol consumption.

More generally, to support the Member States in their efforts to tackle the burden of cancer more efficiently, the Commission plans to launch the European Partnership for Action Against Cancer in September 2009. The Partnership will provide a framework for identifying and sharing information, capacity and expertise in cancer prevention and control, by bringing together relevant stakeholders across the EU in a collective effort to address cancer.

Actions regarding workers' protection from the risks triggered by any working conditions are covered by Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (Directive 89/391/EEC).

In addition, the Working Time Directive (Directive 2003/88/EC)⁽²⁷⁾ contains a number of specific protection measures for night workers. Member States must take the necessary measures to ensure that night workers are entitled under the Directive to a free health assessment, before they are assigned to night work and at regular intervals afterwards. They must also ensure that workers who suffer from health problems connected to their night work are transferred, whenever possible, to day work for which they are suited. Employers who regularly use night work must inform the competent authorities, if the authorities so request. And Member States must also ensure that employers who are setting work patterns take account of the general principle of adapting work to the worker, and of safety and health requirements.

The Commission will continue to follow the important issue of the suggested link between cancer and night work.

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⁽²⁷⁾ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, OJ L 299 of 18.11.2003, p. 9.

Question no 46 by Alojz Peterle(H-0241/09)**Subject: Stem cells**

Directive 2004/23/EC⁽²⁸⁾ of 31 March 2004 sets standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells. The Directive is considered to be the basic framework for the procurement of cells and tissue in the European Union. The transposition of the Directive into national legislation has been seriously delayed by some Member States. As a result, certain activities related to cells and tissues are less developed in some Member States. Moreover, patients and medical practitioners are often also unaware of recent medical developments in, and the advantages of, stem cells.

Has the Commission received an up-to-date report from all Member States before 7 April 2009 on the transposition of the different provisions of the Directive, as stipulated under Article 26 of the Directive?

In view of the European Patients' Rights Day on 18 April, is the Commission also considering stepping up its efforts to inform patients and medical practitioners about the advantages of stem cells?

Answer

(EN) The Commission sends every year a questionnaire to the Member States in order to assess the transposition and implementation process of Directive 2004/23/EC on quality and safety of human cells and tissues. The results of the questionnaire are discussed with Member States at a meeting of Competent Authorities. Summary tables of results are published on the website of the Directorate General for Health and Consumers.

The results of 2009 questionnaire will also be the basis for the report on the implementation of the requirements of Directive 2004/23/EC as established in its Article 26(3). The Commission is currently receiving the answers which will be compiled for the next meeting that will take place on 27-28 May 2009.

The aim of Directive 2004/23/EC and its implementing directives is to establish minimum standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells. It does not cover research using human tissues and cells neither does it interfere with decisions made by Member States concerning the use or non-use of any specific type of human cells, such as stem cells.

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Question no 47 by Athanasios Pafilis(H-0242/09)**Subject: Pollution of Maliakos Gulf by the toxic alga Chattonella**

For at least two months the toxic alga Chattonella, which has been found in Maliakos Gulf in Mainland Greece, has been killing fish in unprecedentedly large numbers. This environmental disaster has plunged local fishermen into despair, and they are justifiably protesting about this state of affairs. According to scientists, the growth of this toxic alga is due to the increase in the multiple pollution of the river Sperchios which flows into the Gulf with industrial and other waste. As local inhabitants say, the Gulf has been turned into a 'toxic brew'.

What is the Commission's view on how to address this serious environmental problem, the need to support the fishermen who are suffering financially and, more generally, the restoration of the environmental balance in the region which has been upset because of pollution?

Answer

(EN) The Honourable Member refers to pollution of the river Sperchios and of the Maliakos Gulf, and to related impacts on fish population and fishermen in the area.

EU environmental legislation provides clear mechanisms for protecting our waters by:

⁽²⁸⁾ OJ L 102, 7.4.2004, p. 48.

addressing pollution at the source through Directives such as the Urban Waste Water Treatment Directive⁽²⁹⁾ and the Directive on Integrated Prevention and Control of Pollution (IPPC)⁽³⁰⁾

setting environmental objectives for all waters (rivers, lakes, groundwaters and coastal waters) through the Water Framework Directive⁽³¹⁾

The Urban Waste Water Directive required Member States to collect and treat waste water from all settlement areas of more than 2000 inhabitants (or the equivalent in waste water pollution) by either 1998, 2000 or 2005 (depending on the size of the settlement area and the characteristics of the affected waters). The Directive on Integrated Prevention and Control of Pollution (IPPC) requires industrial installations within its scope to be subject to an integrated permit, including conditions based on the best available techniques. Existing installations were required to be covered by permits compliant with the Directive by 30 October 2007.

The Commission has scrutinised implementation by Greece of both Directives and concluded that the obligations have not been adequately implemented. Therefore, the Commission has started legal infringement procedures against Greece in respect of both Directives.

The Water Framework Directive provides for an obligation to achieve/maintain good water quality ('good status') for all waters by 2015 as a rule. Member States were required to carry out an environmental analysis of pressures and impacts by December 2004 and are required to develop plans and programmes for achieving 'good status' by 22 December 2009.

The environmental analysis of pressures and impacts for the Sperchios river specifically addresses water quality problems in that river. As mentioned by the Honourable Member for the Maliakos Gulf, disturbance of the ecosystem by pollution may also lead to mass growth of certain algae including with toxic impacts on fish. 'Good status' for rivers and estuaries ('transitional waters') is defined by a range of criteria including composition and abundance of fish fauna. The plans and programmes due by December 2009 will have to address existing problems and set out measures to achieve the environmental quality objective both for the river Sperchios and the Maliakos Gulf.

As regards possible support for the fisheries sector in that area, under the European Fisheries Funds Regulation⁽³²⁾, in the event of a natural disaster or other exceptional occurrence, Member States are allowed to take appropriate measures to contribute to the financing of aid measures for the temporary cessation of fishing activities. Whilst the general modalities and principles are defined by the Regulation, it is the responsibility of the Member States to decide whether the fishing activity concerned has to be closed as well as whether support can be given.

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Question no 48 by Karin Riis-Jørgensen(H-0244/09)

Subject: Sports betting right

On 8 March the French government notified the Commission and EU Member States (under Directive 98/34/EC⁽³³⁾) of its draft law on online gaming and betting. For the first time in the EU the proposal makes provision for the introduction of a 'sports betting right', supposedly to preserve the integrity of French sporting competitions. This right would force sports betting operators to enter into compulsory financial agreements with French sport federations.

Could the Commission clarify whether such restrictions in the French online betting market are acceptable and compatible with EU law?

What evidence (statistical or other) has been provided by the French authorities to support the need for this measure? In what way does such a right safeguard 'Sports integrity'?

⁽²⁹⁾ OJ L 135 of 30.5.1991

⁽³⁰⁾ OJ L 24 of 29.1.2008

⁽³¹⁾ OJ L 327 of 22.12.2000

⁽³²⁾ OJ L 223 of 15.8.2006

⁽³³⁾ OJ L 204, 21.7.1998, p. 37.

Answer

(EN) The Commission is in the process of analysing the draft law in question and has not finalised its position yet, but will do so before the expiry of the standstill period on 8 June 2009.

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Question no 49 by Konstantinos Droutsas(H-0248/09)**Subject: Extermination of small and medium-sized fishing enterprises and self-employed fishermen**

The EU's Common Fisheries Policy, which is directed against the interests of the people, is being made even more reactionary by the proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy (COM(2008)0721). The Common Fisheries Policy has encountered strong opposition from fishermen's representative organisations, since it tends towards supporting major business concerns: it announces another 'binge' for the monopolistic business interests in the sector and erodes the rights of small and medium-sized fishing enterprises. It will increase prices of fisheries products for workers and wipe out small and medium-sized fishing enterprises and self-employed fishermen. At the same time, it fails to take any measures whatsoever to check marine pollution from fish-farming, industrial, urban, agricultural, shipping and military waste.

What is the Commission's view on these issues and on the justified reaction of fishermen?

Answer

(EN) The proposal for a new fisheries control regulation (COM C (2008) 721) intends to ensure the respect of the rules of the Common Fisheries Policy (CFP), the purpose of which is to preserve the health of fish stocks for the benefit of all fishermen. The Commission does not share the view that the proposal supports the interests of major business concerns to the detriment of small and medium-sized enterprises. It is expected that the new control regulation will bring about a better compliance with the rules. Over time this will result in better fishing opportunities for all sectors of the fishing fleet including, in particular, for small and medium-sized enterprises, and will ensure a better supply for the market.

As the proposal deals with the control of fishing activities, it is not the proper instrument to address marine pollution from fish farming or industrial, urban, agricultural, shipping and military waste. These issues are addressed in the appropriate legislation relating to them.

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Question no 50 by Laima Liucija Andrikiienė(H-0251/09)**Subject: Cooperation in the field of accidental or deliberate marine pollution**

The European Parliament and the Council adopted Decision 2850/2000/EC⁽³⁴⁾ setting up a Community framework for cooperation in the field of accidental or deliberate marine pollution and of the Community mechanism in the field of civil protection assistance interventions.

What has been done so far by the European Commission concerning the improvement of the 'capabilities of the Member States for response in the case of incidents involving spills or imminent threats of spills of oils or other harmful substances at sea and also to contribute to the prevention of the risk? What does the European Commission intend to do in this field in the short- and long-term?

Answer

(EN) The Commission adopted on 22 December 2006 a Communication⁽³⁵⁾ presenting the state of Community action in terms of marine pollution preparedness and response, and the enhancement and continuation of preparedness and response action from 1 January 2007 (after the expiry of the Community framework for cooperation⁽³⁶⁾).

⁽³⁴⁾ OJ L 332, 28.12.2000, p. 1.

⁽³⁵⁾ COM(2006)863

⁽³⁶⁾ OJ L 332, 28.12.2000

In the event of an accident, when the scale of the disaster is such that national reaction capacity is insufficient, the affected country may call on the services of the Community Civil Protection Mechanism and the Monitoring and Information Centre (MIC), laid down by Council Decision 2007/779/EC, Euratom⁽³⁷⁾. The Civil Protection Mechanism was established in 2001 to provide support in the event of major emergencies and contribute to and improve the coordination of assistance provided by the Member States and the Community.

The European Maritime Safety Agency (EMSA) was established by Regulation (EC) N° 1406/2002 of the European Parliament and of the Council⁽³⁸⁾. The Agency is required to provide the Member States and the Commission with technical and scientific assistance in relation to accidental or deliberate pollution by ships and to support, following a request for assistance, the pollution response mechanisms of Member States. Since March 2006, affected Member States have been able to call on the Agency to charter anti-pollution ships to supplement their efforts to combat pollution with additional resources.

The EU provided in December 2006 a multiannual funding of €154 million to the Agency in the field of response to pollution caused by ships for the period 2007 to 2013⁽³⁹⁾. In line with its plan for pollution preparedness and response activities, the Agency has established a network of anti-pollution vessels covering all EU regional seas. At three occasions so far, Member States requested the mobilisation of these vessels.

Finally, it should be noted that the EU has developed other legislative measures which contribute to the prevention of pollution by vessels, the latest example being the recently adopted third maritime safety package⁽⁴⁰⁾.

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Question no 51 by Holger Krahmer(H-0252/09)

Subject: Expiry dates for the use of lead in Annex II (Decision 2008/689/EC) to the ELV Directive 2000/53/EC

The expiry dates recently set in the revision of Annex II (Decision 2008/689/EC⁽⁴¹⁾) to the ELV Directive 2000/53/EC⁽⁴²⁾ (end of 2010 for new vehicle types) for the use of lead in the few remaining applications will jeopardise the introduction of environmental and safety vehicle applications where technical alternatives for lead are not available. Prolonged expiry dates are necessary.

How does the Commission guarantee that the current revision will provide a swift positive decision to give legal and planning certainty to the car industry at the earliest possible date?

How, in this context, does the Commission plan to take into account the recommendations made by the Council, the European Parliament and the Commission itself, in light of the difficult economic situation of the automotive industry, notably to avoid unnecessary administrative burdens, to avoid creating new economic burdens, to weigh up costs and benefits, and to consider the main CARS 21 principles by assessing cumulative costs of regulation, and providing predictability and legal certainty?

Answer

(EN) The Commission is regularly reviewing the list of exemptions from the "heavy metal ban" contained in Annex II to the ELV Directive 2000/53/EC⁽⁴³⁾. At the moment, the Commission is running a study preparing grounds for the 5th adaptation of this Annex to technical and scientific progress. This study focuses specifically on the two exemptions mentioned by the Honourable Member. The first public consultation on this subject was carried out between 26 January and 9 March 2009 (see: <http://rohs-elv.exemptions.oeko.info>). Once all

⁽³⁷⁾ OJ L 314, 1.12.2007

⁽³⁸⁾ OJ L 208, 5.8.2002

⁽³⁹⁾ OJ L 394, 30.12.2006

⁽⁴⁰⁾ Not yet published in the OJ.

⁽⁴¹⁾ OJ L 225, 23.8.2008, p. 10.

⁽⁴²⁾ OJ L 269, 21.10.2000, p. 34.

⁽⁴³⁾ OJ L 269, 21.10.2000, p. 34.

the submitted technical and scientific data are verified by the Commission's consultant, a draft Commission decision amending Annex II will be prepared. This draft will undergo a consultation with all Commission Services and with the Member States who will vote on it. In the case of a successful vote, the draft will be subject to a three-month parliamentary scrutiny. After the latter, provided the result is positive, the measure will be adopted. The Commission is aiming at the adoption of this decision by the end of year 2009.

The process of reviewing Annex II does not create new economic burdens as it has been in place since the adoption of the Directive and the industry has always been aware that any of the exemptions may undergo a review process. The Commission services make all possible efforts to ensure the predictability and legal certainty for the industry, within the context of the rules and procedures which need to be applied during any revision process of Community legislation. The Commission is in regular contacts with the industry on this issue and endeavours to provide accurate information about the status of the revision of Annex II at each of its steps.

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Question no 52 by Rumiana Jeleva(H-0254/09)

Subject: EU-Egypt Association Council: Egypt's non compliance with EU-Egypt Action Plan by broadcasting Al-Manar TV into Europe

The broadcasting of the outlawed terrorist media 'Al-Manar TV' into Europe by the Egyptian satellite provider Nilesat continues to be in direct violation of the EU-Egypt Action Plan and constitutes a threat to European security.

Did the Commission take steps to raise the broadcasting of 'Al-Manar TV' into Europe via Nilesat during the EU-Egypt Association Council meeting on 27 April 2009? If not, how does the Commission justify the repeated postponement of raising this violation of the EU-Egypt Action Plan with Egypt?

Answer

(EN) In its statement for the EU-Egypt Association Council meeting on 27 April in Luxembourg, the EU encouraged Egypt to continue to pursue efforts aimed at fighting discrimination on all grounds and at promoting tolerance in matters related to culture, religion and beliefs and minorities. The EU, in this context, expressed its concern about the discriminatory content in some of the broadcasts of the Al-Manar television channel distributed by the Egyptian satellite Nilesat. It condemns any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

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Question no 53 by Alexander Alvaro(H-0256/09)

Subject: Freedom of speech and the Czech Act limiting the freedom of the press

An unprecedented law limiting freedom of speech and freedom of the press has recently been introduced in the Czech Republic, namely the Czech Act of 5 February 2009 which amends Act No 141/1961 Coll., on criminal court proceedings (Criminal Code), providing for up to five years in prison and a heavy fine of up to EUR 180 000 for publishing any account from police wiretapping.

Is the Commission aware of whether the recently adopted Czech Act has a precedent in any other EU country?

Would the Commission agree that with reference to Article 6 of the Treaty on the European Union and recognising the legal value of the Charter of Fundamental Rights, this unprecedented law of the Czech Republic raises serious concerns with regard to the impact on freedom of expression (as guaranteed by Article 11 of the aforementioned Charter) arising in particular from the threat of severe penalties of up to five years' imprisonment and a fine of up to EUR 180 000?

Does the Commission consider that this Act may constitute a serious breach by the Czech Republic as outlined by the Article 7 of the Treaty of the European Union?

Answer

(EN) According to information in the media, the Commission understands that a constitutional complaint has been lodged against the law referred to by the Honourable Member with the Constitutional Court of the Czech Republic in April 2009.

The Commission reiterates that freedom of expression is one of the principles upon which the European Union is founded and it is part of the constitutional traditions common to the Member States. This freedom may be subject to restrictions only if these are "prescribed by law", imposed in order to attain one or more of the legitimate ends referred to in the European Convention on Human Rights and "necessary in a democratic society" in order for these ends to be attained.

The Commission equally recalls that under the Treaty establishing the European Community and the Treaty on European Union, the Commission is not able to examine alleged violations of fundamental rights which do not have any link to Community law.

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Question no 54 by Saïd El Khadraoui(H-0258/09)

Subject: Scrap premiums for trading in old cars and buying new ones

In recent months, a large number of Member States have introduced temporary schemes for premiums to take old cars out of circulation more quickly and replace these with new greener vehicles.

Can the Commission provide an overview of the impact of scrap premiums in the countries in which they have been introduced? What is the effect on the sale of new cars? Which types of cars are purchased most often with these premiums? What are the environmental characteristics of the cars purchased with these premiums?

Can the Commission give an estimate of how many old cars have been scrapped as a result of these premiums? How old are the cars traded in? What are the environmental characteristics of the cars traded in?

Does the Commission intend to take legislative action to establish a framework for scrap premiums? What other initiatives has the Commission already taken with respect to scrap premiums?

What impact do scrap premiums have on the environment? Do they simply speed up the purchase of new cars, or do they improve the quality, efficiency and environmental impact of the cars in circulation?

Answer

(EN) The Commission considers that demand-side measures such as scrapping schemes can play an important role in promoting fleet renewal and the replacement of older, more polluting cars with newer, technologically, more advanced vehicles. Therefore the Commission has welcomed relevant Member States initiatives while ensuring that these schemes are in conformity with the Community legislation.

Measures concerning demand-side which aim at improving the demand for new vehicles and assisting with the scrapping of older ones are foreseen by the European Economic Recovery Plan⁽⁴⁴⁾ adopted in November 2008. This Recovery Plan sets out the key elements of the public support for the automotive sector.

On 16 February 2009 the Commission invited Member States experts for an exchange of best practices in relation to scrapping schemes. Consequently, on 25 February 2009 the Commission has adopted "Guidance on scrapping schemes for vehicles" as part of the Communication "Responding to the crisis in the European automotive industry"⁽⁴⁵⁾. In this paper the Commission has indicated its willingness to strengthen the coordination of national measures with a view to ensuring full effectiveness of the measures and prevent distortion of the Internal Market. The guidance paper gives practical guidance to Member States on how to design scrapping schemes for vehicles and explains the relevant Community legislation. Moreover, Member States have been invited to always notify their scrapping schemes to the Commission in the interest of transparency. The Commission committed itself to assess the schemes quickly and to verify compliance with

⁽⁴⁴⁾ COM(2008) 800 final

⁽⁴⁵⁾ COM(2009) 104 final

Directive 98/34/EC⁽⁴⁶⁾, which requires notification of technical regulations at a draft stage. The Commission, therefore, does not currently intend see any necessity for legislative action to establish a framework for scrap premiums at this point of time.

Currently, 10 Member States have scrapping schemes in place and 2 more have announced their prompt introduction in the near term. It is worth remarking that the characteristics of the existing schemes vary, especially with regard to the conditions for the minimum age of the vehicle to be scrapped (from 9 to 15 years) and the requirements for the vehicle to be acquired (i.e. Euro emissions, CO₂ emissions, maximum mileage).

It is too early to assess the overall efficiency of these schemes. However, based on the available information, these schemes have proved to be successful in some Member States with positive spill-over effects to other Member States. The smaller decline of passenger car registrations in Europe recorded in March 2009 has been attributed to the scrapping schemes. Also in March 2009, in some Member States, these incentives boosted sales significantly compared to the same month last year (Germany by 40 %, Slovakia by 18 %, France by 8 %). It is also reported that the schemes increase demand for more compact, environmentally friendly and fuel-efficient cars. However, no systematic assessment is available regarding the impacts on average CO₂ emissions or air pollutant emissions.

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⁽⁴⁶⁾ OJ L 204, 21.7.1998