

TUESDAY, 5 MAY 2009

IN THE CHAIR: MRS ROURE

Vice-President

1. Opening of the sitting

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

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

3. Electronic communications networks, personal data and the protection of privacy - Electronic communications networks and services - Body of European Regulators for Electronic Communications (BEREC) and the Office - Frequency bands for mobile communications (debate)

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

- the recommendation for second reading (A6-0257/2009) by the Committee on the Internal Market and Consumer Protection on the Council common position for adopting a directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (16497/1/2008 – C6-0068/2009 – 2007/0248(COD)) (Rapporteur: Mr Harbour),

- the recommendation for second reading (A6-0272/2009) by the Committee on Industry, Research and Energy on the Council common position for adopting a directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services (16496/1/2008 – C6-0066/2009 – 2007/0247(COD)) (Rapporteur: Mrs Trautmann),

- the recommendation for second reading (A6-0271/2009) by the Committee on Industry, Research and Energy on the Council common position for adopting a Regulation of the European Parliament and of the Council establishing the European Electronic Communications Market Authority (16498/1/2008 – C6-0067/2009 – 2007/0249(COD)) (Rapporteur: Mrs del Castillo Vera), and

- the report (A6-0276/2009) by Mrs Pleguezuelos Aguilar, on behalf of the Committee on Industry, Research and Energy, on the proposal for a directive of the European Parliament and of the Council amending Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community (COM(2008)0762 – C6-0452/2008 – 2008/0214(COD)).

Malcolm Harbour, rapporteur. – Madam President, it is a privilege this morning to be opening this most important debate and inviting our colleagues to support the reform to the telecom package that we have on the table.

I emphasise that it is a reform. As you heard, four rapporteurs have been working on elements of it. On the key reform of the package, I want to pay tribute to my colleagues, Catherine Trautmann and Pilar del Castillo Vera, because we have worked very closely together to bring that package together.

It is an important reform because the existing package that I worked on with colleagues back in 2001 and 2002 has worked very well for the European economy. We have a thriving and dynamic communications sector with active consumers in the marketplace. But this reform brings that up to date and my colleagues will explain the areas that they want to work on. The most important thing is that it makes the package

robust for the next decade. There are substantial improvements that Parliament has made in this second reading.

I would like to place on record, on behalf of the three of us, our thanks to the French Presidency for bringing us a common position in November which has enabled us to bring this improved package to you today in the last session of this mandate, because it is vital for European consumers and the European economy that we give this a ringing endorsement in our vote tomorrow.

As always with these complex issues, I have had tremendous cooperation from my own shadow team – Bernadette Vergnaud, Cristian Buşoi and Heide Rühle. I also want to thank the team from the Committee on Civil Liberties, Justice and Home Affairs, led by Alexander Alvaro, because an important element of my reforms includes the E-Privacy Directive, which they have handled.

In my four minutes this morning, I do not have time to go through all the points and all the improvements that we have made in great detail. There will be plenty of briefing about that afterwards. I just want to give you a sense of what we have achieved and what we are looking for.

In this directive we have significantly improved the rights of consumers and users in the electronic space. Consumers need to be empowered to make choices between the communication services on offer and, to do that, they are entitled to information. They are entitled to fair contract terms and conditions that do not tie them for long periods to particular providers. They are entitled to a high-quality emergency service, to access to social information services over the Internet and voice telephonic communication. Above all, they are entitled to have their data in the electronic communications space protected. We will hear more about that later. We also need to empower regulators to ensure that those entitlements are properly delivered. All of those are included in this proposal.

I think it is very important to emphasise that this is an enabling and empowering proposal. It is not a proposal that is any way restrictive of people's rights on the Internet or restrictive of services at all. We want to give consumers that power to make choices and that is what will open services.

I just want to conclude my first speech by saying this: there have been a huge number of people working on this proposal and we have had tremendous resources behind us. I want to particularly mention Peter Traung from the Committee on the Internal Market and Consumer Protection, Luca Vusaggio, our legal adviser, and Lindsay Gilbert from our group, who have all worked closely together with my assistant Sheena Gooroochurn. We have had great support from the Commission, from Peter Rodford, the Commissioner herself and her team, and also from the Council Secretariat led by Eva Veivo. I mention that because I think many people outside do not realise the extent and engagement that we have in delivering these complex texts. I look forward to your support for this tomorrow because it is so important for all our futures.

Catherine Trautmann, rapporteur. – (FR) Madam President, Commissioner, ladies and gentlemen, tomorrow we shall be voting on the telecoms package, the final stage that will mark the end of months of work and negotiations to arrive at this compromise, which was reached after much wrangling with the Council in a context where the three institutions started from very different positions.

I want first of all to thank very sincerely Mrs del Castillo Vera, Mr Harbour, Mrs Pleguezuelos Aguilar, the shadow rapporteurs, the political groups, the chairmen of the committees and their secretariats, the Presidency of the Council and the European Commission for their tireless work throughout these long months, and I thank all those fellow Members who have chosen to place their confidence in me by giving me their support.

This package brings numerous advances. They are important for consumers because they offer better services at fairer prices. Telecommunications are in fact characterised by their impact on everyday life and play an obvious social role as a medium for development and growth.

The telecommunications sector alone provides more than 3.5 million jobs and accounts for an increasingly large share of the European economy – almost 3.5%. Well-regulated competition allows for a balance between old and new operators and ensures significant growth for the sector thanks to legal certainty, which in turn encourages investment.

That is why, throughout this round of negotiations, we have fought, together with my fellow rapporteurs and our shadow rapporteurs, to make a regulatory framework that is beneficial for all. The Committee on Industry, Research and Energy approved in April the penultimate stage in the legislative process by adopting by a very large majority the overall compromise on my report and the report by Mrs del Castillo Vera.

We have laid the basis for a solid compromise which, I hope, will receive – together with the reports by Mr Harbour and Mrs Pleguezuelos Aguilar – your full support in tomorrow's vote.

I would like also to come back to Amendment 138/46 and to make clear the meaning and scope of the text underpinning the agreement of Parliament and of the Council, the so-called 'last chance compromise'. Since the vote on this amendment at first reading the Council has continued to reject it outright, excluding it from its common position and refusing to mention it in the recitals or the articles.

The European Parliament has shown its commitment to this amendment by including in the compromise the key elements of Amendment 46: defence of freedoms, right to a judgment and recourse to a court – the expression most in line with that of judicial authority – and has introduced two additional provisions for Internet users: the confirmation of the Internet's vital role in the exercise of fundamental rights and freedoms, with specific reference made to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

The spirit and the letter of Amendment 46 have therefore been respected and extended for the benefit of users, and the rejection of this amendment by Member States on the grounds that the European Parliament cannot impose a change in their internal judicial organisation – which would be required in order to implement this amendment – has thus been avoided.

Its place in Article 1, which concerns the scope and the objectives, makes this proposal in essence a principle that applies to all the directives in the package, particularly where access and services are concerned. This therefore rectifies the legal weakness that resulted from linking Amendment 46 to Article 8, which defines the tasks of national regulators.

Ladies and gentlemen, we are faced with a choice: to support Amendment 46 as it is, and thus refer the whole telecoms package back to a conciliation process, which will reopen the discussion on all the points established in the negotiations and will lead to its being quashed because of the massive opposition from Member States to this amendment, or to support the new wording of Amendment 46, which ensures respect for fundamental freedoms, thus confirming what Parliament adopted at the time of the vote on the Lambrinidis report.

I would add that the presence of Article 1(3)(a) and its recital will have to be taken into account in the transposition of the directive, and that they will enable Parliament to legislate afterwards.

Faced with this impossible choice, I invite you, ladies and gentlemen, to think about the future of our work in the next parliamentary term, which will focus, among other things, on universal service but also on content and intellectual property, and I therefore invite you to support the new proposal, in an effort to put the rights of employees, artists and Internet users on an equal footing.

Pilar del Castillo Vera, *rapporteur*. – (ES) Madam President, I wish to begin, like the other rapporteurs, Catherine Trautmann and Malcolm Harbour, by thanking them, firstly, for the extraordinary opportunity I have had to work on this reform of the European regulation of telecommunications markets because, in my view and still limited experience in this Parliament, it has been a model of cooperation between different Members from different groups. So, thank you very much.

Naturally, I would next like to thank all those who contributed: the shadow rapporteurs and particularly the Secretariat of the Committee on Industry, Research and Energy, which I think has played an absolutely fundamental role in reaching this point; also, may I thank the Commissioner and the Commission for facilitating all the difficult tripartite negotiations.

I also wish to reiterate the efforts made by the Czech Presidency, from the very first faltering stages right up to this point at which the Czech Presidency has shown true leadership within the Council. I would like to express particular thanks for the efforts it has made.

Madam President, Commissioner, ladies and gentlemen, this is a reform of a regulation that affects a key sector for the future of Europe: key to citizens' welfare and key to emerging from the deep crisis our economies now face, in Europe and elsewhere, but for now we are talking about the European Union.

If there is one industry that can truly provide the catalyst and the boost we need to emerge from the crisis, it is precisely the information technologies and communications sector, that is, the electronic communications and telecommunications sector. That is why it is so extremely important that we have reached this agreement because it is going to enable us to move forward with an approach I consider to be the most crucial: keeping

an open outlook, looking ahead, rejecting protectionism and, instead, encouraging competition and competitiveness; and the role of this sector is vital for that.

With regard to the package – various aspects of the different reports have already been mentioned – I would just like to mention, as rapporteur of this report, the creation of a new body of European regulators in the electronic communications sector, a vital tool to ensure that the rules we are going to adopt tomorrow in the new regulation are applied consistently across the Union; that, in practice, there is harmonisation enabling the creation and development of a true internal market with internal competition, because that is the best way to ensure that consumers benefit and the best way to ensure that European consumers have the chance to enjoy the best services at the best prices.

It is competition, and nothing else, that guarantees that end result and that benefit for consumers and for our economies. So then, let us say 'No!' to all forms of protectionism and 'Yes!' to openness and competition; the sector that can best ensure that is, indeed, the electronic communications sector and the telecommunications markets. We therefore have cause to celebrate.

Francisca Pleguezuelos Aguilar, rapporteur. – (ES) Madam President, as others have done, I would like to address my fellow Members and the Commissioner in order to thank them for the work they have all carried out, on which I believe we can congratulate ourselves today.

I would also like to express my thanks for the unconditional support I have received as rapporteur of the GSM Directive, particularly to the shadow rapporteurs who have worked with me and to Commissioner Reding for the flexibility she has shown throughout the process of giving Parliament back the role we had been demanding: to take part in the strategic planning of the use of the radio spectrum. I must also, of course, thank the Czech Presidency for demonstrating its clear determination to resolve this directive along with the rest of the package before the end of the parliamentary term.

As rapporteur of this GSM Directive, I believe that we have found the correct end solution, placing strategic planning for the spectrum at Community level within future multi-annual programmes of radio spectrum policy and linking it to the framework directive. It is the right decision because we are thus acknowledging that the spectrum, as a rare, public asset, needs legislative control as well as strategic planning in the development of new networks – the wireless and fibre optic networks – which are, as we have all agreed, the future, a future in which we must offer legal protection to operators so that they invest and we may recover the leadership that the European Union once showed.

I wish to stress the fact that it is also very important that we have established the principle of technological neutrality for the network within that general framework because, given that it was an exception to that principle, we are doubly legitimising Parliament's actions in a situation of this scale.

In that context, I feel that this directive is a fine example to give spectrum management greater flexibility, as the reform of this telecommunications package intends.

We should not forget – and I should like to highlight this, as some of my fellow Members have done – that in the European Union services related to the radio spectrum generate a turnover of around EUR 300 billion, that is, 1.2% of Community GDP.

Therefore, optimising the management of this rare, public resource will no doubt bring important benefits, particularly in this time of economic crisis, and is sure to help us to emerge from the crisis. I think this is an investment opportunity for businesses to develop new services that can rekindle demand and also help to improve our citizens' public services.

To be sure, an efficient spectrum policy in the European Union enables us to reap the greatest social and economic benefit from this resource, which we want to do as cost-effectively as possible; it also offers the best business opportunity for service providers.

There is no doubt that it is of interest to us all to have more and better services for consumers, which is, ultimately, why we are legislating, and to have a better provision of public services for citizens. In other words, we want to be able to collaborate to achieve greater social and territorial inclusion of European citizens.

Ladies and gentlemen, I think we can congratulate ourselves today for completing this work that is of tremendous importance to the telecommunications industry, a sector that, in 2008, continued growing at

a rate of 1.3% in real terms, while overall GDP only made a real increase of 1%. I call on all of you to show your support for our work tomorrow so that we can finally implement this legislative framework.

Viviane Reding, *Member of the Commission*. – Madam President, this was a real model of cooperation between the different parties represented here, between the shadows, the rapporteurs, the Czech Presidency and all our collaborators, and I congratulate them on their great work.

That great work is a result of the agreement that is on the table today after the Commission put the package on the table in 2007. The results include new consumer rights, such as the right to switch phone operators in one working day, the establishment of a European telecoms authority, more interdependence for national telecom regulators, measures to ensure that Europeans can be connected to broadband Internet, the opening of radio spectrum for use by new wireless services, the new instrument of functional separation to boost competition and broaden consumer choice, a clear pro-competitive rule for investment in high-speed broadband networks, better rights and new guarantees for consumers, mechanisms to address data breaches, and so on and so forth. Those are very important new measures for a sector that is worth more than EUR 300 billion in revenues and that is leading Europe's global lead in mobile phones and high-speed Internet.

I would like to underline that if Parliament votes for this package it has to be implemented into national law by 2010 and the new telecoms authority will come into existence by this summer. The vote of the European Parliament is very good news for consumers all over Europe. With roaming we have provided a remedy for a symptom resulting from the lack of a single European telecoms market. Now the reform goes to the heart of the problem; it paves the way for a true single market for telecoms operators and consumers alike. It is very important for our industry.

The legislative text will provide a stable legal framework, which supports investment and innovation and provides the regulatory consistency the industry needs to plan business strategies for the future. This is very important at a time of economic turmoil because here, at this time, we have to maximise the contribution of this sector to the productivity and growth of the economy as a whole. I must say very clearly that Parliament has not shirked its responsibilities in the face of this challenge.

The economy is very important also for consumers. Therefore, I just want to say that access to emergency services, fewer barriers to switching operators in one day, privacy, where personal data is concerned – all this has found a solution.

I welcome Parliament's strengthening of the rules concerning the use of cookies and similar devices. Not only will Internet users be better informed about what happens to their personal data but it will also become easier for them to exercise control over their personal information in practice. I welcome the endorsement for the mandatory notification of personal data breaches. This is the first time an obligation of this kind has been introduced at European level.

I welcome also – and Parliament has always supported this – the fact that disabled people will have a stronger position. I welcome most of all that now consumers will benefit from guarantees in relation to privacy, freedom of expression and access to information. All of this together – whether through the adoption of harmonisation measures or through greater supervision of remedies chosen by national regulators – will ensure greater consistency in the internal market and will help the new authority which will play a key role in this process, bringing together the expertise and the experience of 27 national regulators and breaking down the remaining obstacles of a truly borderless Europe.

I am very glad that Parliament has played an important role in enhancing the role of the multiannual spectrum policy programmes, which will be proposed by the Commission, and for the first time Parliament will have a say in this. For this purpose, we will, before the Better Regulation Directive comes into practice, modify the Commission decisions on the Radio Spectrum Policy Group in order to allow this policy group to report directly to the Council and to Parliament.

I also welcome Parliament's support for the principles of technology and service neutrality and for agreeing to the possibility of harmonising the frequency bands where usage rights can be traded. All this will be essential for the investment in the next-generation networks and for the return on investment, taking due account of the risks involved. This will be very important also to guide the Commission when it comes out with more detailed regulatory guidance on the next-generation access.

I have to make two declarations in response to points raised by parliamentarians. The first one clarifies that the Commission will promote a wide debate on the scope of universal service and will come forward with

early proposals as necessary. The second states that the Commission will start work without delay to consult widely and make proposals relating to the extension of data breach notification requirements in other sectors.

The other document on the table is the GSM Directive. Here the Commission can fully support the changes aimed at clarifying the frequency bands to be covered by the amending directive. I just want to underline that this directive alone leads to cutback savings of up to EUR 1.6 billion for the mobile sector, which shows very clearly that Parliament is managing to put on the table an equilibrium of decisions – decisions for the sake of the economy, decisions for the sake of the industry, decisions for the sake of the consumers. All this together is a very good package in the interests of Europe.

Commission declaration

- on universal service (Recital 3a)

The Commission takes note of the text of recital (3a) agreed by the European Parliament and the Council.

The Commission wishes in this context to reaffirm that, as stated in its Communication COM (2008) 572 of 25 September 2008 on the scope of universal service in electronic communications networks and services, it will in the course of 2009 promote an extensive debate at EU level that will examine a wide range of alternative approaches and allow all interested parties to express their views.

The Commission will summarise the debate in a Communication addressed to the European Parliament and Council and will bring forward by 1 May 2010 such proposals in regard to the Universal Service Directive as may be necessary.

- on data breach notification (Article 2(h) and 4(3) - ePrivacy Directive)

The reform of the Regulatory Framework for Electronic Communications introduces a new concept to EU data protection and privacy rules: a mandatory notification of personal data breaches by providers of electronic communications services and networks. It is an important step towards enhanced security and privacy protection, although at this stage it remains limited to the electronic communications sector.

The Commission takes note of the will of the European Parliament that an obligation to notify personal data breaches should not be limited to the electronic communications sector but also apply to entities such as providers of information society services. Such an approach would be fully aligned with the overall public policy goal of enhancing the protection of EU citizens' personal data, and their ability to take action in the event of such data being compromised.

In this context, the Commission wishes to reaffirm its view, as stated in the course of the negotiations on the reform of the Regulatory Framework, that the obligation for providers of publicly available electronic communications services to notify personal data breaches makes it appropriate to extend the debate to generally applicable breach notification requirements.

The Commission will, therefore, without delay initiate the appropriate preparatory work, including consultation with stakeholders by 2011, with a view to presenting proposals in this area, as appropriate. In addition, the Commission will consult with the Article 29 Working Party and the European Data Protection Supervisor on the potential for the application in other sectors of the principles embodied in the data breach notification rules in Directive 2002/58/EC, regardless of the sector or type of data concerned.

Angelika Niebler, *on behalf of the PPE-DE Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, I too would like to begin by thanking all those who have helped make it possible to reach a satisfactory compromise on the telecom package at the end of the day. My thanks go firstly to our House: above all to the rapporteurs, my fellow Members Mr Harbour, Mrs del Castillo Vera and Mrs Trautmann, and of course Mrs Pleguezuelos Aguilar as well. Many thanks, Commissioner, for this excellent collaboration with the Commission as well. You yourself were often present during the trialogue negotiations. That is a good sign. You have contributed really constructively, together with the Czech Presidency, to helping us reach this compromise at the end of the day.

The compromise is a good one and I very much hope that during the vote tomorrow it will meet with broad approval. As has already been mentioned, the whole telecommunications sector is one of the most efficient sectors of our European economy, and right in the middle of the financial and economic crisis it is particularly important to create general conditions so that this job engine in Europe can start up again and run. Many jobs are linked to the telecom industry and with the legal framework that we are adopting, we have created the conditions to allow this sector to continue to develop well.

Why is the telecom package so important? I would like to single out what in my view is the most important point. We need fast Internet access throughout the whole of Europe, and not just in cities, but also in rural regions. By we, I mean young people, who communicate worldwide. By we, I mean our businesses which operate globally and are internationally established, and of course our authorities and administrations. What does the telecom package achieve in this respect? It creates the necessary legal framework, so that businesses can invest in the expansion of broadband networks nationwide. With this package and the investment protection included in it, we have created meaningful incentives, but at the same time have ensured, through the requirements of this regulation, that it is not new markets that are cemented. The risks in building the new networks have been distributed satisfactorily and fairly.

What else will the telecom package regulate? Firstly, the effective use of frequency bands – this is also important for the nationwide development of broadband supply. In the package we advocate a more flexible frequency policy in Europe. The frequency bands which will be freed up through the switchover to digital television – the so-called digital dividend – should also be available for mobile broadband services, which in particular can close gaps in rural areas. However, at the same time we have also recognised the special role which broadcasting plays in guaranteeing free opinion forming in our democratic society. All in all therefore, a good compromise, and I hope it will find broad support tomorrow!

Erika Mann, *on behalf of the PSE Group*. – Madam President, it is fascinating to follow this debate – colleagues have already laid out the main topics and the Commissioner has made her statement – but to see that the Council is completely absent tells us a lot about the way we sometimes operate in the European Union. This is completely unacceptable. We are experiencing one of the gravest crises ever in the European Union and worldwide, and talking about a topic that is so relevant and so important for job creation – one of the areas where we still have stability to a large degree – and to see that the Council is not reflecting and debating with us today to my eyes tells us a lot. I hope that we will see the next Council Presidency here more often, because we cannot continue to operate in this way.

Let me make two points. I want to thank the shadow rapporteur, Pilar del Castillo Vera, who has done great work. It was difficult, and it was not clear at the very beginning that we would make it and that we would have greater Europeanisation in this area. We seem to have found a way that is acceptable and that will help the national regulators to work together and to learn from each other. This will be a good breakthrough, especially for the new Member States.

Let me touch on two points, which I am glad the Commissioner mentioned: investment in new infrastructure, which will have a new framework and work under competition rules which, although different, will allow investment to flow in this area; and the guidelines which will very soon be published for NGAs. I hope that those guidelines will follow the philosophy established in this House, from which I hope the Commissioner will not depart.

On the universal service part, I hope that the Commissioner will find a way of ensuring that the telecom operators, which will now profit from new investment possibilities will, for their part, invest to make sure that all citizens have access to broadband in the future. I hope this will be covered by the Universal Service Directive, which is to come in the second half of the year.

My last point would be to urge this House, my colleagues and the Commission – and the Council hopefully as well – to look into those areas where we have found compromises, but with which we are not completely happy. This touches on Internet issues, such as the way States can intervene if they think citizens are unlawfully accessing Internet content, which is something we call '*Internet sparen*' in German, and network management. I hope we will find a way to look into those issues during the second half of the year and find the right framework in order to build a greater consensus between us and the citizens, who are depending greatly on us.

Cristian Silviu Buşoi, *on behalf of the ALDE Group*. – Madam President, as shadow rapporteur for the Liberal Group, I would like to thank Malcolm Harbour and my other colleagues for their excellent cooperation. This dossier is of great importance for all electronic communications users in the European Union, and the compromise we agreed in the end with the Council – and they were not at all easy discussions – was a balanced one.

There have been some important achievements as a result of the negotiations with the Council. One of the great improvements in comparison to the first reading relates to access to the 112 European emergency number, and the obligation of operators to make caller location available without any derogation on the grounds of technical feasibility, at least for fixed and mobile telephone operators. This is a major achievement

since it will help the emergency services respond more efficiently, and will enhance the protection of all citizens' lives wherever they are in the European Union.

The provisions on traffic management policies were a controversial point in the report, but I strongly believe that the compromise protects users' rights to access content and use services of their own choice. No one in this House ever wanted to restrict freedom on the Internet. Our objective has been to allow traffic management procedures, as long as they are necessary, to ensure the best possible online experience for end-users, and as long as they do not restrict competition between service providers. I consider the compromise to be totally in line with this objective, which is why I fully support it.

I also believe that all measures regarding access to, and use of, services should respect the fundamental rights and freedoms of all citizens, and this has also been safeguarded in the report. Some among us may not be happy with this compromise, but I would like to stress that, despite its shortcomings, this is the best we could achieve with the Council, and I strongly advise you to vote for it tomorrow.

Rebecca Harms, *on behalf of the Verts/ALE Group*. – (DE) Madam President, there is one point I would particularly like to praise the rapporteur for. I think it is very good that, on certain points, Commissioner Reding has distanced herself from her proposal. The approach to frequency bands is – as the legal framework is now to be laid down – much more balanced, than was originally provided in the Commission's proposal.

In my opinion – as we have now agreed – with frequency bands much better consideration will be given to public interests for the benefit of broadcasting. In view of the current debate surrounding financial markets, I believe that with our debate we have actually prevented trouble. This proposal, as it has now been brokered, will, in a much more balanced way, take into account the relationship between the market and what the market can create, and the tasks of the state. I believe that it represents progress for the security of our democracy and that it can also make a valuable contribution to culture.

Even if we still have discussions within the Group ahead of us, I would like to state here and now that I am not at all satisfied with the compromise with regard to the restriction of the rights of Internet users in cases where infringements are believed to have been committed.

I know that the original Amendment 138 did not have the optimal form judicially. However, I see that the compromise which has now been found fails to guarantee that, before the fundamental rights of a citizen in the European Union are restricted, a judge will be involved in this decision to restrict fundamental rights. Commissioner, I would be very interested in hearing how you interpret the compromise, and in particular what, in your opinion, this compromise that we now have on the table, means for the French Hadopi model.

I believe that we will create two different situations for the consideration of basic rights. Things will perhaps be better in one Member State than in another. I think that it is a very, very badly worded compromise. As Parliament we should do better than this. As far as the rights of artists are concerned, Madam President, I agree with my fellow Member Mrs Mann that authors' rights must be regulated in a different regulation and not within the framework of a market regulation.

Eva-Britt Svensson, *on behalf of the GUE/NGL Group*. – (SV) Thank you, Madam President. What we are seeing today is the growth of a new society. We are seeing technological renewal within society where the old type of communication, which was single-direction of the type where 'one person speaks and everyone else listens', has been replaced by a more multi-dimensional communication, a form of participative communication, and many of us have embraced this new culture of freedom. It is about interaction, freedom of expression, creativity and creative zest. It is about an exchange of information that is often independent of commercial interests, but unfortunately old power structures feel threatened and therefore want to interfere and regulate and control what is happening on the Internet.

On the pretext of tackling organised crime and terrorism, they are trying to limit our civil rights, but this must not be allowed to happen. Together with my fellow Members in the Confederal Group of the European United Left/Nordic Green Left I have therefore drawn up a number of amendments in favour of civil rights, to protect citizens' rights on the Internet. I am re-tableting my Amendment 166, which was adopted at the previous reading. The objective of the amendment is to ensure that the end-users of electronic communication, that is to say we citizens, will have the opportunity to access services and applications without unjustified restrictions. We have to strike a balance between people's rights to free expression and privacy, and protect personal data and the freedoms and rights of others, including the right to the protection of intellectual property and the protection of public safety and security.

In certain countries, governments want to introduce new, tougher laws, which allow Internet providers to block people's access to the Internet. We believe that it should not be possible for any citizens to have their access to the Internet blocked without it being preceded by a hearing in court. As a citizen, I must also have the freedom to be able to surf around various sites on the Internet and feel safe in the knowledge that private undertakings are not able to obtain this information. Those of us who actually love the Internet and the opportunities it brings say that the rights of users should be defined by what we use our subscription for. We do not want to be reduced to consumers, with our rights consisting only of what is written in the subscription contract. Unfortunately, both the Council's common position and the compromise open up the way for this to happen, but we want to be citizens on the Internet, not merely customers and consumers. The Internet is a meeting place, a forum for free information, a sort of common land. Are we now to regulate this forum and tailor it to the interests of commercial representatives? No, I think not. The question is, what type of society do we want to live in? Do we want to live in a surveillance society or do we want a society in which people can be sure that the rule of law is respected? A society where people can know that their privacy is respected and a society where freedom of expression is valued above control of people's lives. That is the type of society that I want to live in and work to enable us to have. Therefore, I urge you to support the amendments for citizens' rights tabled by myself and the GUE/NGL Group.

Kathy Sinnott, on behalf of the IND/DEM Group. – Madam President, the Internet has changed the world as we know it. Information that would have been difficult or impossible to find is now only seconds away, but the defining characteristic of the Internet is not speed or technology; it is freedom: freedom to express opinions, freedom to exchange ideas and freedom to share information.

Some are advocating a restricted future, one where free movement of data is stemmed, where big business is allowed to stifle innovation, and where Internet providers become gate-keepers. We have seen this approach before – in China.

I hope we choose to retain the freedom that has brought such success and changed our world for the better. At a time when economies need all the help they can get, we need to choose openness for progress – not short-term protectionism for profit. On behalf of my constituents, I will vote for our freedom of information and our future free access to Internet for all lawful use. In so doing, I will vote for democracy and an economy with opportunities for everyone.

Bruno Gollnisch (NI). – (FR) Madam President, though presented on the legitimate grounds of protecting artistic creation, the so-called 'Hadopi' law, which is being drafted in Paris, is in fact a freedom-destroying law.

Indeed, this text does not promote creation. It merely provides for widespread policing of the activities of Internet users. It includes no specific proposals to improve the legal supply of cultural goods. It lags pathetically behind on the technical possibilities for hiding or spoofing IP addresses. It is a step backwards in terms of the right to private copying, for which everyone in any case pays a tax on digital media. It gives to a purely administrative authority the outrageous power to prosecute and impose penalties. It re-establishes the double penalty for Internet users denied access to the web but required to continue to pay their subscription. Finally, it scorns the presumption of innocence and the right to defend oneself.

By blocking this law, which is worthy of communist China or other totalitarian regimes, a law that Mr Sarkozy wants to force through, this Parliament would be reaffirming the right of each one of us to privacy, to access to information, to freedom of expression and to proper legal procedures. This is absolutely vital.

Bernadette Vergnaud (PSE). – (FR) Madam President, Commissioner, ladies and gentlemen, I must first of all thank and congratulate the rapporteurs and the shadow rapporteurs. We have all worked very hard over these last few months to arrive at a package that is, I think, consistent and of high quality.

Admittedly, the negotiations have not been easy either in Parliament or with the Council and the Commission, but opinions have changed a great deal since the first vote in parliamentary committee, where content-related issues completely overshadowed the rest of the elements of this package.

Therefore, in Mr Harbour's report, the many advances obtained for consumers had practically no mention. I hope that it will be different this time, not only because the compromises achieved on fundamental freedoms and respect for privacy are good, but also because this dossier has tremendous potential both for consumers and for the telecommunications sectors and their employees. The compromises reached on the framework-directive and the Universal Service Directive make clear reference to the obligation for Member States to respect the principles of the right to a fair trial, which must surely be reassuring for those who

oppose the French project of sanction by an administrative body. These texts are anything but a Trojan horse for the graduated response, and even oppose the very principle.

Another concern is the neutrality of the Internet and the issue of limiting access. The final text is very clear on this matter. Any policy for network management is justified only for the purpose of maintaining a minimum level of service quality and should not lead to discrimination between services and applications, everything being under the control of national regulatory authorities.

I want also to emphasise what we have achieved for consumers in the context of the Universal Service Directive. Henceforth, it will be impossible for an operator to hide behind issues of technical feasibility as a reason for not providing reliable access to emergency services and to the location of anyone using the emergency number 112. This vital point for the safety of European citizens will finally be sorted out; it has been technically possible for years, but the authorities and the operators preferred to sacrifice safety on the altar of making savings on investments.

The same goes for improving the transparency and quality of contract-related information to be provided on a mandatory and regular basis. Consumers will be able to benefit from pricing information matching their consumer profile and also to warning messages where they exceed their normal price package, which is particularly useful with special tariffs for use abroad or for young people, who are major users of premium rate SMS. The duration of contracts will henceforth be limited to 24 months, with an obligation for operators to offer 12-month contracts, and in the event of a change of operator, this will have to take effect within one day. We have achieved maximum access for disabled users as well as a review of the scope of universal service in order to extend it in particular to mobiles by next year.

Ladies and gentlemen, I hope that we will vote for this final text, which is the culmination of months of negotiations, without letting ourselves become too troubled by concerns which, although understandable, in view of the fundamental importance...

(The President cut off the speaker)

Alexander Alvaro (ALDE). – (DE) Madam President, as rapporteur for the directive on data protection in the area of electronic communications, I would firstly like to thank Mr Harbour, who has given a whole new meaning to the concept of enhanced cooperation. It was not the first procedure of this kind, but in this form it was probably the most fruitful. I would like to thank Commissioner Reding, who was present at each of the trialogues and personally played a part, something which nowadays cannot be said for all Commissioners.

I believe we were able to show, that, above all, the best consumer protection is effective data protection; that at a time when people surf the Internet and do not know exactly what is going on behind their screens, it is particularly important that they should be enlightened. We have taken up the Commission's proposal to make the notification of security breaches compulsory, and have improved it. It is a procedure that will be implemented in stages and has been developed in cooperation with national regulators, telecommunications providers and policy-makers. I am delighted with the Commission's announcement that by the end of 2011 a horizontal directive will be submitted to this end, because it makes no sense to simply address this in the area of electronic communications.

At the same time we have ensured that it is mandatory to obtain the consent of the user for the storage of programs or applications, including personal data, which are on the hard disk. In this regard I would also briefly like to mention that we have developed the original proposals very closely with the industry concerned. For some parts of the industry it did not go far enough or it went too far. They then caused trouble and confusion in the Council and the Commission, before in the end wanting a return to what had originally been put forward, because they did not like the compromise proposals. The lesson from history is that, as institutions, we should have faith in the fact that we can cooperate well together, and should not let those who have other interests drive a wedge between us.

To conclude I would once more like to refer to my fellow Member Mrs Trautmann's report. Some in my Group and others will not agree to a kind of 'three strikes and out' law. We need judicial control before net access is blocked.

David Hammerstein (Verts/ALE). – (ES) Madam President, Commissioner, thank you; it has been a pleasure to take part in this most engaging process. May I also thank the rapporteurs.

At this very moment, Mr Sarkozy is challenging the European institutions over the future of the Internet. What is our response going to be? Are we going to remain silent and not answer? What is the position of

the European Union and the Commission with regard to the new HADOPI law (High Authority of Diffusion on the Art Works and Protection of Rights on the Internet) on graduated response?

We should listen to the vast majority of Europeans, particularly young people who have grown up in the digital era, and those people do not want there to be gate-keepers; they do not want to put a heavy lock on the exchange of knowledge, culture and information on the Internet.

The vast majority wants freedom; they want to maintain their privacy, to have access to culture without fear or anxiety, to retain the neutrality of the Internet; they do not want screening or discrimination when it comes to data transmission.

What the immense majority does not want is for operators to become digital police, spies, both judges and litigators who marginalise the normal legal procedures of a democracy. That must be made clear.

We therefore ask the rapporteur, Mrs Trautmann, to change the voting list so that, before voting on the compromise, the position already adopted by more than 80% of the House, we can at least vote in favour of Internet rights and of intervening only when a prior legal decision has been taken.

The neutrality of the Internet is in danger, not only for this reason but also because of what is known as 'traffic management', and I am afraid that some aspects of the Harbour report regarding universal services do not clearly protect that neutrality.

Information given to consumers in contracts alone is not sufficient.

Mary Lou McDonald (GUE/NGL). - Madam President, this telecoms package is of very great interest to many citizens in my own country of Ireland and indeed across the European Union, and rightly so. As MEPs, I hope that we can send a strong message on behalf of those citizens that we are in favour of a free Internet, where the privacy of users and their rights are respected fully. Today we must stand behind the block of citizens' amendments that have been tabled, as the best way of defending those rights of our citizens.

These amendments, if passed, will restore some sort of balance between end users' rights and freedoms and the rights and freedoms of others, including the right to intellectual property protection and indeed the right to privacy. The aim of this proposal should be to protect those who need protection, but also to strengthen the rights of citizens to access information within the law when and where they see fit. Service providers should be made to act in a transparent manner at all times and, if in very exceptional cases restrictions to access are required, they should be fully accountable in justifying these restrictions. National powers should have a role in investigating any restriction that service providers impose.

Finally, I hope that this Parliament will stand with our citizens this week in supporting the citizens' amendment package, thereby standing in favour of the freedom of Internet users and civil liberties across the Union.

Hanne Dahl (IND/DEM). - (DA) Madam President, Commissioner, I do not think that the compromise is good enough where the rights of citizens are concerned. I am concerned that the French culture minister still believes that it ought to be possible to shut off access to the Internet administratively after 'three strikes'. Consequently, I and a number of my colleagues have re-tabled an amendment that has already been voted for once by this Parliament. However, it is not possible to vote on it as the votes are tabled at present, since we must vote on the compromise first. I am therefore asking my fellow Members to change the order of the votes so that we can vote on citizens' amendments before we vote on the complete compromise text.

Luca Romagnoli (NI). - (IT) Madam President, ladies and gentlemen, I feel that the Internet should remain open. Since the communications industry manages data transmission, it has de facto control over democratic discussion and the access to knowledge. It effectively controls our access to trade and more generally controls the circulation of information.

According to the terms of the Telecom package, as negotiated at present, network operators will be able to block access to websites, content, applications and anything else. For this reason, in my recently tabled question, I warned that the risk of limiting the freedom of the press, of thought, of speech and of association, as guaranteed by the EU Charter of Fundamental Rights, is round the corner when a national government, as was about to happen in Italy, or a communication industry is able to take responsibility for blocking a website at its own discretion, whether its content is illegal or not. The latter is the main fact that leaps out: the possibility of blocking a website even when no crime is in progress, pending or instigated.

It is certainly a good idea to safeguard the national role in managing the radio spectrum, because we must guarantee and take due account of the specific features of national systems, but the compromise text that we approved in April contains certain elements that are undoubtedly encouraging in terms of consumer protection and, more generally, privacy, the fight against spam – I am about to finish – and everything else. I remain convinced, however, that the contents of Amendment 138 are absolutely laudable and should therefore...

(The President cut off the speaker)

Gunnar Hökmark (PPE-DE). - (SV) Thank you, Madam President. The telecommunications industry is one of Europe's leading dynamic industries. It needs investment, competition and continual innovations so as to give citizens the greatest opportunities, both with regard to economic life and with regard to information, democracy and diversity. What we see in this package is clearer rules for competition and a more distinct role for the European authority to ensure that the market is open to competitors. We deal with issues such as frequency planning and the digital dividend: the new space created to allow more services and more operators to operate. All of this, Madam President, will result in greater freedom for consumers and greater opportunities. If I take my home country, Sweden, as an example, this will mean that the dominance that Telia, the old monopoly, has been able to enjoy with regard to competition to provide services to households will now be broken, because there will now be open competition right into people's homes. This is progress: it will open the way for more choice, creating better competition, and it will strengthen the power of the individual consumer and therefore also an individual's freedom with regard to the Internet and broadband.

Madam President, the whole issue of the freedom of the Internet has been the subject of debate in this House. I am sometimes surprised when those who are opposed to the European Union and to the Treaty of Lisbon demand a higher authority than the Member States that they vote against in all other contexts. I heard my fellow Member on the left here today, Mrs Svensson, ask for an amendment to allow the EU to directly influence Member States' approach to the legal process. This is a deviation from the treaties we have in place today and from the Treaty of Lisbon that we are talking about, and it is a form of supranationalism that no one has actually discussed. However, in the introduction to the legislation we have ensured a clear division of what legal authorities must do and what Internet operators must do. We have ensured that no one will be able to violate the freedom of the individual user on the Internet without there being a legal and judicial process that meets the fundamental requirements. The requirements of Amendment 138 are therefore met and the various threats that existed have been eliminated. I think that this is progress that we should be happy with because, at the same time, we are ensuring that the European telecommunications market is opened up to provide more freedom, more diversity and more competition, thereby laying the foundation for it to be dynamic and a world leader in the future, too.

Reino Paasilinna (PSE). - (FI) Madam President, ladies and gentlemen, obviously I would like to thank Mrs Trautmann in particular, but also the other rapporteurs. A very special thank you goes to Commissioner Reding, for the excellent levels of cooperation she has shown for so long. We have a lot of Commissioners, but, as has been mentioned, you are definitely the number one as far as working with us is concerned.

We would like to improve the status of groups for whom new technology brings opportunities, but which will leave them with no access to the information society unless their rights are monitored. Such groups include the elderly and the disabled. The rights of customers should also be guaranteed, so that unfair competition does not prevent them from using new services. In the end the Council accepted almost all of our suggestions regarding consumer protection, so that is a satisfactory outcome.

For over 10 years we have been reforming legislation that controls the information society and, more recently, the civilised society. Today we are deciding on the notion that the use of the Internet is a civil right. It needs to be protected and diversified. We already decided earlier on that information is a civil right.

The worry is that electronic communications that reach wide audiences will be still more superficial in nature and nothing less than mindless rubbish. The aim of a civilised society is surely such a demanding one that we simply cannot move towards one based on the sort of content we have at the moment. We are using our excellent technical tools to lead humanity into ignorance in the information society and philistinism in the civilised society. A bad book is bad, however good the print quality or the paper. A crime is a crime on the Internet, and in the same way rubbish is rubbish on the Internet too.

Do intelligent networks result in stupidity then? Ladies and gentlemen, with this sort of content we really cannot become the world's leading knowledge-based economy or society. Our knowledge is simply insufficient

for that. I would like to ask the Commissioner what we should do, now that we have very effective tools in place, to bring the quality of content up to the level of a civilised society.

Fiona Hall (ALDE). - Madam President, I welcome the agreement on the telecoms package because this agreement brings in its wake another agreement on a less discussed issue: the repeal of the GSM Directive.

The mobile telephony industry has been understandably very anxious to get access to the radio spectrum bandwidth currently reserved for GSM, in order to maintain its global competitiveness. However, MEPs were anxious to ensure that democratic accountability over use of the spectrum was maintained.

Previous spectrum-related pieces of legislation, such as the mobile satellite services decision, have shown that many issues said by the Commission to be technical do, in fact, have a political side to them. What is technical may, in fact, affect principles of cohesion and access for everybody. So I welcome the fact that, through the telecoms package, MEPs will now retain scrutiny of spectrum allocation.

I will be voting for the telecoms package, but I do so with a certain reluctance, because I believe there has been a fundamental betrayal, at the highest level, of the basic principle of the telecoms liberalisation that this directive was supposed to achieve. I am referring to the words in Article 8 about ensuring access to incumbents and their approach to the market. It seems to me that the deal that was done on this wording in a private conversation between Prime Minister Gordon Brown and Chancellor Merkel has given incumbents, such as Deutsche Telekom, a huge advantage. We do not know what Prime Minister Brown got in return. I am afraid that private deals by leaders behind closed doors are not the way to make EU legislation. I regret that this occurred.

Godfrey Bloom (IND/DEM). - Madam President, I have a few observations. I do not trust the Commission; I do not trust unelected bureaucrats behind the scenes who have meetings for which I do not have any minutes. I do not trust this place, which gives a veneer of democracy, but which is largely made up of placemen.

This looks to me like political editorial control over things on the Internet – the new medium. It is the sort of thing we condemn when it happens in China. I do not like it. It smells a bit to me. I do not know what is going on behind the scenes, as the previous speaker just said, and what deals are being done that we do not know about.

We have perfectly good copyright laws. We have perfectly good data protection laws. That should be enough. I do not want any more control coming to this sinister and corrupt institution.

Paul Rübig (PPE-DE). – (DE) Madam President, ladies and gentlemen, I can only recommend that my fellow Member does not stand for this Parliament again; then he will have done his job well.

I would like to offer Commissioner Reding and also the Czech Presidency my sincere thanks, because together with our rapporteurs they have once again taken a great step for the citizens of Europe. The concept of the internal market offers citizens great progress in the area of telecommunications in particular, as well as in all areas where we were previously confronted with monopolies. In addition, we have already seen with the roaming regulation that there can be great savings here for households, and citizens are protected.

In particular, market access for small and medium-sized enterprises is quite an important prerequisite for ensuring that a good service is being offered, that network neutrality is implemented and that we of course authorise the independent regulatory authorities in the Member States to represent their industry and their enterprises, but also their consumers in other European countries.

The enforcement of the rights of citizens of one nation in another Member State is of particular significance to small and medium-sized enterprises, and we should ensure that in future broadband continues to be used for the benefit of the population and prices drop, because with the very dynamic development of broadband services and the Internet that is currently taking place, especially in the area of telephony, we have completely new possibilities for the use of broadband. For that reason I am also grateful that the GSM 900 frequency band is also at the disposal of UMTS and that, for the first time, some thought has been given to the fourth generation network, which will hopefully receive the continued support of the Commission, so that we have comprehensive support for the provision of broadband, especially in rural areas.

Consumer protection is also regulated quite excellently in this legislation: the fact that the courts are working to ensure that the European Convention for the Protection of Human Rights is applied accordingly, is great progress, so that we have a great chance in this area, with the allocation of frequency bands, to also take

advantage of unrestricted and unimpeded use of the Internet, while at the same time we have the assurance that courts will decide if there are to be restrictions.

Evelyn Gebhardt (PSE). – (DE) Madam President, ladies and gentlemen, I would like to thank all my fellow Members for the really excellent work they have done. I would also have liked to thank the Council, but I see they are not present; however, the Commissioner is here. I believe we have done something good.

Mr Harbour, you were the rapporteur for the Committee on Internal Market and Consumer Protection, and I must say that our collaboration and the joint action were very positive. We have achieved a great deal for citizens, which in the area of universal service is especially important for us Social Democrats. This telecom package has been made much more customer friendly and so an important contribution has been made to consumer protection. In future telecommunication providers will also have to offer contracts of just 12 months duration, which is very important. Until now there were many providers who only offered 24 month contracts, which is a very long period of time and prevents people from exiting from a contract early. That is quite an important contribution. When changing provider, consumers must be able to keep their own number within a day. Until now long waiting times have often made people give up switching to a cheaper provider and have hampered competition in this area. Here too we have had great success.

The Socialist Group has meanwhile sought to ensure that, when making an emergency call from a mobile, the position is transmitted automatically, so allowing help to reach the person quickly. There was a long struggle to push this through as well, because to start with many maintained that this was not technically possible at all. It has been proven that it is possible and so it also had to be done. This is a great help for our citizens.

Soon it should also be easier for people with disabilities. They must be ensured unimpeded access to means of telecommunication. Here too we must – particularly when we are talking about universal services – ensure that it goes ahead, and that too is very positive.

There was one point which has been controversial throughout: how do we deal with criminal prosecution where questions regarding criminal offences or matters of civil law respectively arise? We have taken an important step with the compromise we reached today with the Council, as we have included judicial reservation. Judicial reservation means that we do not leave it up to enterprises alone to decide which sanctions are imposed; instead, using rights, as captured in the European Convention on Human Rights, we have ensured that consumers can defend themselves and service providers do not have excessive power. This is a really important point.

Anne Laperrouze (ALDE). – (FR) Commissioner, ladies and gentlemen, may I first of all commend our rapporteurs' work on this telecom package, which is to be put to the vote tomorrow, because it is a good text. It takes into account all the aspects of this revolution in communications that we are living through: telecommunications networks, regulation, economic aspects, consumer rights and access to the Internet.

However, on this last point, I have to say that the Democratic Movement's delegation was disappointed. The compromise reached last week on Mrs Trautmann's report on this particular issue is unsatisfactory. The weakness of this draft lies in the failure to take into account the case law relating to Article 6 of the European Convention for the Protection of Human Rights. This draft in fact only legitimises the French Government's attempts to impose its concept of a high administrative authority, the infamous 'Hadopi' law.

There are people who are afraid of the Internet, people who do not understand its development or its interest. These people often say that the Internet is a lawless area.

It is precisely in order to prevent the Internet from becoming a lawless area that the Democratic Movement's delegation considers that terminating Internet access should not be an administrative decision but a judicial decision. The Internet is a wonderful tool for exercising one's fundamental rights.

Some people believe that administrative management is the solution. That tells us how much importance they attach to fundamental rights. The rules that ensure freedom of communication between people are timeless and do not depend on one medium or another. The right to a judicial process must not be called into question on any pretext.

Bernard Wojciechowski (IND/DEM). – (PL) Madam President, people are afraid that measures such as the telecoms package are a restriction of their freedom. I have received hundreds of letters on this matter, and not only from Poland. I will quote from one of them: 'The European Parliament proposes to introduce changes to the law which will affect my access to the Internet, and which may restrict or create conditions for the use

of certain Internet pages and sites. The legislative changes proposed by the European Parliament will allow my Internet provider to offer me restricted or conditional services. I am afraid that such changes will kill off the Internet and may have undesirable consequences for the economy in the European Union.'

This is the voice of Europe, the voice of the electorate. I support them. I advise people to be careful when voting, especially when it comes to candidates from Poland, where neither the Civic Platform nor the Law and Justice parties know what all this is about.

And to Mr Harbour, it seems that some clowns from Civic Platform and Law and Justice circles care more for seals and monkeys than for people.

Giles Chichester (PPE-DE). - Madam President, it is fair to say that the telecoms sector is a success story within the EU, which makes it all the more important that we set the right regulatory framework. I should like to congratulate the rapporteurs on their work and in particular my colleague, Pilar del Castillo Vera, on making big improvements to the Commission proposal for the regulators by turning it into this Body of European Regulators for Electronic Communications (BEREC).

It is a pity that a debate about the Internet and Internet censorship and the legal powers of Member States has distracted attention from the substance of this package. I would like to compliment my colleague, Malcolm Harbour, for thrashing out a compromise text with the Council over this vexed issue known as Amendment 138.

If nothing else, this part of the package has provoked a torrent of e-mail lobbying, and I have to say to those people who believe that large volumes of e-mails and many words will prevail, that they very quickly become counterproductive. What is easy to send in an instant is equally easy to delete in an instant, but, unfortunately, too much time has to be spent scrolling down trying to find anything else other than spam.

I very much hope that the regulators will feel fully equipped to bring about more competition, a level playing field and much enhanced consumers' rights, as well as striking the right balance to encourage investment and innovation to keep Europe at the cutting edge.

Another important aspect of this package is the enhanced consumer rights that have been delivered, in particular number portability within one working day and greater transparency in contracts and billing. These are practical matters that are important to the individual consumer.

Hannes Swoboda (PSE). - (DE) Madam President, ladies and gentlemen, I would of course firstly like to offer all the participants my sincere thanks for the significant work they have done.

I know that the committee and in particular Mrs Trautmann have shown much commitment, to achieve two goals: on the one hand to create a basis for modernisation, for the continued technical revolution in Europe in terms of the creation of new jobs, and also in terms of the competitiveness of our continent – thus also making an important contribution to Lisbon – and on the other hand, to protect consumer rights, which have already been mentioned here several times.

I think that both goals have been successfully achieved. The release in the future of certain frequency bands, when we migrate to the digital system, will create more possibilities and more innovation. This will also make an important contribution to an innovative society, and we are grateful for that.

Of course, there are also a few delicate matters. As one who frequently uses the Internet, writes blogs and is active on Facebook and Twitter, I know that there are quite a few problems here. Nevertheless, I am utterly convinced that we should not intervene without a judicial decision. It would not only be wrong in principal, it would also give out the wrong signal, especially to our young people, who are constantly surfing the web and use these modern means of communication very heavily.

I am therefore very pleased that, among other things, it has also been indicated clearly in the recitals that, on the one hand, we are of course not prepared to accept criminal activity, but on the other hand we are also not prepared to allow intervention without the verdict of a judge, without a legal basis. In my view, this is an essential principle which must be observed. I am very grateful to my colleague Mrs Trautmann and all the others for persevering in this matter and ensuring a clear line.

Sophia in 't Veld (ALDE). - (NL) Madam President, first of all, I too wish to compliment the rapporteurs on their hard work and to express my thanks. Yet I fear that I still have difficulty with the package. It contains many good elements, and indeed regulation is clearly needed in this sector.

The progress that has been made here includes greatly improved consumer protection, and the Commission's assurances that it will present proposals for a general notification requirement in the event of loss of data. Nevertheless, I have a problem with this package. The problem has already been pointed out by numerous MEPs, including my fellow Member from France: governments have attempted to introduce the element of 'three strikes and you're out' into the compromise through the back door, which actually has absolutely nothing to do with the Directive. I have to say I find this extremely irritating.

I do not consider this an acceptable compromise, therefore, and so I should like to call on my fellow Members to vote in favour of the amendment by my colleagues Mr Alvaro and Mr Schmidt. This is an essential condition for my support for this package. In my eyes, it would be a crying shame if this amendment were not adopted.

We do want a compromise with the Council, of course, but not at all costs. I also find it annoying that the Council leaves us with our backs to the wall every time, and that we just have to like it or lump it. The Council bears just as much responsibility for reaching a compromise as the European Parliament. The European Parliament has a reputation to maintain when it comes to the protection of civil rights, particularly in recent years. I hope that Parliament lives up to this reputation during tomorrow's vote.

Finally, Madam President, I too wish to say a few words about the lobby. I must say that, even though I do not agree with Mr Chichester in substance, I too have been annoyed by the flood of sometimes fairly threatening emails. I think, in fact I am convinced, ...

(The President cut off the speaker)

Erna Hennicot-Schoepges (PPE-DE). – (FR) Madam President, I would like to congratulate the rapporteurs, the Commission, Mrs Trautmann and Mr Harbour, who have succeeded in reaching a last-minute compromise. After two years of intense work, we have achieved this compromise in an area that will mark the future of a leading industrial sector.

The Commission's proposal on use of the spectrum has been amended in the right direction, with respect shown for the achievements in satellite technology, and the Commission's announcement of a future debate on universal service and the other legal problems that still remain suggests that the work will continue. This is therefore only a first step in anticipation of other regulations.

This project will provide citizens with extraordinary access to information and culture. Many problems remain, however, from the point of view of infrastructure and quality, because access of the same quality is still not guaranteed to everyone, if one considers the many technical problems that still exist in relation to wireless communication.

Issues of freedom of access to the Internet, problems of copyright and confidentiality, combined with the concern to protect against crime, to safeguard ethical rules and to protect young people – is that not a bit too much to manage? As for those who are sceptical about the compromise, will they be able to put forward a ready-made solution that is applicable immediately?

I think that this project represents a considerable advance. Let us therefore give the regulators whom we put in place a chance, and the sceptics will then be able to influence these new institutions, which will have only to prove their effectiveness.

Edit Herczog (PSE). – Madam President, two years' work and my congratulations to all of you on this hard work. The telecoms package makes a major contribution to the Lisbon Strategy as the sector represents 4% of GDP and 25% of GDP growth. It is one of the basic sectors for European economic power.

The telecoms package makes a major contribution to a knowledge-based economy, not only through the sector itself, but also by increasing opportunities for users, whether they be companies, especially small and medium-sized enterprises, or individuals. Everyone can benefit from it.

The telecoms package makes a major contribution to the European Economic Recovery Plan through its development of the network. The telecoms package makes a major contribution to strengthening consumer rights and consumer opportunities as more and more consumers can use it. The telecoms package also, however, makes a major contribution to the development of democracy. It provides access to all Europeans and new means to practise our rights and obligations, but is also a balance established by the regulatory body: a balance between giving Europe an instrument to achieve a truly internal market in the telecoms sector, and using the expertise available at national regulatory level.

My congratulations to the rapporteurs and to the Commission. Over the next five years, we shall make the first step, which then has to be followed by others.

IN THE CHAIR: MRS ROTHE

Vice-President

Silvia-Adriana Țicău (PSE). – (RO) I would like to begin by congratulating our rapporteurs who have been working flat out on this package for more than a year. This is actually an extremely important package for the European Union's citizens.

This package includes numerous documents. I think it is important for me to refer first of all to Mrs Trautmann's report, which sets out the regulatory framework for the electronic communications sector and has covered a number of extremely important aspects, such as functional separation, spectrum policy, as well as the use and promotion of new generation networks. I welcome the fact that functional separation was adopted and accepted as an urgent, special measure.

In addition, I believe that it is vital for us to emphasise here that consumers' rights must be protected. This is why Mr Harbour's report touched on these aspects and our colleague, Reino Paasilinna, successfully supported the European Socialists' point of view, which is that the key element must be the consumer. It is important how the contractual clauses are negotiated so that any consumer can be protected.

On the subject of technological neutrality, it is useful that a wide range of technical options is made available to everyone in this way. But I would like to stress that the Internet offers huge opportunities. It is important for consumers and users to be protected and for there to be no interference with personal data, which must also be protected. Above all, we must protect intellectual property, but not to the detriment of consumers' interests.

(The President cut off the speaker)

Charlotte Cederschiöld (PPE-DE). – (SV) Thank you Commissioner, we need increased harmonisation within electronic communications and clearer and simpler legislation, and this harmonisation must contribute to a well-functioning internal market. The main objective is to increase competition, which will result in greater choice, lower prices and better quality for end customers. In order to succeed, many different interests need to be weighed up and a good balance found. The telecoms package must not, and is not intended to, be used for the purposes of criminal law or penal sanctions or to affect the Member States' procedural law. Improved competition must be central. All citizens must be able to take their case to court – it must not be left to commercial forces. I hope, therefore, that my fellow Members will now support the compromise.

The problem of privacy crops up in commercial legislation, data storage, criminal legislation and transparency legislation. The European Union has not yet found a common approach, with common principles that can be applied to all three areas, and an overall appraisal will be necessary to avoid conflicting legislation in the long term. It is still a challenge for the future to find a balance between the interests of the police, advocates of transparency, those who want to protect data and, of course, IT companies.

The Commission should be able to contribute to this by setting up a common task force to find common principles and a balance between the different interests within this important area.

Finally, I should like to congratulate Commissioner Reding and the rapporteurs on their good work.

Jacques Toubon (PPE-DE). – (FR) Madam President, I would like first to thank Mrs Reding, our Commissioner, the French Presidency, which in December came to a very intelligent common position, and then the Czech Presidency, which has just achieved its aim. I would also like to thank and congratulate above all our three rapporteurs, Mr Harbour, Mrs Trautmann and Mrs del Castillo Vera, who have done a magnificent job.

The package that we are voting on today includes provisions that go absolutely in the direction one would wish for the development of the telecommunications market, in an orderly fashion and for the benefit of everybody: a European regulation entrusted to a Body of European Regulators for Electronic Communications (BEREC) with mixed financing, without a veto; a balance between competition and the need for new investment – functional separation is limited to exceptional cases; a desire to focus attention on public services in spectrum management; new services; new freedom of access; and, thanks to Mr Harbour in particular, a considerable increase in the rights of consumers. I am just sorry that 'must carry' has been rejected.

For France, this text is perfectly balanced, it is a good compromise, and here I mean that, with regard to those infamous controversial amendments, what has been proposed in the end is intelligent, in my opinion, because it makes it possible to implement intellectual property rights on the Internet without compromising freedom of access to the latter. The Internet must apply the law in this field as in others. The virtual world is not a lawless world and it must not submit only to the power of advertising brought in by operators and Internet access providers. That is why I share Mrs Trautmann's point of view. The compromise puts the rights of employees, of artists and of Internet users on an equal footing, and that is a good thing.

Syed Kamall (PPE-DE). - Madam President, I wish to begin by paying tribute to all the hard work put in by the Commission and its officials, and also by all the rapporteurs. I speak as one of the shadow rapporteurs for the Committee on Civil Liberties, Justice and Home Affairs at the time of the e-privacy part of the whole package. I would also like to pay tribute to the work of Alexander Alvaro and the other shadow rapporteurs, including Mr Lambrinidis from the Socialist Group.

We all worked very hard to achieve a balance between data protection, which we all agree is a very important issue, and the right of companies to develop security programmes to ensure that our networks are safe and target those who seek to initiate malware and viruses across networks. This is something that sometimes involves examining data traffic.

What this was not about was going for 'three strikes and you're out'. Very few people here support that, and it is very unfortunate that some people outside this House have sought to portray this as supporting 'three strikes and you're out'.

While we are on the subject of data packets, let me turn to the issue of net neutrality. I think we have to agree that a certain amount of network management is necessary. As companies build broader pipes, other companies are coming up and filling those pipes, and this could lead to problems of congestion. Who could have imagined a few years ago that we would now have services like BBC iPlayer or YouTube? Therefore, it is important that operators are able to manage their networks. This idea of 'first packet in, first packet out' could prove detrimental, particularly when emergency services are being overridden due to traffic congestion.

I would like to thank all the rapporteurs on this subject for trying to achieve the right balance, and would ask the lobbyists outside this House not to portray this as 'three strikes and you're out'; please do not portray it as a fundamental attack on our freedoms. We are just trying to achieve the right balance.

Christofer Fjellner (PPE-DE). - (SV) Thank you very much, Madam President. I am sorry that I am a bit late. I would like to start by saying that I think it is important to point out that the telecoms package, as it stands today prior to the vote, is essentially a good one. It strengthens competition and users' rights, and it is important to emphasise this because I think it is something that often gets forgotten in the debate. We concentrate almost exclusively on the details and then sometimes miss the big picture, and this is after all what the telecoms package is all about – strengthening competition and users' rights.

However, there are currently many threats to our civil freedoms and rights on the Internet and to the Internet's open and free structure. They have never been so clear as in the debate on whether we should exclude users from the Internet without a hearing in court. I am very proud that we here in Parliament have agreed that we do not consider this to be acceptable. People must not be blocked from the Internet without having their case heard by a court. This is important because it is a very serious restriction of civil freedoms and rights. It also turns legal principles upside down in a way that we would never accept in other contexts. We do not prohibit someone who has stolen a bicycle from using the roads. I am therefore pleased that we shall say a clear 'no' to that sort of proposal tomorrow.

At the same time, this does not eliminate all threats to the Internet. There are many other issues that will continue to be discussed, and I look forward to those debates. There are certain areas where I would like us to be able to go a bit further, but overall this constitutes a step in the right direction. I am proud that we shall make it clear tomorrow that citizens' freedoms and rights on the Internet, in particular with regard to the possibility of not being excluded without a hearing in court, are something that the European Parliament will support.

Helga Trüpel (Verts/ALE). – (DE) Madam President, I would like to say that today's debate has been dominated by the following question: how can we strike a balance between freedom on the internet, free access, copyright protection and observance of fundamental rights? This is indeed the magic formula for finding the right balance here.

I would like to stress that this is not about the arbitrary blocking of the Internet. We cannot have YouTube being shut down, as it was in Turkey, because there had apparently been insults to Atatürk. We do not want the sort of situation there is in China. Of course, websites cannot be closed at random for political reasons. However, I would like to say clearly that citizens cannot have an unlimited right to unrestricted illegal downloading! This is not a point that can be negotiated here. However, we must ensure – and this is the balance we are looking for and have yet to find – that producers of creative content, whose works appear on the Internet, can be fairly compensated. We need a new model for this. It is not the French model. We want a judicial reservation, a judicial decision on fundamental rights. However, we have still to find this new social contract in the knowledge society between copyright and the protection of fundamental rights.

Viviane Reding, *Member of the Commission*. – (FR) Madam President, thank you to all those who have made it possible for this very important package to see the light of day. I am thinking, of course, of the rapporteurs and their colleagues, but I am thinking also of the Czech Presidency, and I would like to say here, officially, that the ambassador, Mrs Reinišová, has been fantastic in the way she has cooperated with Parliament and the Commission to make this project possible.

We now have a balanced text, which allows for markets to be opened up, investment, freedom on the Internet and the right to the Internet. We have a text that has potential for the development of the industry – and therefore for keeping and creating jobs – and for users. This text balances, on the one hand, the Lisbon Strategy for Growth and Jobs, and, on the other hand, many advances concerning the rights of consumers who use the Internet.

Allow me to answer some of the questions which have been raised.

One of the questions concerned investment in next-generation access networks by ensuring that telecom operators receive a fair return on investment, taking due account of the risk involved. It is already possible for several companies to share the investment risk under the current rules. The new rules confirm this and say at the same time that effective competition and non-discrimination rules have to be maintained. This is very important. I want to underline it because I sometimes hear only part of the story, but it is the whole story on investment which has to be applied in practice.

The second question concerns data breaches. Operators must assume the responsibility that comes with processing and storing these huge amounts of information. The new rules therefore introduce mandatory notifications for personal data breaches for the first time in European law. This means that communication providers will be obliged to inform the authorities and their customers about security breaches affecting their personal data. In addition, the rules concerning privacy and data protection are strengthened in such areas as the use of cookies and similar devices. Internet users will be better informed about what happens to their personal data and will find it easier to exercise control over their personal information in practice.

A second element concerns a more open and neutral Internet for consumers. European consumers will have an ever greater choice of competing broadband service providers available to them. Internet service providers have powerful tools at their disposal that allow them to differentiate between the various types of data transmission on the Internet, such as voice or peer-to-peer communication. Even though traffic management can allow premium high-quality services to develop and can help ensure secure communications, the same techniques may also be used to degrade the quality of communications or other services to unacceptably low levels. That is why, under the new EU rules, national telecom authorities will have the power to set a minimum quality level for network transmission services so as to promote net neutrality and net freedoms for European citizens.

In the new text, we have added new transparency requirements which are of the utmost importance.

The fourth element I would like to underline is the recognition of the right to Internet access. The new rules recognise explicitly that Internet access is a fundamental right such as the freedom of expression and the freedom to access information. The rules therefore provide that any measures taken regarding access to, or use of, services and applications must respect the fundamental rights and freedoms of natural persons, including the right to privacy, freedom of expression and access to information and education as well as due process.

(FR) Madam President, I thought it was very important to emphasise these fundamental rights because they form the basis for our European values, European values that are also based on the new telecom rules.

Furthermore, I would like to say something about freedom on the Internet, because many Members have spoken about it. The compromise reached is a victory for the freedom of citizens and of Internet users.

Firstly, this compromise very clearly asserts the freedoms of our citizens as laid down in the Charter of Fundamental Rights, including the right of access to the Internet, which is an integral part of freedom of expression and of information. Secondly, the compromise stipulates that the disproportionate solutions that were proposed to restrict the rights of Internet users are not legal. Thirdly, the compromise confirms that the option must always be provided to refer a case to a judge, an independent and impartial court, whose decision must be respected.

All that is included in the compromise, and I think that, on the basis of this compromise, the work that the Commission and Parliament will be undertaking in the very near future will have a solid foundation that will underline the rights of our citizens and the intrinsic values of our Europe.

Having said this, I would like to ask the Council to act quickly so that the final version of the text, which I hope will be voted for tomorrow, can be made available as soon as possible.

Malcolm Harbour, rapporteur. – Madam President, firstly I would like to thank everybody who has participated in this debate. It has been a very constructive debate. I welcome in particular the support Parliament has given me and my colleagues on the Committee on the Internal Market and Consumer Protection for the significant improvements we have made on the users' rights and data privacy elements of the directive.

I was delighted that, during the course of the debate, everybody contributed on those aspects. They are important for every consumer. Coming up to the elections I hope that all of you will talk about the work you have been doing in this House for consumers in the Internet world because it is absolutely crucial.

I think my second and important reflection is that the Internet space itself – electronic communications, the sector itself – is a thriving, evolving and dynamic sector. Our task as regulators is to allow that dynamism, that innovation, to continue. We put in place a framework of regulation to ensure that consumers can engage with that, to give them the right to know about those services, to empower them to take advantage of that – that is crucial. But the Internet is not the thriving place it is – and you have seen how dynamic it is because of the mail you have been getting about this proposal – it is not there because we have been restricting activity on the Internet, it is not there because we have been imposing new business models. We have been shackling the things that people have done. We want new entrants to come in, we want small businesses, we want large businesses, we want investment.

It is that sense of dynamism and urgency that we need to move forward. Mrs Reding is right: we must encourage Member States to get these improvements in place as soon as possible. We want the new BEREC operating; we want the new regulatory body to engage with us in Parliament, to ensure that these things happen as quickly as possible.

Let us move on from here and look towards the future. Thank you, Commissioner, for the key declarations that you made in the areas of data protection and universal service which will enable us to work with you to make progress in these crucial areas.

Catherine Trautmann, rapporteur. – (FR) Madam President, thank you very much, Commissioner, for your statement, which sheds very positive light on the debate that has just taken place, and I thank all those fellow Members who took part.

I would like to say that our Parliament, in voting in favour of this compromise on the telecoms package, will be indicating a clear choice: that of a regulated market, and not of unregulated competition. It is evidence also of a strategy, a useful strategy of development in a context of crisis and which prepares European society for the digital age. This vote will also make it possible to ensure a balance between the rights of States and the competences of the Commission, between the old operators and the new entrants, thanks to the non-discrimination clauses, but it will also signify that progress is being made by the European Parliament itself, in the exercise of its codecision powers, particularly in the matter of spectrum policy allocation, which is considered a public good, and in the support it expresses, once again, for broadcasters and services.

Many fellow Members spoke about the issue of the Internet as a public space which, as such, requires freedom and security, and I agree with them. Consequently a link has been made between Internet accessibility and the fundamental rights of citizens, for the first time in a directive, with the new version of Amendment 46.

Indeed, the expression 'measures taken' acts in a way as a missing link between any measures taken concerning electronic communications networks, whether it be terminating access or filtering, and the fundamental rights of users. With regard to the doubts expressed by my fellow Members about the rapporteur's willingness

to defend the right to a court judgment before cutting off access, I must say that the expression 'independent and impartial court' is an expression that guarantees Internet users the right to such a judgment.

Proving that Hadopi would be an independent and impartial court would mean imposing on this high authority all the obligations that a judge has to respect: the right of defence, a trial in which both parties are heard, and publicity. Obviously this would cause a system which relies, as the French law arguably does, on the computerisation and massification of accusations and penalties, to implode. Therefore, I call on the European Commission to take the greatest care when transposing this telecoms package.

When a fundamental principle is enshrined in a Community text that is the subject of a compromise between the Council and the European Parliament as colegislators, it must be transposed properly into national laws.

I would like to conclude, ladies and gentlemen, by saying that I am delighted by the prospect of a wide, multi-partnership-style public consultation, which will allow us to follow up on our hard work, in the framework of a compromise that respects the law set out in Amendment 46 and makes it applicable.

Pilar del Castillo Vera, *rapporteur*. – (ES) Madam President, briefly I would like to reiterate my thanks to all those who have played a part in this already lengthy debate process on the telecommunications package: the Commissioner, the other rapporteurs; in short, all those who have been involved besides the Presidency-in-Office of the Council.

I am going to outline three main points, those I consider to be crucial in order to summarise the benefits of this decision which, I believe, is going to be adopted by a great majority tomorrow in this House. This revision of the telecommunications legislative framework has three immediate implications.

The first is that it facilitates the development of next-generation networks and, therefore, will benefit consumers as they will have the chance to access, navigate and perform transactions on a faster, safer Internet that is more beneficial in every way, not only for individual consumers but also for small and medium enterprises, for whom the Internet is essential.

Secondly, there will be more competition in the internal market, which will also benefit consumers, be they individuals or companies. The benefits will come from better prices, better products, and greater innovation as a result of that competition being wider, greater and more real.

Finally, this will all be done – and let nobody outside this Parliament and across Europe be in any doubt – with respect for fundamental rights; there can be no national law that does not respect those rights because Europe has decided that the principle on which this reform is based guarantees the fundamental right of access to the Internet.

Francisca Pleguezuelos Aguilar, *rapporteur*. – (ES) Madam President, I wish to reiterate my thanks to all my fellow Members for their speeches and for this debate which has been a very positive one indeed.

I do not think there can be any doubt that this reform has made a great contribution to our innovative 21st-century society. We have paved the way so that we can continue bringing new opportunities to the telecommunications industry, a sector that is tremendously dynamic for the economic and social development of the European Union and, above all, for consumer protection.

I feel sure, and I believe the debate has shown, that there is mostly light, although some shadow here too, such as the inclusion of the debate on content in this package, as the Commissioner herself and a number of other Members have commented.

Yet I feel that the compromise has also resolved that aspect well because, as has been said, for the first time the scope of the two directives, in Article 1, includes the recognition of fundamental rights and freedoms as well as Internet access.

Let there be no doubt that I wish to support Mrs Trautmann in her request that when Member States are responsible for guaranteeing privacy, freedom of expression, freedom of information and, in general, all those rights contained in the European Convention for the Protection of Human Rights and Fundamental Freedoms, they do so under the strict, rigorous supervision of the European Commission which, I believe, is the best safeguard at this time, along with Parliament, so that freedom on the Internet is a principle balanced with all other rights.

That is all. Thank you very much, ladies and gentlemen. I think we have done a good job and should congratulate ourselves; I therefore ask that you vote in favour.

President. – Thank you very much, the joint debate is now closed.

The vote will take place tomorrow, Wednesday.

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Carl Schlyter (Verts/ALE). – (SV) I note that the Council is not here to comment on this agreement. I would like you to demand that they be here before the vote tomorrow. I believe that many European citizens would like an answer from the Council as to why they are opposed to a text which expressly states that no one should be excluded from the Internet without a prior ruling by a court. I would like the Council to stand up and explain its opposition. I believe that thousands of Europeans want to know why.

President. – We will forward the request.

Written statements (Rule 142)

Lidia Joanna Geringer de Oedenberg (PSE), in writing. – (PL) The European Union telecoms legislative framework arose in the 1990s, and was intended to liberalise domestic markets dominated by state monopolies. In the meantime we have witnessed revolutionary technological changes in the development of mobile telephony and the Internet. The draft reforms to legislation regulating the telecommunications market in the EU, which Parliament will be voting on tomorrow, are intended to adapt EU law to these changes, for example by improving the position of users in the market for electronic services.

My personal view is that Internet access is a significant factor which supports the education process, and it shows that people are able to use their freedom of speech and have access to information and the job market. Internet users must not be denied access to the Internet or have their access restricted without the prior ruling of a competent judiciary body. This is why I feel very strongly that we should restore the two most important amendments, numbers 138 and 166, which were adopted by Parliament at first reading in September 2008. These amendments would restore the guarantee of users' rights, place the obligation of monitoring on domestic regulators and make illegal the arbitrary blocking and discretionary restriction of citizens' access to applications, services and content published on the Internet.

In the form in which they have been submitted for second reading on 6 May, both amendments, which have apparently only been modified but in fact have been significantly changed, are a serious threat to freedom of expression, freedom of access to the Internet and the right to information — pillars of modern, democratic, civic societies.

Katrin Saks (PSE), in writing. – (ET) The new rules presented in the new telecommunications package will help regulate the telecommunications market and promote consumer protection. It will be significantly easier for consumers to obtain information from their service provider and change service providers. Pre-contract information must indicate whether a consumer is tied to a contract for a specific period of time. In addition, service providers cannot hold on to customers for longer than 24 months. The moving of a telephone number from one service provider to another must be done within one working day. The transparency of the provision of services has improved, and consumers are able to compare prices on web pages, and local operators can be obligated to provide services to handicapped people. Consumers can ask for a maximum price level to be set, once their monthly consumption reaches a certain level. If a service provider inadvertently divulges an individual's personal information on the Internet, they must properly notify the person of that fact.

The new rules will also help regulate the telecommunications market and ease the arrival of new services onto the market. The coordination of the radio spectrum in the EU creates an opportunity for the provision of completely new services, and removes the obstructions that have existed until now, for instance on the viewing of television programmes on mobile phones. The rights of state regulators have been increased, and a new EU regulator has been created, with the objective of strengthening independent market supervision, which will definitely benefit consumers. Thank you.

4. Energy labelling and standard product information (recast) (debate)

President. – The next item is the report (A6-0146/2009) by Mrs Podimata, on behalf of the Committee on Industry, Research and Energy, on the proposal for a Directive of the European Parliament and of the Council on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast) [COM(2008)0778 – C6-0412/2008 – 2008/0222(COD)].

Anni Podimata, rapporteur. – (EL) Madam President, Commissioner, ladies and gentlemen, I should like first of all to welcome the European Commission's proposal to recast the directive on energy labelling with the basic objective of extending its scope to all appliances which consume electricity during domestic, commercial and industrial use and to energy-related products. This directive forms part of a broader package of legislative proposals which aim to promote energy efficiency, which is a matter of top priority for the Union, because it can play a decisive role in strengthening energy security, reducing emissions of carbon dioxide and reviving the European economy, so that it will be able to get out of the recession and the crisis more quickly.

I want to warmly thank all my fellow Members for their proposals, especially the shadow rapporteurs, the PSE secretariat and the Committee on Industry, Research and Energy because, with their help, we have managed – I believe – to strengthen the directive on energy labelling. That is why we attach particular importance to the provisions relating to public procurement, that is why we attach particular importance to the adoption of incentives to promote the most efficient appliances and that is why we want to strengthen the provisions relating to market control and supervision.

I shall comment on just two issues which have caused serious confrontation. The first relates to our proposal that advertisements should include a reference to energy consumption, which caused disproportionate reactions from the Federation of European Publishers and from radio and television station owners. I say disproportionate, because extreme arguments were heard, such as that it restricts the freedom of the press, that advertising revenue was falling in the sensitive area of the mass media and, finally, that financing of a free and independent press is being undermined. Let us look at the facts of the matter, at what we are proposing in our report. We consider that advertisements for energy-related products should include a reference to energy consumption or to energy savings or to the category of energy label only if the advertisement includes references to technical specifications or technical information. Where the advertisement does not include any such reference, there is no obligation to refer to energy consumption.

I have left until last the question of the layout of the energy label, which proved to be the most burning issue in this directive. This directive will not have achieved its objective and will not be effective if the energy label cannot be easily recognised and compared by the consumers at whom it is primarily directed, in order to help them make the best possible choices. Today we have a successful energy labelling model on a scale from A to G, where A is used for the most efficient products and G for the least efficient, a scale which is used today as a standard in many countries outside the European Union. It is undoubtedly very successful and recognisable and has made a huge contribution towards energy savings. It certainly also has numerous problems. The most serious of these problems, the basic reason for these problems, is that the label is not accompanied by an indication of its period of validity. Where there is no indication of the period of validity of the label, when a product is classified in category A and stays in that category for life, even when more energy efficient products have been launched, it is clear that we are sending out mixed messages. So how can we address this? By introducing an obligation for labels to have a specific period of validity, for example 3 to 5 years and, once this period has expired, for the energy efficiency scale to be revised on the basis of progress achieved in the specific category of product.

To close, I should like to say that I am firmly convinced that, in the debates to follow and in order to reach agreement at second reading, we shall find the best possible solution, a solution which will be recognised by consumers and will promote innovation in European industry.

Andris Piebalgs, Member of the Commission. – Madam President, energy labelling is something we started in 1992 with the goal of achieving energy savings for products in the household sector. This initiative has been very successful and has given many benefits to EU citizens in the last 15 years.

However, 1992 is some time ago. Some time has passed since then, and the Commission decided to bring forward a proposal for recasting the Energy Labelling Directive, intending to bring further benefits to European citizens, industry and public authorities alike, firstly by extending its scope to all energy-related products, secondly by strengthening market surveillance, and thirdly by encouraging energy-efficient public procurement and incentive practices.

I am very grateful to the rapporteur, Mrs Podimata, for producing, in a short period of time, the report on a highly complex proposal, giving the opportunity for a second-reading agreement, when the Council will really enter into the discussion. I would also like to thank the shadow rapporteurs and all the members of the Committee on Industry, Research and Energy (ITRE) for having given this proposal careful consideration.

The report will definitely add some very significant improvements, welcomed by the Commission, to the initial proposal. The rapporteur is right to highlight two issues that will be the cornerstone of future debates

between the Council and Parliament. The first is the issue of advertising and how far we can go to promote energy-efficient product selling practices without hampering the role of civil liberties or freedom of the press, and the second is the issue of the layout of the label – whether it should be a closed label or an open-ended scale label.

On my way to Parliament this morning, I found some leaflets in the lifts which demonstrated that this ostensibly simple issue of labelling is not so simple. We have, on the one side, consumer organisations, and on the other side producers, who would also like to follow the same goal of providing more energy-efficient products to consumers.

At first reading there was substantial debate in the ITRE Committee, and we need to find the best solution to the issues raised by the rapporteur at second reading. I can assure you that the Commission will try its best to accommodate different points of view because it is working for the benefit of consumers and society. Labels should be effective and strong, and at the same time the right incentives should be provided to producers to develop more efficient products.

Thank you for the report. I really am grateful to the rapporteur for all the work that she has put into preparing it.

Jan Březina, *on behalf of the PPE-DE Group*. – Madam President, we are discussing the report on energy labelling, which is of the utmost importance for several reasons.

Firstly, increasing energy efficiency is the quickest and the most cost-effective way to reduce greenhouse gas emissions. Secondly, energy efficiency can be part of the solution to the current economic recession: addressing energy demand and energy use can help create long-lasting growth and solid job opportunities.

I agree with the intention to ensure that end-users will be able to receive full information on the label, even if the product is bought at a distance, via the Internet or telemarketing. The same holds true for the intention to reinforce the provisions on market surveillance in order to ensure proper and EU-wide harmonised enforcement of the Energy Labelling Directive and its implementing measures.

There are, however, two points that I must strongly oppose. First, I would like to warn that, if adopted, Amendment 32 would hamper the independence of the media. It must be stressed that advertising is key for free, independent, diverse and high-quality media. Our group has therefore come up with an alternative amendment – Amendment 2 tabled for the plenary – respecting the importance of free and diverse media for democracy. Our solution is to give producers and retailers the possibility of providing information on specific energy-consumption-saving aspects.

Second, I call for the rejection of two motions for a resolution on the implementing measures, rejecting implementing measures on TVs and fridges. This initiative, opposed by industry, the Commission and the Council, would impair the coherence of the new energy labelling legislation as a whole.

Let me conclude by stressing that the report on energy labelling is a very important piece of legislation that is worth adopting, provided that the advertising issue is tackled in a satisfactory manner.

Silvia-Adriana Țicău, *on behalf of the PSE Group*. – (RO) I would first of all like to congratulate the rapporteur, Mrs Podimata, for her report.

I believe that the directive on labelling and informing consumers about products' energy consumption is of paramount importance. The European Union has proposed to cut energy consumption by 20%. If we manage to inform consumers correctly so that they have an option available to them based on the information they have been given, then we can actually cut energy consumption for products currently in use too.

As regards labelling, it must be simple; this is a vital element. It must also be complete and naturally offer consumers the information which they need to be able to make the necessary investment. This is why I believe that it is important for the label to mention information about energy consumption or about the energy savings which could be made.

In addition, I think that it is important to have this A-G scale, which is simple. However, I would like to mention that I believe it is important for the period of validity to be specified so that the consumer has information even from the time when certain products are advertised. I do not believe that the obligation to provide information about energy consumption will interfere in any way with the freedom of expression

and the provisions concerning the mass media. I think that it is in all our interests to have well-informed consumers who can make an enlightened decision to reduce their energy consumption.

I would like to congratulate the rapporteur. This is a very important document which is part of an energy efficiency package. I will continue to support us having an interesting debate, even during second reading.

Satu Hassi, *on behalf of the Verts/ALE Group*. – (FI) Madam President, ladies and gentlemen, my sincerest thanks go to Mrs Podimata for her quite excellent work, which I fully support. The Committee on Industry, Research and Energy has supported clear, consumer-friendly energy labelling, which I would like to see preserved, as would the Committee.

It is important that the consumer can always have confidence that equipment in Category A absolutely always reflects the best technology – the most energy-efficient technology – there is on the market. The EU energy label has been a success. It has rid the market of energy-wasting equipment, and that model has been followed in such countries as Brazil, China, Argentina, Iran, Israel and South Africa. It is very unfortunate that the manufacturers of equipment now want to make this successful and clear system of labelling an unclear category, and that the Commission is inclined to support this.

The new model being promoted by manufacturers would be the equivalent of continually calling a record in sport going back decades the world record, and when the record is beaten, calling it the world record minus 5%, the world record minus 10%, the world record minus 20%, and so on. It would make no sense, and the same system of clarification that we use when we speak of world records should also continue to apply to energy labelling.

Herbert Reul (PPE-DE). – (DE) Madam President, ladies and gentlemen, this is an appropriate and important project to realise energy efficiency and save more energy. It is right that we should focus on methods which we are unfortunately not applying in other areas, namely, using labelling to help the consumer choose energy-efficient products, and, at the same time, to spur competition in more efficient appliances. This decision is wise and right.

The procedure in place up to now was also sensible and it worked well. In this respect I believe that this system of labelling with classes A-G, which has worked well for over 15 years and which was enhanced a few years ago with the A+ and A++ categorisations, must now logically be extended and amended again, because we have new challenges.

However, we should consider things carefully and I would also like to take seriously the reservations which the Commission has put forward. If we do what the majority in the committee here in Parliament have suggested, namely to simply keep A-G, I fear that old appliances will continue to be categorised as A, while new more energy-efficient appliances will only be classified as B. We will therefore either have a transition period for re-labelling – which will lead to confusion – or we will have constant change, constant new labelling.

Therefore the proposal to use minus is much simpler and clearer. We need a procedure which is intelligible to consumers, which will be adopted and which results in consumers continuing in the future to support what had previously been adopted. We need a system which also encourages manufacturers to invest in eco-design. Therefore, in my opinion the Commission's proposal is the smarter, more sensible one.

Very briefly a second comment, which to my mind is also important: I believe that everything that has been proposed here with regard to burdening media advertising with compulsory information is wrong. It is not acceptable! We must not do this. There is no sense in it! It is also not at all necessary. We can do without it, the information on the label is enough.

Claude Turmes (Verts/ALE). – (DE) Madam President. I think you feel uneasy here today, Commissioner, and I think I know why. The reason is the Commission is taking a position which is more an industry lobby position than one which simplifies consumer protection and environmental protection in Europe.

I have followed labelling legislation for the last 15 years. What is in the labelling directive from the beginning of the 1990s? It states that A to G should be regularly updated in line with the state of the art, so that only the best are in the A category. What has industry done? It obstructed the updating at the end of the 1990s. Consequently, at the beginning of 2000 more than 50% of all appliances were in category A. Then they came up with the gimmick of A+ and A++. Now they have come up with the gimmick of A-20, A-40 and A-60.

Mr Reul is always on the side of the industry lobby. I am therefore hardly surprised that he is defending this. Come on Commissioner, please! A to G is easy to understand. Fifteen years of shameless lobbying by various industry circles to undermine the European labelling system, that is what is going on here. Tomorrow, we, Parliament, must put an end to this terrible episode.

Miloslav Ransdorf (GUE/NGL). - (CS) Madam President, I have spoken here a number of times on energy issues, and this may be my concluding comment during this term. I think it is appropriate at this point to express thanks to Commissioner Piebalgs, who had a very difficult task, because making a European energy market out of the 27 separate markets of the individual Member States is a remarkable undertaking, it is a labour of Sisyphus which will not end with this term, and there will certainly be many tasks remaining for our successors. I would like to say that for us in the Committee on Industry, Research and Energy, he was one of the most popular Commissioners: those Commissioners from whom we learned a great deal, and whose level of enthusiasm we admired. I hope we have not been too demanding on the Commissioner, because I think we will certainly be meeting him during future Parliamentary terms, and Mr Piebalgs has really worked very hard to make it possible even to speak of a European energy market. I support energy labelling, it is a necessary standard, and I think reproaches about who belongs or does not belong to a particular industrial lobby should be set aside. Likewise, I think it is unfortunate if this Parliament has in the past months become a place for scaremongering. We need decisions based on facts.

Andris Piebalgs, Member of the Commission. – Madam President, it is difficult. I thank Mr Ransdorf for his very kind words, but I think it is wrong to accuse somebody – industry, lobby or not – because industry provides jobs and creates growth. Industry is also looking for more energy-efficient appliances to produce and place on the market. At the same time, 'A to G' is well known to consumers. There is a strong need to consolidate the experience of 'A to G' and involve industry, not by force, but by really involving them. That is what the Commission is trying to do.

In this debate there have been two elements that have been rather, perhaps, confusing. One is the framework directive, and Mrs Podimata's report is exactly about this. I know that at second reading there will be a lot of work between the Council, Parliament and the Commission to find the right balance between these two elements: industry's drive and the positive experience we have with this energy label.

The second was about the eco-design measure for fridges and TV sets. It is not a perfect solution, but at least it is a solution that brings these two products into the labelling scheme, because today we do not have any labelling on TVs, while the situation concerning fridges is confusing: every fridge is in a category. We have therefore proposed and agreed to this measure as a temporary measure until we have framework directives that establish clear rules. It is not because we have been bound by industry, but it was the best way to consolidate both approaches.

It is not that we are seeking enemies: we are trying to consolidate the positive experience but also bringing in industry. Industry is not fighting it, but should, I think, accept stronger consumer views sometimes and really see the benefits of this.

The report does not at this stage give a complete solution. There are differences of opinion, but we are on the way, and, as always, the most complicated legislation is adopted in compromises and consensus. We will need to continue to work, but not to label somebody that is fighting against energy efficiency, because labelling is the easiest way to bring about our goals for energy efficiency. People make informed choices about their appliances in a way that corresponds to the global society's interest. This is the best way, and we should promote it.

I would be sorry if we ended on a sad note by saying we are on the brink of some catastrophe: no, we are working together. We would all like to achieve the same result, but at this stage we have not yet found the compromise that suits and brings all the potential together to resolve this issue.

Thank you for the debate. I know there have been different opinions, but the Commission is committed to working further to find a speedy solution at second reading.

Anni Podimata, rapporteur. – (EL) Madam President, I should like first of all to thank all my fellow Members for their speeches and the Commissioner, both for his recommendation and for his speech, now, at the end of the debate.

I should like to make two very brief comments. First of all, as regards the burning issue of energy labelling. I would like to point out that the A to G scale, which we all consider to be very successful and recognisable

and to have made a huge contribution towards energy savings, obviously has problems which, Mr Reul, I listed in my opening comments; in other words, this scale needs to be updated. The basic problem with the existing energy label is that it has no period of validity, resulting in the situation which you described, namely that we have energy products on the market with the same label and different levels of energy efficiency. The crucial issue is for us to introduce a specific period of validity for A to G energy labelling and for us to update energy efficiency indicators every 3 to 5 years on the basis of progress made on the market.

Finally, I consider that the conclusion which we need to draw is simple. We have – and we all recognise that we have – a tested and successful recipe for energy labelling which has also become a standard for other countries outside the European Union. When you have a successful recipe which has become outdated over the years, you do not abolish it, you update it because, if you abolish it and you do not replace it with a new system, you risk losing the added value which you generated in previous years by opting for energy labelling. Europe's message to consumers over all these years has been: choose energy label A. We alone must not weaken this message.

President. – The debate is closed.

The vote will take place today at 12 noon.

(The sitting was suspended at 11.35 a.m. pending voting time and resumed at 12 noon.)

IN THE CHAIR: MR PÖTTERING

President

5. Voting time

President. – The next item is voting time.

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

5.1. Marketing standards for poultrymeat (A6-0223/2009, Ilda Figueiredo)

– *Before the vote:*

Ilda Figueiredo, rapporteur. – *(PT)* Mr President, ladies and gentlemen, I just want to briefly explain that this report includes the amendments unanimously adopted by the Committee on Agriculture and Rural Development, further to the resolution adopted in this plenary on 19 June 2008, which rejected the Commission proposal aimed at authorising the marketing of poultrymeat for human consumption, even after being subject to anti-microbial treatment.

I therefore want to thank all those who worked with me on this report, including the members and the draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety.

We hope that the European Commission and the Council will take account of this report and the opinion of the European Parliament in defence of public health, food safety and producers of poultrymeat in the European Union.

5.2. Defence of the immunity and privileges of Aldo Patriciello (A6-0286/2009, Aloyzas Sakalas)

5.3. Defence of the immunity and privileges of Umberto Bossi (A6-0269/2009, Klaus-Heiner Lehne)

5.4. Mobilisation of the European Globalisation Adjustment Fund (A6-0266/2009, Reimer Böge)

5.5. Recommendation to the European Commission in Complaint 185/2005/ELB (A6-0201/2009, Miguel Angel Martínez Martínez)

5.6. Petrol vapour recovery during refuelling of motor vehicles (A6-0208/2009, Dimitrios Papadimoulis)

– Before the vote:

Dimitrios Papadimoulis, rapporteur. – (EL) Mr President, as the debate was not held for technical reasons, allow me to say a couple of words before the vote. Following intensive negotiations with the Council and the Commission, I believe that we achieved a good compromise at first reading. With the contribution made by the European Parliament, we have accelerated the application of the directive by one year, broadened the scope to service stations in residential areas, strengthened information and control mechanisms for service stations and information mechanisms for citizens.

This is a change, the application of which will improve the quality of the atmosphere and will considerably limit the greenhouse gases which cause climate change. The Commission has undertaken, at our proposal, to submit a recast proposal after a certain period of time, so that we will have better technology which will allow us to achieve even better results in future.

The final compromise is supported by all the political groups and I think that this is a sign that we have done a good job.

5.7. Public access to European Parliament, Council and Commission documents (A6-0077/2009, Michael Cashman)

– Before the vote:

Michael Cashman, rapporteur. – Mr President, I was given a mandate by the House to enter into negotiations with the other institutions on this important dossier. Sadly, I have to report that the negotiations have not been productive, and therefore I am recommending to the House today that we do not vote and that we refer the decision on this important dossier to the next Parliament, when I expect the Commission to produce a new proposal in the autumn of this year.

Andris Piebalgs, Member of the Commission. – Mr President, the Commission takes note of the decision of Parliament to postpone the vote on the legislative resolution accompanying Mr Cashman's report until the next parliamentary term. While fully respecting Parliament's decision, the Commission is not convinced that the vote closing Parliament's first reading would tie the hands of the next Parliament. Therefore, the Commission will reconsider its proposal only after the two branches of legislative authority have adopted their positions, but intends to continue to pursue a constructive dialogue with both institutions in the mean time and confirms its willingness to seek a compromise with Parliament and the Council.

Michael Cashman, rapporteur. – Mr President, I think that illustrates why it is extremely important that the next Parliament exercises every single prerogative that it has. A dialogue means that each institution has to listen. So far, neither of the institutions is listening to Parliament. For that reason, we should not take the vote and we should fully empower the next Parliament.

(Applause)

(Parliament approved the proposal)

(The matter was referred back to the committee responsible)

President. – I am not sure whether congratulations are in order for Mr Cashman. Yes? Then we congratulate him.

5.8. Organisation of the working time of persons performing mobile road transport activities (A6-0120/2009, Marie Panayotopoulos-Cassiotou)

– Before the vote:

Stephen Hughes (PSE). - Mr President, in order not to interrupt the flow of the vote once you start, I would like to inform the House that the Socialist Group is withdrawing the third part of Amendment 62, that is the part concerning points b and c of Article 2(1).

(Parliament rejected the Commission proposal)

Antonio Tajani, Vice-President of the Commission. – (IT) Mr President, honourable Members, the Commission takes note of the position expressed today by the European Parliament and, in view of the commitments made before this House, the Commission will draw the most appropriate conclusions from today's negative vote, also taking into account the Council's position.

The Commission will consider the best way to achieve the required result, in other words to guarantee the social protection of workers while at the same time avoiding an increase in administrative burdens in the road transport sector.

(The matter was referred back to the committee responsible in accordance with Article 52(3) of the Rules of Procedure)

5.9. Trade in seal products (A6-0118/2009, Diana Wallis)

– Before the vote:

Hartmut Nassauer (PPE-DE). – (DE) Mr President, I would like to draw attention to an error that has crept into the voting list of the Group of the European People's Party (Christian Democrats) and European Democrats. In the final vote on both the amended proposal and the legislative resolution, it should say 'free votes'. I ask you – and I include the Group here – to bear this in mind.

Hans-Peter Martin (NI). – (DE) Mr President, I would like to ask you which article of the Rules of Procedure allows Groups to correct their voting lists here with your consent? This is an abuse of the parliamentary independence of individual Members!

5.10. Protection of animals used for scientific purposes (A6-0240/2009, Neil Parish)

– Before the vote:

Neil Parish, rapporteur. – Mr President, I would like to thank all the shadow rapporteurs who have been very willing to work with me on what is an incredibly technical and difficult dossier. By working together we have been able to come up with what, I believe, is a good compromise.

Animal testing is a highly controversial and emotional area which does involve a moral dilemma. We have done our best to create a position which will improve welfare for animals used for testing and, at the same time, ensure that top-quality and reliable medical research can continue within Europe. We have built upon the Commission's proposal in many areas and, most importantly, we have clarified the severity classifications. We had a good compromise in the Agriculture Committee and it should not be picked apart at this stage.

We all want to work together to refine, reduce and replace animal testing. However, we must remember that many vaccines and cures for diseases have been developed using animals, and especially primates – for example, vaccines for polio, diphtheria, hepatitis B, along with deep brain stimulation for Parkinson's disease. All are examples of the benefits of animal research. To allay concerns that many Members have with the use of embryonic stem cells, Amendment 170, if supported, will ensure that ethical decisions on this issue are made by Member States themselves and not by the Commission.

We have a huge opportunity here to improve legislation for animal welfare and research. We should put our party differences aside and support this report. Industry, medical research and animal welfare organisations are convinced that this is a step forward and that we will update and improve the current legislation. If we do not deal with it in this Parliament, the legislation could be put back by a further two years or more, which would be a retrograde step. I urge Members of the House to support this report.

Finally, as this is probably the last time I will speak in the Chamber because I am retiring to go into national politics, can I thank you for the courtesy with which you have treated me and thank the Members of the House, who have also treated me with great courtesy.

(Applause)

President. – Thank you very much, Mr Parish. When you go back to your national Parliament, we wish you the same zest for work that you had here in the European Parliament.

5.11. Ship-source pollution and penalties for infringements (A6-0080/2009, Luis de Grandes Pascual)

5.12. Energy labelling and standard product information (recast) (A6-0146/2009, Anni Podimata)

5.13. Parliament's estimates of revenue and expenditure for the financial year 2010 (A6-0275/2009, Vladimír Maňka)

– *Before the vote on the resolution:*

President. – What I was about to say was that this is the last vote with me in the chair. I would like to say a special word of thanks to Paul Dunstan to my left, who has done his job so splendidly over the years.

(Loud applause)

Paul, I would like to tell you, together we have made few mistakes – sometimes I have made them, sometimes you. However, we were an unbeatable team. I give you my sincere thanks.

IN THE CHAIR: MR MAURO

Vice-President

6. Explanations of vote

Oral explanations of vote

- Report: Miguel Angel Martínez Martínez (A6-0201/2009)

David Sumberg (PPE-DE). – Mr President, I am grateful to you for calling me. I supported this report but, as I shall be leaving this Parliament in the coming elections, I want to use this as a final opportunity to underline the very powerful message that the President of the Czech Republic, the President-in-Office, recently gave to this Parliament: 'We now seek a new people's mandate'. The truth is, however, that the people are not really represented in this Chamber. As the President-in-Office said, there is no opposition here to the European project.

The people – the men and women in our constituencies, particularly in Britain – do not want a European Constitution, they do not want a treaty imposed on them. What they want is the right to vote and I hope, sooner rather than later, they will be given that opportunity.

- Report: Dimitrios Papadimoulis (A6-0208/2009)

Richard Corbett (PSE). – Mr President, I welcome the adoption of this report. My group and I voted in favour. This is a very important signal that Parliament has sent. We must now, however, follow it up.

- Report: Marie Panayotopoulos-Cassiotou (A6-0120/2009)

Ewa Tomaszewska (UEN). – *(PL)* Mr President, the antisocial behaviour of employers is forcing employees to become self-employed, and this includes workers who are drivers and people who offer transport services. Employers want to save on social insurance costs and gain greater flexibility, but this has led to a situation where we have to vote under pressure from this antisocial behaviour.

This is why it was necessary to reject this report, because the scale of this antisocial behaviour is so great. Its existence threatens not only the occupational hygiene of workers, but above all it threatens the safety of road traffic, and can affect practically each one of us and the situation of everyone who is on the road, whether it be in a car or as a pedestrian. This is a very clear reason why we should deal very seriously with this problem

and why we should come back to it, because the proposed solution did not provide us with a way out of this situation.

- Report: Diana Wallis (A6-0118/2009)

Michl Ebner (PPE-DE). – (IT) Mr President, ladies and gentlemen, I wanted to say that I voted in favour of the report despite the fact that our two amendments were not accepted.

I believe that it would have been a very good idea to provide for and help the Inuit people to achieve peace and tranquillity as far as their way of life, their way of living and their way of hunting is concerned and also to achieve greater respect with regard to European Union LEADER programmes for Scandinavian countries on seal hunting. I also wanted to take the opportunity to say that what takes place in Canada and has nothing to do with the Inuit is not a hunt as we understand it but a slaughter of animals, not a hunt in the true sense of the word. I therefore believe that the two things must be treated separately, whatever attitudes people adopt subsequently. I also believe that it would have been better to deal with this topic in a post-electoral period and not a pre-electoral period as at present.

Zuzana Roithová (PPE-DE). – (CS) Mr President, I, too, welcome the fact that the European Parliament, with its ban on the import of seal products into the European Union, has followed the example of the United States and Russia. I am sure we are sending a clear signal that the Canadian government will have to change its methods of monitoring compliance with the law when it comes to humane methods of seal hunting. However, I am also sure that our proposal will enable traditional peoples, both in Europe and outside the EU, to continue hunting seals by their traditional methods. My thanks to everyone, especially to the Czech Presidency, for enabling Parliament and the Council, to reach the compromise on 24 April which we have been able to adopt today.

Richard Corbett (PSE). – Mr President, I am absolutely delighted that this report has been adopted by such an overwhelming majority and we can look forward to a ban on the import of seal products into the European Union.

I must say that I was saddened to see that our rapporteur, the Liberal Democrat Diana Wallis, was not fully in favour of this course of action. As rapporteur, she should have represented the views of the committee, where there was a very clear majority, and not sought in a number of ways to overturn what was clearly the will of a very large majority in this House. Nonetheless, I am glad that Parliament has shown such clear determination by such a clear majority to settle the issue in the way that we have now decided.

Daniel Hannan (NI). – Mr President, this report presented me with something of a dilemma. There is something not strictly rational about singling out seals for special treatment. They are not an endangered species – even the WWF says so. We do not get anything like the clamour about hunting seals on behalf of wasps or woodlice or wolverines or worms.

Then again, democracy is not strictly rational. People are not always calculating machines. It may be, as evolutionary biologists would argue, that it is the childlike features of the baby seal – its large eyes and so on – that on a deep genetic level give us a predisposition towards empathy with them. I do not know. The point is that you open a dangerous door if you say that the voters are wrong simply because their objection to seal hunting is aesthetic rather than rational or ethical. Once you have started down that road, it is a short step to saying that they are wrong to be against the European Constitution or the Lisbon Treaty or whatever.

So, after a lot of thinking, I have reached this view about this report: because it is obviously such a sensitive and important issue for a number of our voters, it should not be decided at EU level at all, but should rather be determined properly through the national, democratic mechanisms and procedures of every Member State.

Neena Gill (PSE). – Mr President, I rise with pride that this House voted for this report with an overwhelming majority. I voted for this report because I am pleased that we are making a strong statement, without loopholes, on the trade in seal products in the EU.

Many people in my constituency contacted us – and millions have got involved in this – to say that this was the most disgusting and cruelly-deployed killing of lovely creatures. I know some may say this is just because they are attractive, but when one sees videos of the methods used one realises that commercial seal slaughter, in particular, is unnecessary because many alternatives are available.

I am very pleased that we have voted in such large numbers to stop this cruel trade.

Peter Skinner (PSE). - Mr President, this ban is great progress and represents a true victory for campaigners across the South East of England particularly – as you could imagine – and across the European Union, many of whom have written to us in the House to demand the end of this cruel trade.

The fact that a Labour chair of committee led this campaign, in the face of intense lobbying by the perpetrators of this cruel and obscene trade, is crucial in realising its success. It was not the watered-down original – as my colleague, Richard Corbett pointed out – but, after critical amendments were proposed by Arlene McCarthy, the ban was voted through in the committee and now in Parliament.

I was intrigued just now to hear Mr Hannan from the Conservative Party suggesting this should be a matter of national discussion and democracy. If we were to rely upon that particular route, only eight countries would be signing up to this particular ban, as opposed to the 27 by voting it through the European Parliament. It shows that trade and animal welfare are compatible and we should rejoice in that.

Cristiana Muscardini (UEN). - (IT) Mr President, ladies and gentlemen, (...) the Wallis report represents a step forward for the general protection of animal rights because it greatly limits the import of seal products into the Union.

The Union has made a civilised choice in this context and we hope other countries will follow, even though we would have preferred the Commission text to have been the one submitted on the internal market, which very clearly limited possible exceptions to the sale of such products to cases dependent on the subsistence needs of the Inuit people. Unless they are properly controlled by border customs authorities, new exceptions could open up dangerous loopholes that will make it possible to evade the measure that, after a long struggle, punishes the futility and cruelty of certain of Man's practices that should no longer be allowed to offend our consciences.

I hope that today's step forward does not stand in isolation, that more effort may be put into reconsidering ways of preventing our countries importing products derived from animals that have been killed with incredible suffering. On this subject, I also remind you of the great vileness of continuing to support the practice, in Europe, of butchering animals without stunning them and letting them bleed to death.

- Report: Neil Parish (A6-0240/2009)

Hiltrud Breyer, on behalf of the Verts/ALE Group. - (DE) Mr President, while the vote on seal hunting was so successful, something which fills me with joy, the vote on the Parish Report is particularly disappointing. Here too I would have liked us to take a clear position on animal protection, a progressive position, which shows the way forward, which makes it clear that we need alternatives to experiments on animals. Animal testing should be a thing of the past. However, here there were obviously palpable interests on the part of industry – in particular the pharmaceuticals industry – and as a result my Group and I are very disappointed that we failed to ensure that animal testing and the barbaric conditions in which animals are kept are consigned to the past.

Unfortunately, we did not succeed in amending the genuflection, which the Commission has already made with the clear banning of animal testing on great apes. That fills me with sadness, as a society must always be measured by how it treats animals, and the European Union must no longer stand as a synonym for unnecessary animal testing. As such I would have liked the assessment of non-animal testing alternatives to have been given more consideration in this proposal for a directive, as only clear support of alternatives to animal testing will result in the end of barbaric and unnecessary animal testing in the European Union.

This will not be accomplished with declarations of intention, but only by underlining the significance of alternatives to animal testing and by providing the appropriate research funding. We cannot talk about alternatives to animal testing, but then fail to support their development and quick recognition. Funding for non-animal testing alternatives must not dry up. The Commission's good draft should have demanded more backing in Parliament.

Kathy Sinnott (IND/DEM). - Mr President, I was glad in the Parish report on animal testing that Amendment 170 passed. This prohibits the use of human embryos or foetal cells as an alternative to the use of animals in this directive, though there is little consolation for me that the amendment leaves the ethical decisions to the Member State, as the Irish Government and courts have consistently refused to protect embryos and I have been assured that in Ireland we also import aborted foetal cells for research.

We have protected the seal and this is good. We have taken some measures towards limiting and reducing animal testing and we must go further, but at no time can we forget the principle that we cannot use human

beings as a substitute for other forms of testing. We must reduce animal testing, but humans are still not to be seen as the alternative.

Richard Corbett (PSE). - Mr President, although today was a good day for animal welfare in terms of seals, it was a less good day in terms of the way we have just voted on animal testing.

Earlier this month, I had the pleasure of visiting a firm in my constituency, Simcyp, which has just won a national award from the Dr Hadwen Trust for developing alternatives to research on animals. That company has shown that it is possible to develop alternatives that work. Indeed, it has also shown that often the results of research on animals, when it comes to medical research, are not necessarily giving you data that it is reliable when applied to human beings.

Simcyp is pioneering alternatives to this. It is possible to go further. We should have gone further today. We have only made a small step. We need to do much more.

Neena Gill (PSE). - Mr President, I abstained on this report because I am a long-term campaigner for animal rights. This is one of the issues that it is important for the EU to focus on if we are to balance justice with the internal market, and we must insist on market morality.

I have received a number of letters on this issue and constituents across my region express their dismay. They believe there should be greater protection for animals used for scientific purposes.

The reason I abstained is because I wanted to end the capture of monkeys from the wild for breeding purposes and I therefore support the Commission text. Also, amendments that remove the obligation for accurate record-keeping in the user establishment were not supported. Furthermore, I believe that amendments that reduce the commitment to the three 'R's – replacement, reduction and refinement – needed to be supported. I also believe that the accommodation should be tailored to the experiment and accommodation should be part of the project authorisation. I want to avoid animal suffering and ensure we have humane methods of killing or at least less painful. That is one of the reasons why I abstained because I did not feel the report went far enough.

- Report: Diana Wallis (A6-0118/2009)

Inese Vaidere (UEN). - (LV) Thank you, Mr President. As a former Latvian environment minister, I have been concerned for a long time about what happens in this sphere, about this amazing cruelty towards animals, as well as the fact that this amazing cruelty is practised on an industrial scale. I would like to say that this has no connection at all with the traditional way of life of the Inuit, since their traditional way of life does not involve the slaughtering of animals on an industrial scale, in order to supply the entire world with seal products. I abstained on the amended proposal, because I feel that on this issue no compromises are necessary. On the other hand, I resolutely voted for the legislative resolution, and I am really pleased that Parliament has accepted the commendable decision by European citizens regarding this trading ban on seal products. Thank you.

- Report: Anni Podimata (A6-0146/2009)

Inese Vaidere (UEN). - (LV) Thank you, Mr President. With regard to the Podimata report, I would like to say that in fact we can support both the Commission's proposals and the report by the Committee on Industry, Research and Energy, and also the proposals by the Group of the Greens/European Free Alliance and other political groups, since as I see it, the main interests dealt with in the report are consumers' interests. The main point is that consumers should know, as regards these electrical appliances, which are the most economical and which are the least harmful to the surrounding environment. In voting, therefore, I am trying to demonstrate a balanced approach and in this case to highlight the interests of European consumers.

- Report: Vladimír Maňka (A6-0275/2009)

Richard Corbett (PSE). - Mr President, as we speak, there is a live radio programme about the European Parliament on the British radio station 5 Live – it has been going all morning. There are people phoning in and one of the questions that they constantly raise is the cost of the European Parliament. How much does this Parliament cost, and can it justify its cost?

As I pointed out recently, if you relate the cost to the number of citizens, then the European Parliament costs GBP 1.74 per citizen per year, about the price of one pint of beer. By contrast, the House of Lords costs GBP 1.77 and the House of Commons GBP 5.79 per year, far more per citizen. Of course, this Parliament,

with a wide electorate, spreads its costs widely. We have costs imposed on us by the Member States in terms of the three working places and the 23 languages, which no national parliament has to bear in its budget. Yet, despite that, we manage to provide value for money.

Christopher Heaton-Harris (PPE-DE). - Mr President, I shall not dispute the figures that Mr Corbett has just read out. I do not particularly care if this Parliament costs less per capita than others – though I think there are one or two more people across the European Union than there might be in the United Kingdom.

My concern with this report is that it is a missed opportunity. It highlights many of the expensive regimes that we have all noticed in our time here – I have been here for 10 years, like you, Mr President. It is interesting, for example, that the European Parliament's main library is in Luxembourg, where no one can access it, because the Members rotate between Brussels, Strasbourg and their home seats.

There are lots of missed opportunities in this place, and this report is most definitely one of them. At a time when all our constituents are having to tighten their belts, we should have signalled in this report that we were willing to tighten ours too, and we did not. It is a missed opportunity.

President. – Thank you Mr Heaton-Harris, if you are here next term, you can help us to do things better.

Written explanations of vote

- Report: Ilda Figueiredo (A6-0223/2009)

Alessandro Battilocchio (PSE), in writing. – (IT) I voted in favour.

According to Regulation (EC) No 1234/2007, poultrymeat may be sold on the international market even if it has undergone anti-microbe treatments. In June 2008, the European Parliament managed to approve a resolution prohibiting this type of marketing after several attempts.

Since the United States export only poultrymeat treated with chemical or anti-microbe substances to the EU, the Commission has, however, not honoured the resolution. This strategy is at odds with the investments made by poultrymeat professionals in their field, in accordance with Community law, which states that only EU-approved protection methods, such as cold treatment, can be implemented in order to reduce the risks of meat contamination.

We therefore support the following proposals to amend Regulation (EC) No 1234/2007: 1) withdrawal of Commission Recital 5, stating that 'the exclusive reference to cold treatment in the definition of "poultrymeat" is too restrictive in view of technological developments. This definition should therefore be adapted'; 2) replacement of Recital 5 with another requiring the source of the meat to be monitored in order to inform and guarantee transparency to the consumer; 3) maintenance of the cold method as the only protective treatment.

Călin Cătălin Chiriță (PPE-DE), in writing. – (RO) I voted for this draft because I think that the scope of marketing standards for poultrymeat must be extended to also cover poultrymeat preparations and products, as well as poultrymeat in brine, which is being marketed ever more widely.

We must bear in mind that when poultrymeat is sold as 'fresh', the consumer expects that it has never been frozen before, even quickly, which is a guarantee of quality for the consumer. Consequently, the current principle stipulating that poultrymeat sold as 'fresh' cannot be frozen beforehand must be reinforced and extended to cover poultrymeat preparations and products.

It should be noted that this proposal does not affect the Community budget.

Šarūnas Birutis (ALDE), in writing. – (LT) The objectives of the marketing standards for poultrymeat are to safeguard the stability of market prices in the sector, to facilitate the marketing of products and to ensure consumer safety and high food-quality standards. The marketing standards for poultrymeat need to be reviewed in the light of technological developments and to include poultrymeat preparations, as consumer habits have changed since the 1990s. The principle that poultrymeat sold 'fresh' may not have been frozen beforehand is proposed to be reinforced to cover poultrymeat preparations and products, and I agree with this.

Edite Estrela (PSE), in writing. – (PT) I voted for the proposal on the marketing of poultrymeat. The aim of this proposal is to update the standards that date back to 1990 on the marketing of poultrymeat, by adapting

them to the new market reality. It also aims to safeguard the stability of market prices in this sector, facilitate the marketing of products and ensure consumer safety and high food-quality standards.

I believe that the treatment of poultrymeat with decontaminating substances is not acceptable and I therefore argued for treatment by refrigeration.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) We have voted in favour of the draft amendments by the European Parliament's Committee on Agriculture and Rural Development, as they reinforce the wordings relating to the labelling of the origin of poultrymeat. We believe that this is a good thing.

However, the Committee on Agriculture and Rural Development's amendments also contain wordings that we believe should be dealt with at an administrative level. Since everything is voted on in a single vote, we were not able to oppose these proposals.

Our 'yes' vote for the amendments concerning the labelling of the origin does not, of course, mean that we in any way support the common agricultural policy.

Véronique Mathieu (PPE-DE), *in writing*. – (FR) We have arrived at a good compromise on this report, which will enable us to have a balanced regulation that meets the European Union's requirements with regard to food safety.

By prohibiting the marketing of frozen poultrymeat under the label 'fresh product', by rejecting the use of toxic substances, such as chlorine, to decontaminate poultry carcasses, and by opting for clear labelling of origin and date of slaughter, we have favoured a common-sense approach and chosen to make defending the interests of European consumers our priority.

In adopting the resolution of June 2008, Parliament had already expressed strong opposition to authorising the marketing of 'chlorinated poultry' on the European market, and it was followed in that respect by the ministers of agriculture at the Council of last December.

With today's vote, we have confirmed our desire to ensure that, from farm to table, food in the European Union is as safe as possible for consumers.

Zdzisław Zbigniew Podkański (UEN), *in writing*. – (PL) The matter seems obvious. The motion under discussion is the second in succession which intends to authorise the marketing of poultrymeat for human consumption where it has received anti-microbe treatment. This time the motion was introduced at the suggestion of the USA, which fears imposition of a ban on the import of their meat to Europe.

In a situation where research has shown that the use of anti-microbial substances does not contribute to a reduction in bacterial infection rates, and when Europe is fighting for healthy food, we must speak with one voice. As indeed we must also do in the case of GMOs. It is a pity that in the case of genetically modified organisms the matter is not so obvious to everybody.

- Report: Reimer Böge (A6-0266/2009)

Neena Gill (PSE), *in writing*. – I welcome this report because it concerns an issue I have been working on for some time now. On a visit to the Michelin factory in Stoke-on-Trent, management and trades unions explained to me their support for the mobilisation of the European Globalisation Adjustment Fund.

I have since written to the Business and Enterprise Minister in the UK, Lord Mandelson, to request he consider an application to the EU for the activation of the Adjustment Fund. It strikes me, as it did the people I met at Michelin, that this fund needs to be put in place as soon as possible. This is exactly the kind of thing the EU was set up for – to collectively help Member States, and most importantly, their workers, at times of difficulty.

Because the fund is not about simply bailing out companies – it is about supporting a strategy which will lead to sustainable growth and employment for the future. The report's focus on the importance of small business for economic recovery, and the stress that the fund places on skills and training, will do much to ensure that people who lose their jobs will be reintegrated into the labour market.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) We are strongly critical of the reasoning behind the establishment of a Globalisation Fund. For a start, it is based on the idea that globalisation *per se* is a problem. In our view, globalisation is a way of increasing prosperity, especially for poor, developing

countries, provided that significant economic actors, such as the EU and the US, reform their protectionist trade policy positions at the World Trade Organization.

The Member States of the EU are capable of implementing national measures to support those sectors that they deem to be in need of financial assistance. A special EU fund would guarantee arbitrariness, inefficiency, bureaucracy and unjustified expenditure. How is the Commission to decide, in a relevant way, whether globalisation has had a negative impact on a given sector? Moreover, the amounts that are currently under discussion indicate that this could almost be considered to be a PR stunt by the EU.

For the above reasons, we have voted against the report in question.

- Report: Dimitrios Papadimoulis (A6-0208/2009)

Šarūnas Birutis (ALDE), *in writing*. – (LT) The need to deliver cleaner air has been recognised for several decades with action having been taken at national and EU level and also through international conventions.

Improving the quality of our ambient air remains a major challenge to be addressed. The problem of air pollution can only be solved in the long term and within a European framework, particularly by stepping up crossborder measures. The Commission's proposal is necessary, given the need to further target VOC emissions to improve both regional and local air quality and public amenity, the successful uptake of VPR II systems around the world, and the ability of the technology to reduce refuelling emissions by 95%.

Martin Callanan (PPE-DE), *in writing*. – This legislation represents another example of how the EU is targeting the car industry and the way in which the EU usually seeks to impose grossly disproportionate legislation to resolve a relatively minor problem.

The Committee on the Environment, Public Health and Food Safety voted to bring forward the date for garages to comply with new measures to limit the amount of petrol vapour released into the atmosphere when cars are refuelled. The committee also voted to lower the threshold of petrol sales in order to bring many more garages into the scope of the proposed law.

Targeting small independent garages in this way would have a knock-on effect on other local businesses, generate hardly any environmental benefits and potentially increase exhaust emissions if drivers have to drive further away to refuel when a local station has closed. The cost of upgrading equipment in terms of capital expenditure and lost business owing to temporary closure would be substantial.

Edite Estrela (PSE), *in writing*. – (PT) I voted for the report on petrol vapour recovery. Petrol contains volatile organic compounds (VOCs) that evaporate inside the fuel tank, filling the empty space in the tank above the fuel. As a vehicle is refuelled, these vapours are pushed out of the tank by the incoming fuel and, unless captured, escape into the atmosphere.

The Commission's proposal aims to recover petrol vapour which is emitted into the atmosphere during the refuelling of passenger cars. It is very important to install petrol vapour recovery systems with high capture efficiency in service stations, in order to improve air quality.

- Report: Michael Cashman (A6-0077/2009)

Šarūnas Birutis (ALDE), *in writing*. – (LT) Transparency is a fundamental principle of the European Union. This is clearly stated in Article 255 of the Treaty establishing the European Community: 'Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, shall have a right of access to European Parliament, Commission and Council documents'.

The present regulation No 1049/2001 was a significant step towards greater openness. In the six years since its implementation, it has contributed to the creation of a more transparent culture of administration in the European institutions. In my opinion, openness contributes to conferring greater legitimacy on the institutions in the eyes of European citizens and increases their confidence in them.

Carlos Coelho (PPE-DE), *in writing*. – (PT) Transparency is a fundamental principle of the European Union. Decisions shall be taken as openly and as closely as possible to the citizen, thus conferring greater legitimacy on the institutions in the eyes of European citizens, at the same time as helping to increase their confidence in them.

The Regulation adopted in 2001 was undoubtedly a significant step in that direction, but many amendments now need to be made. These will make the European decision-making process more understandable, increase the level of transparency and improve the practices of the institutions.

The aim of this initiative is therefore to make these improvements. However, despite some positive proposals, these are regrettably overwhelmed by those which the European Parliament regards as negative.

In fact, the majority of the amendments requested by Parliament, in its April 2006 resolution, were not taken into account, as is the case, for example, with the proposals concerning the possibility of the EP exercising its right of democratic scrutiny through access to sensitive documents.

I therefore support the proposal of the rapporteur, Mr Cashman, to return this initiative to the Committee on Civil Liberties, Justice and Home Affairs.

Andreas Mölzer (NI), in writing. – (DE) While public debates on the Treaty of Lisbon conducted in all languages are being budgeted for, the ‘no’ to the reformed EU Constitution is not being accepted and referenda are being avoided. While the EU’s web pages proclaim the importance of multilingualism, this is not reflected in the actual design of their website. This does not consistently use the three working languages, German, English and French, with which we could reach the majority of the population. Not even the current Presidency thinks this is worth the effort. Now the EU is agonising over access to its documents, but at the same time wants to cancel EU-tenders in national newspapers and thus in all native languages.

Nevertheless, some good approaches for improving access to documents do appear in the report, which is why I also voted for it.

- Report: Marie Panayotopoulos-Cassiotou (A6-0120/2009)

Guy Bono (PSE), in writing. – (FR) I voted against the report by my Greek fellow Member from the Group of the European People’s Party (Christian Democrats) and European Democrats, Mrs Panayotopoulos-Cassiotou, on the organisation of the working time of persons performing mobile road transport activities.

My vote was motivated by the fact that this report, which is aimed at organising the working time of persons performing mobile road transport activities, would have actually had the effect of excluding selfemployed drivers from the scope of European legislation on the organisation of working time.

My socialist colleagues and I share the view that we cannot accept two-speed social legislation: legislation that protects some but that leaves hauliers by the wayside.

Adopting the Commission’s proposal would have meant that self-employed drivers were unacceptably discriminated against when compared with employed drivers, who are protected by European legislation. Parliament has taken note of our reservations. It now falls to the soon-to-be-elected Parliament to give its verdict during the new parliamentary term.

Edite Estrela (PSE), in writing. – (PT) I voted for the rejection of the Commission proposal on the organisation of the working time of persons performing mobile road transport activities, as I feel it is unacceptable and discriminatory for this proposal to exclude self-employed road transport workers.

Everyone performing mobile road transport activities must be protected by the Community rules limiting the number of working hours per week. This is therefore a question of protecting the health and safety of these workers as well as ensuring road safety.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) It was very important that the majority of Parliament voted for our proposal to reject this proposal for a directive presented by the European Commission on the organisation of the working time of persons performing mobile road transport activities. The proposal for a directive represented a backward step in terms of the current situation, both as regards genuine self-employed workers and ‘false’ self-employed workers, and as regards current working hours, particularly night work.

Our proposal had already been presented to the Committee on Employment and Social Affairs, where it was adopted by a majority. However, the rapporteur (from the Group of the European People’s Party (Christian Democrats) and European Democrats) insisted on bringing the report before plenary, to continue the attack against the fundamental rights of workers. That is why this rejection in plenary was so important, with the

current directive remaining in force, which requires the same labour legislation to be applied to self-employed workers.

Mathieu Grosch (PPE-DE), in writing. – (DE) During the debate in the Committee on Transport I introduced two amendments, which affect all transport employees. In my view it is an advantage for a harmonised social and employment policy in Europe that working conditions affect all employees equally. The idea of including self-employed people in the working time directive is unrealistic. It is simply impossible to control the working hours of self-employed people. As far as safety is concerned, all drivers, including those who are self-employed, are subject to the rules on driving time and rest periods in buses and lorries over 3.5 tonnes. Broadening the driving and rest period rules to include drivers in lorries under 3.5 tonnes would do more for safety. The Commission should review this, but has yet to introduce a proposal. I hope that the new Parliament will take up these proposals.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) We welcome the rejection of the proposal from the European Commission, presided over by Mr Durão Barroso, which aimed to exclude 'self-employed' road transport workers from the directive on the organisation of the working time of persons performing mobile road transport activities, as a result of our proposal to reject the Commission proposal.

In February, in the Committee on Transport and Tourism, we tabled a proposal calling for the rejection of this unacceptable initiative by the European Commission.

This is the best possible response to yet another attempt to intensify competition and the exploitation of road transport workers, thereby threatening their labour rights and road safety.

What we must do is defend and improve the rights and working conditions of road transport workers, by combating job insecurity, respecting rest periods – without any loss of pay – and ensuring compliance with the labour legislation or collective agreements existing in each Member State.

What we need is for the rules on working time and driving and rest periods to be applied equally to all professional drivers, including self-employed drivers, in order to ensure their safety and road safety, thus preventing excessively long working hours and inadequate rest periods or work patterns.

Carl Lang (NI), in writing. – (FR) The report by Mrs Panayotopoulos-Cassiotou recommends rejecting the Commission's proposal for amending a directive of the European Parliament and of the Council on the organisation of the working time of persons performing mobile road transport activities.

I voted in favour of this report, which seeks to reject a proposal by the European Commission that will not make it possible to remedy the failings identified in the implementation and monitoring of the rules in relation to driving times and rest periods directly linked to safety and social rights. Furthermore, there is no clarification as to the scope of this directive and possible ways of monitoring. In any case, Member States must assume sole responsibility in this area.

Finally, this proposal does not define any better the notion of 'mobile workers' or 'self-employed drivers', and with good reason, since this is where the real challenge of this directive lies. Should we exclude all self-employed drivers from this directive? The question remains open, because the problem is complex.

Indeed, there exists a widespread practice of drivers working as 'false' self-employed drivers, when they are in fact employed by companies which, for reasons of profitability, bypass the rules in relation to driving times and rest periods.

Mary Lou McDonald (GUE/NGL), in writing. – There are any number of reasons why the Commission proposal to exclude self-employed drivers from this Directive had to be rejected.

In voting to reject the Commission proposal I voted in favour of safety on the roads, to rule out discrimination in terms of health and safety, pay and working conditions for drivers, and to ensure fair play for employers and employees in the road transport sector.

Dimitrios Papadimoulis (GUE/NGL), in writing. – (EL) I voted in favour of Amendment 54 because it is an important political message to the Commission and the Council. The European Parliament supports the rights of drivers and refuses any competition between salaried and self-employed drivers. This proposal would exempt self-employed drivers from the scope of the current directive and, for the first time in European legislation, we would have an attempt to distinguish between 'real' self-employed persons and 'false'

self-employed persons. This is, however, an imperfect distinction and may open the floodgates for the interpretation of other provisions of Community law. It is a victory for road safety and social Europe.

Bilyana Ilieva Raeva (ALDE), in writing. – (BG) The EP directive on the organisation of the working time of persons performing mobile road transport activities, which has been rejected by the votes of the Socialist Group in the European Parliament, the Group of the Greens/European Free Alliance and the extreme Left, will make self-employed mobile workers less competitive.

The irresponsible rejection of the European Commission's proposal means that it no longer makes sense for the self-employed to continue as such. They are no longer free to determine the length of their working hours themselves.

There is no such regulation in any other sector. This decision will have an irreversible adverse impact on the European economy's competitiveness.

Unlike salaried workers, those who are self-employed in the transport sector do not work on the basis of a labour agreement, but freely determine their own customers and consignments. What they earn does not depend on their working hours, as is the case with salaried workers, but on the number and type of shipments. Determining their working hours based on the new directive limits their 'entrepreneurial' freedom.

As a result of today's vote, Member States have had the opportunity taken away from them of defining for themselves the time framework determining the night period and therefore, the opportunity to maximise the number of working hours for transporting passengers or goods according to the varying daylight conditions in the various Member States.

The directive's rejection jeopardises competitiveness. Small carriers and sole traders will be hardest hit. They will be forced to implement the requirements applicable to employees of large transport firms, which will inevitably threaten their positions on the market.

Georgios Toussas (GUE/NGL), in writing. – (EL) The rejection of the Commission proposal for a directive is a manoeuvre by the forces of the 'European one-way street' in the run-up to the European elections. The Greek Communist Party opposed the Commission proposal from the very beginning, voting against it both in the competent committee of the European Parliament and in plenary. It informed the workers and supported their demonstrations. The exemption for self-employed persons only serves the monopoly companies in the transport sector; it damages the interests of the workers and self-employed drivers and creates huge dangers for road safety. It will exacerbate drivers' working conditions even further, it will push working/driving times to as high as 84 hours a week and it will intensify the exploitation of working drivers still further.

The workers' demonstrations and their fear of being ousted at the European elections forced a large section of the MEPs in the parties that support the European one-way street to vote against the proposal. However, the workers must know that the monopoly groups will live to impose their demands by finding the parties of capital willing to satisfy them. This achievement demonstrates the power and importance of the workers' fight. However, we would point out that it may prove to be fleeting if the working and grassroots movement fails to organise its counterattack and lay down the terms for radical changes at the level of power and the economy.

- Report: Diana Wallis (A6-0118/2009)

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) We Swedish Social Democrats have chosen to vote in favour of the compromise negotiated with the Council, as our interpretation suggests that the negative impact on Swedish hunting that we had feared is eliminated by the exception in Article 3(2). We have all been appalled by the pictures of Canadian seal hunting.

Most consumers would therefore reject products from seal hunting that does not come close to meeting requirements corresponding to those to which Swedish hunting is subject, results in unnecessary suffering and takes place on a large scale under uncontrolled conditions.

We are, in principle, opposed to the EU directly or indirectly interfering in issues relating to hunting, which is a national matter, particularly when it may undermine well-functioning Swedish rules. In this case, we have chosen to make a judgment based on the overall situation. Under these circumstances, we have accepted the compromise, as it sends out the clear message that Parliament does not find it acceptable for people to treat animals any way they like.

Šarūnas Birutis (ALDE), *in writing*. – (LT) I am thoroughly convinced that seal hunting must be banned, with certain exceptions for local communities. We should also not ignore the fact that various opinion polls in different EU Member States demonstrate that a large majority of EU citizens are against large scale commercial seal hunting and its methods. Moreover, a clear majority of citizens are in favour of a complete ban on trade in seal products.

Niels Busk, Anne E. Jensen and Karin Riis-Jørgensen (ALDE), *in writing*. – (DA) We have voted against the proposal to ban the trade in seal products and the compromise entered into between Parliament and the Council. We do not believe that a ban on trading in seal products will improve animal welfare and we find it regrettable that the proposal was adopted despite having no basis in the Treaty.

Martin Callanan (PPE-DE), *in writing*. – I have been lobbied heavily by animal rights groups and constituents about this issue but I am very sceptical in principle about banning things. Ultimately consumers will decide if they want to buy seal products. I was proud to have contributed to the campaign to ban imports of cat and dog fur from China but the import of seal products is a very different issue based on traditional culture and practice over centuries.

Bullfighting and cockfighting are unsavoury spectacles but the EU recognises that they should be allowed to continue within the EU in regions where an unbroken tradition exists. It would therefore be hypocritical for the EU to ban seal products from Canada on the basis of animal cruelty. I am also hesitant to antagonise Canada, which is a great ally of the EU and shares our common values.

I reject animal cruelty but I believe this issue has been deliberately distorted in order to provoke an emotive response among MEPs. We should approach such matters in a more balanced and dispassionate way.

Edite Estrela (PSE), *in writing*. – (PT) I voted for the report on trade in seal products as it is based on two considerations: the ban in the European Union on the trade in certain seal products, and respect for the traditions and cultures of indigenous peoples of the Arctic.

Each year around 900 000 seals are killed in the large-scale commercial hunt (number uncorrected for struck and lost or unreported killings), of which 60% occur in Canada, Greenland and Namibia. Norway and Russia are the other main countries conducting a large-scale commercial seal hunt. Within the Community, Sweden, Finland and the United Kingdom (Scotland) engage in a small-scale seal hunt, mainly for fish stock management and pest control reasons.

I believe that this agreement will protect seals from cruelty and, at the same time, protect the culture of the Inuit communities. I also believe that this regulation will ensure that the unscrupulous trade is stopped and that harmonised rules will be developed to change the whole internal market.

Glyn Ford (PSE), *in writing*. – When I was first elected to the European Parliament 25 years ago, it was shortly after an ‘initial ban’ on the trade in seal products in 1983. Unfortunately, despite revisiting the issue on a number of occasions, this is still unfinished business.

The situation, a quarter of a century on, is scarcely any better than back in 1983. We still see hundreds of thousands of seals culled in Canada in the most cruel and brutal slaughter. Hopefully today’s vote will be sufficiently overwhelming to finally achieve what we thought we had managed 25 years ago. Neither I nor the seals want us to be back here in 2034.

Mathieu Grosch (PPE-DE), *in writing*. – (DE) Personally, I find it regrettable that the committee’s proposals, which were very clear, have not been adopted by the groups. Species conservation – especially faced with the known conditions of slaughter – demands decisive measures without compromise. The jobs related to this business can easily be reoriented.

Małgorzata Handzlik (PPE-DE), *in writing*. – (PL) The decision of the European Parliament to ban the trade in seal products in the European Community is a step in the direction of bringing an end to the brutal methods used by some countries to cull these animals. The draft resolution is a response to the concerns of public opinion over issues of animal welfare during the culling and skinning of seals.

The text of the regulation allows for several exceptions which in some cases are necessary. In particular this includes an exemption from the ban to allow seal products which are obtained by Inuit communities using traditional hunting methods as a means to ensure their subsistence.

I am glad that the European Parliament has declared its support for adoption of this regulation by such a clear majority. It is a very clear signal on the part of the European institutions that the citizens of Europe do not agree to the brutal treatment and killing of animals.

Roger Knapman and Thomas Wise (NI), in writing. – We understand and share concerns about the trade in seal products. We have no problem with individual states banning seal products, but we believe that this should be a matter for individual states and not for the Commission. Therefore, we have been unable to support this proposal.

Zdzisław Zbigniew Podkański (UEN), in writing. – (PL) In the current term the European Parliament has devoted a relatively large amount of attention to the protection of animals.

The introduction of a ban on the trade in certain seal products in the European Union undoubtedly strengthens that protection. It is also a source of satisfaction to the 425 MEPs who signed the written declaration on this subject. It should also be noted that in its resolution Parliament has expressed its desire to respect the culture and traditions of indigenous peoples. The way in which measures to protect seals develop in the future will depend on many factors in the international context and the WTO. Nonetheless, this initiative of MEPs deserves approval and support.

Catherine Stihler (PSE), in writing. – I am pleased today that we voted to ban the EU trade in seal products.

Marianne Thyssen (PPE-DE), in writing. – (NL) In January 2007, Belgium became the first European country to ban all products obtained from seals, and a number of other Member States subsequently followed suit. The Belgian legislation does make an exception for hunts traditionally conducted by Inuit communities, and so I am pleased that the European Parliament is following Belgium's example today. The proposal to permit the import of seal products subject to a labelling requirement did not receive our support. If fur traders from Canada, Greenland, Namibia and Russia can no longer sell seal fur skins on one of the largest markets in the world, this will mean an enormous step forward for the welfare of this species. In addition, a ban is the most efficient way of putting an end to the inhumane practices to which hundreds of thousands of animals fall victim each year.

In my opinion, a total ban is the right approach. For this reason, I have endorsed the report by Mrs Wallis.

- Report: Neil Parish (A6-0240/2009)

Alessandro Battilocchio (PSE), in writing. – (IT) I voted in favour.

Until now, Directive 86/609/EEC has guaranteed the protection of animals used for scientific purposes: just after it was issued, this directive was implemented and applied in different ways within the various Member States. However, we need to table a proposed amendment to this directive in order to guarantee an overall unity of intent within Europe and also greater protection for laboratory guinea pigs used for scientific purposes connected with human and animal health.

The most important of the many amendments that should be made, which we hope are in line with the Commission's ideals, are: 1) setting up an ethics committee for animal wellbeing; 2) extension of the guinea pig concept to include various species of invertebrate and foetal forms in the last trimester of development, or to larvae and other animals used in basic research and training; 3) use of animals only in experiments for which they have been reared; 4) examination of alternative methods to animal testing to minimise the number of animals used; 5) assurance of the fact that the main purpose of Member States should be to improve rearing methods to minimise animal suffering; 5) partial or total use of anaesthesia.

Derek Roland Clark and Nigel Farage (IND/DEM), in writing. – Although it contains much that my party (UKIP) would agree with, this report is tainted by its illegitimate and anti-democratic origins in the machinery of the EU. Consequently, I cannot support it.

Christine De Veyrac (PPE-DE), in writing. – (FR) The European Commission's text is a nonsense. It is a nonsense where science is concerned, because it holds back and penalises research, and it is a nonsense where medical progress is concerned, because the scientists who resort to animal experimentation are working daily to find medicines and treatments that tomorrow will cure new pandemics.

Finally, it is an economic and social nonsense. While our pharmaceutical groups will be prohibited from carrying out research, laboratories set up outside of the European Union will be able to carry on with it! The

Parish report fortunately restores the balance, because I will not support anything that weakens the competitiveness of our industry or that provides incentives for relocation.

Konstantinos Droutsas (GUE/NGL), in writing. – (EL) The proposal for a directive on the protection of animals used for scientific purposes is directed more at the completion of the single internal market, at competition and at limiting costs in the field of research than at animal protection.

The multinationals are demanding more and more profits from research. The animals used in it are generally sacrificed and tortured on the basis of the criterion of increasing profits, not serving scientific requirements. No one can expect animal-friendly conduct from capital, whose motivation is exploitation and which behaves inhumanely and coarsely even towards people.

Research requires experiments in order to address important public health problems and numerous and even incurable diseases. Animals are often needed for this research.

However, the protection of animals, like the protection of public health, requires a fight against the monopolies, against the power of capital, which protects drugs with patents in order to secure huge profits from the commercialisation of health.

It requires a fight which will free research from the shackles of capital and will use scientific findings from research to satisfy grassroots requirements.

Edite Estrela (PSE), in writing. – (PT) I voted for the report on the protection of animals used for scientific purposes. This proposal covers the protection of animals used for scientific purposes related to human or animal health or animal welfare. Every year in the EU approximately 12 million animals are used for scientific purposes, including 12 000 non-human primates.

The new directive will make it compulsory to carry out ethical reviews and will require that experiments where animals are used be subject to authorisation. With this proposal, specific invertebrate species and foetuses in their last trimester of development and also larvae and other animals used in basic research, education and training will now also be included.

I therefore believe that the proposal aims to improve protection for animals used in experiments and reinforce animal welfare rules in light of developments in scientific research.

Martine Roure (PSE), in writing. – (FR) Thanks to the European Commission's initiative, which makes it possible to review the directive in force on protection for animals used for scientific purposes, the European Union is able to play a decisive role in the research and development of tests and technologies that do not use animals. The scope of this directive must, moreover, be extended. Some of the amendments tabled by the Committee on Agriculture and Rural Development, against the protection of laboratory animals, were contrary to this objective. It is essential for European research not to suffer because of it; rather, it should be developed. Nonetheless, that must not happen at the expense of animal welfare, or of the development and validation of methods that offer a complete alternative to the use of animals. The development of these alternative methods requires a budget. Moreover, it is essential for the use of non-human primates in research to be progressively phased out, for there to be monitoring for this purpose and for transparency in this matter to be increased.

Lydia Schenardi (NI), in writing. – (FR) It was time for the partners concerned to consider the welfare of animals used for research purposes and the ban on trapping wild monkeys for use by breeding farms, which results in violence; stress during capture, then confinement; the separation of family groups; the splitting up of social groups; an impact on the environment; the disturbance of the natural balance of the population; and the withdrawal of females.

We will therefore support the aim of making maximum use of animals bred for this purpose whose genetic and medical history are known, and who therefore offer greater consistency and comparability of data.

If, on the other hand, the animal welfare standards used for research purposes resulted in the exporting of research, the impact would then be more obvious in those countries which already operate under strict regulatory controls, such as Switzerland and the United Kingdom. The fact is, in those countries the pharmaceutical industry has continued to prosper despite 20 years of strict regulation. Regulation has not, therefore, curbed the success of this industry. The controls have even improved the standards of scientific practices. This therefore confirms the fear of seeing research exported in the wake of these regulations.

Brian Simpson (PSE), *in writing*. – I am disappointed at the Parliament's position on the revision of Europe-wide rules on animal testing. In the end I decided to abstain on the final report. While I fully support the provisions on developing and pushing forward the use of alternatives to animal testing and the thematic biannual review of the use of primates, both of which I see as crucial in moving our research away from its reliance on animals, particularly primates, overall Parliament's position has weakened many of the important animal welfare provisions proposed by the Commission.

The fear that has prevailed over the Parliament is that the research industry will leave the EU if too many demands are placed on our research establishments. However I believe that there are some demands that are essential if we in Europe are to ensure high levels of animal protection and I fear that today's result goes against this thinking. Two crucial issues for me were to move Europe away from the use of wild-caught monkeys for breeding purposes and the absolute need for authorisation of all experiments involving animals, thereby cementing our commitment to the replacement and reduction of animals in experiments. Sadly the European Parliament missed the opportunity to take a strong line on animal protection today.

Roger Knapman and Thomas Wise (NI), *in writing*. – We accept that experimentation on animals is sometimes necessary, but we also understand and accept that the necessity of some experimentation is questionable. We support the advancement of alternative methods of research, and would wish to see experiments on all live animals reduced to an absolute minimum and performed under the strictest possible humanitarian guidelines. We believe, however, that this should be a matter for individual states to decide on, and so regrettably we are unable to vote in favour of this proposal within an EU context.

- Report: Luis de Grandes Pascual (A6-0080/2009)

Edite Estrela (PSE), *in writing*. – (PT) I voted for the proposal on ship-source pollution as I believe it is essential to tackle this continued practice in sea transport, namely illegal discharges of polluting substances into the sea by certain ships.

I believe that this amended proposal is absolutely essential to prevent environmental disasters and the deterioration of water quality, through criminal penalties which are harsh enough to dissuade potential polluters.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) This report recommends the amendment of an existing directive on ship-source pollution. This is to enable criminal law measures to be implemented in the event of pollution. The June List supports measures to prevent pollution from ships. However, we believe that criminal law is entirely a national matter. In addition, discharges from ships in international waters should be dealt with at the level of the United Nations. We have therefore voted against it in the final vote.

Georgios Toussas (GUE/NGL), *in writing*. – (EL) The much-vaunted directive which, various forces advertised, would apparently punish shipping companies with criminal sanctions for polluting the sea and would protect the environment has achieved exactly the opposite. It protects shipping capital from the imposition of sanctions against it. Even this inadequate Commission proposal is dead letter following the proposal by the European Parliament not to punish minor ship-source discharges of polluting substances. Our people know full well what minor discharges are and who will judge them and on what criteria. The inhabitants of Santorini, for example, who have protested about the wreck of the *Sea Diamond* cruise ship, which is still in the island's waters, are sick of the replies given by the EU and the New Democracy government – the same replies given by PASOK in the case of the *Express Samina* car ferry and others – that apparently wrecks do not cause pollution.

With the loophole of minor discharges of polluting substances, shipowners, operators, managers, agents, insurers, charterers, cargo and ship owners and those responsible for crimes at sea and environmental disasters will go unpunished. On the other hand, very strict use will again be made of seamen as scapegoats.

- Report: Anni Podimata (A6-0146/2009)

Alessandro Battilocchio (PSE), *in writing*. – (IT) I voted in favour.

Speaking of energy consumption policies, the EU should take the statements made by the renowned British economist Nicholas Stern as a guide to its choices: 'There are more incentives to invest in energy efficiency during a recession and when oil prices are high. Spending on renewable and other low-carbon industries could help stimulate the economy'.

It would be useful to try and create an energy policy able to reduce greenhouse gas emissions, to keep faith with the agreements taken under the Kyoto protocol and to support the EU's guiding role in combating climate change. Implementing this protocol would make a very important contribution to employment and also to competitiveness in the economic and social field.

Although industry and consumers' associations are in favour of the current Directive 92/75/EEC on energy labelling, it cannot be said to have kept pace with technological developments and with innovation in the energy market because, first and foremost, there is a need to move forward from this situation of inertia throughout Europe so that a new dimension can be opened up in the lives of users.

Călin Cătălin Chiriță (PPE-DE), in writing. – (RO) I voted in favour of the report on the proposal for a directive of the European Parliament and Council on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast). I feel that it is necessary to provide better information about products' energy efficiency. Any advert promoting the technical features of refrigerators, washing machines or domestic ovens must indicate the product's energy consumption.

Energy labelling helps consumers assess their energy costs when they are purchasing domestic electrical appliances, such as refrigerators, washing machines, tumble dryers or ovens. Manufacturers must indicate the products' energy consumption, regardless of whether they are 'more efficient' (green) or 'less efficient' (pink) from an energy perspective.

Labelling will also be applied to commercial and industrial energy-using products, such as cold storage rooms or chilled display cabinets. Any advert must indicate energy consumption and energy savings.

Member States can adopt incentive measures, including tax credits for products which are extremely energy efficient.

Edite Estrela (PSE), in writing. – (PT) I voted for the directive on the indication by labelling of energy consumption. Environmental issues and in particular energy efficiency are assuming new importance and becoming fundamental to tackling climate change. The recasting of this directive aims to allow the labelling of all energy related products in the household as well as in the commercial and industrial sectors.

Taking into consideration that there is an urgent need to tackle climate change and that the European Union plans to achieve the target of increasing energy efficiency by 20% by 2020, I believe that simple, clear and easily recognisable labelling may persuade consumers to take more sustainable decisions and help to promote more energy efficient products.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) The June List believes that tackling cross-border environmental issues is one of the EU's most important tasks. We think that the amendments do better than the Commission's proposal at giving end consumers a chance of making wiser choices by improving the information on the energy consumption and environmental impact of products.

However, we are critical of certain individual wordings in the amendments, which seek to regulate European energy policy in greater detail. The good intentions of the amendments outweigh the negatives, however, and we have therefore chosen to support the amendments in their entirety.

7. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 1.05 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR PÖTTERING

President

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

9. Preparation of the European Council (18-19 June 2009) (debate)

President. – The next item is the statements of the Council and of the Commission on the preparation of the European Council on 18 and 19 June.

Alexandr Vondra, *President-in-Office of the Council*. – Mr President, I very much welcome this opportunity to appear before you well in advance of the next meeting of the European Council, which I will not personally attend. Of course, this time the circumstances are a bit unusual, as a new Czech Government is about to be appointed. I will say a few more words about this at the very end of my statement.

Let me first run through the main issues on the agenda of the June European Council as we the Presidency are preparing it. I shall start with the institutional issues. In December 2008, the European Council agreed on a path designed to enable the Lisbon Treaty to enter into force by the end of 2009. In essence, this involves giving legal guarantees and assurances on a number of issues of concern to the Irish people, in return for which the Irish Government is committed to seeking ratification of the Treaty before the end of October.

Work on implementing this agreement is still ongoing, and I am not at this stage in a condition to go into details. I am confident that the forthcoming European Council will be able to fulfil its side of the bargain.

As you all probably know, tomorrow there will be a vote on the ratification of the Lisbon Treaty in the Czech Senate. I am going home in the middle of the night to be there from early morning. I believe that the result of this vote will send a positive message to the other Member States and that it will calm down some unfounded apprehensions. I am working hard! Nevertheless, the Czech senators must in any case be granted unconditional independence in this democratic decision-making. It is obvious that any attempt to put pressure on them might prove counterproductive.

Last December, it was also agreed that the process of appointment of the future Commission, in particular the designation of its president, will be initiated without delay after the European Parliament elections of June 2009.

I am fully aware of the views expressed here on the desirability of involving the European Parliament in this process in an adequate manner. The Presidency will of course work closely not only with the Member States, but also with this Parliament.

I shall now say a few things on the economic and financial crisis, which will certainly dominate an important part of the agenda, and on the need to respond further to the economic and financial crisis.

The crisis demonstrated the acute need to strengthen the effectiveness of the supervision and regulation of financial institutions and to enhance crisis management mechanisms. We have already begun doing so, both at EU level and more globally. In that context, the group chaired by Mr de Larosière has produced very interesting ideas, and the Commission tabled a first set of proposals last week. Further proposals are expected in the coming weeks.

These are being, and will be, discussed by Ecofin – and we have the Ecofin meeting today – and our objective will be to reach first decisions by the European Council. This is an ambitious objective and, clearly, work will need to continue beyond June, so it is of fundamental importance that the June European Council is able to give a strong signal for the rapid adoption of the proposals to be presented by the Commission.

More generally, the June European Council will take stock of the situation on the financial markets and assess the effectiveness of measures taken so far. It will also take stock of measures taken to support the ‘real’ economy, and, in this connection, look at the employment situation.

On Thursday, the day after tomorrow, we will be holding a special employment summit with the social partners in Prague that should address these important issues. You will be informed in detail about the agenda of this summit later today during a special debate.

Aside from the outcome of Thursday’s summit in Prague, as well as the very interesting seminars and workshops organised in recent weeks in the Czech Republic, in Sweden and in Spain, the Commission will also issue a communication very soon, in the run-up to the June European Council, so that by the time of the European Council we will have a number of interesting ideas and recommendations on the table for our consideration.

However, let me underline that this is not about launching a grand new strategy for employment. We already have one – the Lisbon Strategy for Growth and Employment. We have recently reaffirmed the existing employment guidelines and adopted country-specific recommendations. More generally, let me recall that the stimulus packages that the Union and the Member States have adopted since the end of last year constitute major contributions to supporting employment.

On climate change, the June European Council will revert to the preparations of the Copenhagen Summit on Climate Change. It will take stock of progress achieved, both at international level and as regards our own internal preparations.

This is a complex issue, especially since negotiations with our international partners run in parallel to our own internal discussions. There was a summit yesterday between the EU and Japan in Prague. It is clear that significant amounts of financing will be required in order to underpin an ambitious agreement in Copenhagen. The EU is committed to shouldering its fair share of that, which of course also requires a fair internal burden-sharing agreement.

How far we go at the June European Council as regards the EU's own internal arrangements will very much depend on how far our international partners, including the US, have gone and on the status of negotiations in the multilateral framework. Let me emphasise the EU's continued will to demonstrate leadership, with the objective of reaching an ambitious outcome in Copenhagen.

It is rather premature at this stage to speak in detail about the agenda of the European Council as far as external relations are concerned. However, two important summits with third countries will be held in Prague at the end of this week: the Eastern Partnership Summit on 7 May and the 'Southern Corridor – New Silk Road' Summit the day after. It is very likely that the European Council will discuss follow-ups to these events which are crucial for the Union's interests in the long-term perspective.

Likewise, we can expect some debates on the Troika summits with Japan and Canada and other important summits and meetings already planned for May, Russia included. The external relations agenda will in any case be updated on the grounds of current developments, namely the General Affairs and External Relations Council meetings in May and June which will be dealing with defence and development issues on top of the usual agenda.

I would like to express my thanks for your interest in the upcoming European Council agenda and I will certainly be glad to hear your inspiring comments and views in the following discussion.

José Manuel Barroso, *President of the Commission*. – (FR) Mr President, ladies and gentlemen, the next European Council will take place in the same month as the European elections. This essential ballot will be held against a background of real difficulties for many of our citizens. I am thinking in particular of the impact of the crisis on jobs, and we shall have occasion to speak about this in more detail later on this afternoon.

Our response to the crisis must be founded on our fundamental values of responsibility, solidarity and social justice. This crisis is an opportunity for us to renew our European model of a social market economy that is environmentally aware and based on our values.

All Europeans of heart and conviction must be prepared to get involved. They must explain why Europe is so important, why citizens must play their part in it and why they must vote.

Ladies and gentlemen, you can be justifiably proud of the work that has been accomplished. The parliamentary term that is coming to an end can pride itself on its remarkable record. Parliament has shown its determination to achieve concrete results for citizens. It has proved that it had an ambitious vision of our common future.

The legacy of these last five years is very important. Historic decisions have been taken to fight against climate change and to strengthen our energy security. Measures have been adopted that have had direct effects on the security and freedom of citizens, and which have also opened up new possibilities to them.

Fundamental reforms have been carried out in the areas of the internal market, the social agenda, telecommunications, energy, the environment, justice and internal affairs. On all these points, the modernisation of Europe that has been undertaken bears Parliament's stamp.

Also during the few last weeks, you have worked with the Czech Presidency to reach agreements on a great number of key issues. To date, almost 50 legislative proposals from the Commission have already been definitively adopted in codecision under the Czech Presidency.

Allow me to quote a few that have been at the heart of the agenda for the Commission of which I am President: the internal energy market, maritime security, measures to strengthen the regulation and supervision of financial markets, and the EUR 5 billion package of recovery measures to transform Europe into a sustainable economy.

I wish to congratulate Parliament and the Czech Presidency, under the leadership of Mr Topolánek and Mr Vondra, for the work that has been accomplished. I am sure that this work will continue until the end of June.

We have to speak clearly and with conviction to the electorate about this Europe of results. That is what will enable us to give new momentum to a bold and confident European Union. Europe needs it. It needs to make this year of crisis and transition a year that is more active, more imaginative and more determined than ever.

This will be our guiding principle for the June European Council. We cannot allow ourselves to slow down the pace of our efforts. We have to succeed for the sake of Europe. Therefore I am not going to look now at other issues – which Mr Vondra has mentioned anyway – such as the Council for the Eastern Partnership, which is very important, but I want to concentrate in particular on the areas which, in my opinion, constitute priorities for the June European Council.

The European Council will be called upon to move forward on a series of issues of critical importance for the months and years to come.

It will be called upon to continue the work to take us towards our goal of seeing the Lisbon Treaty enter into force. The European Union needs the benefits that this Treaty will bring. So we must put in place the institutional package agreed last December and supported by this Parliament: to settle the legal guarantees needed to take forward the referendum process in Ireland, and to take forward the steps to ensure a smooth transition and institutional stability.

On climate change, we need to keep up the momentum towards an ambitious agreement at Copenhagen in December. We have shown that strong and credible targets are possible. Now we need to encourage others to take on a comparable level of ambition – and to show that we are prepared to help those who need it. In short, we have to translate this momentum into a truly global result.

Inevitably, the main focus of the European Council will again be the economic crisis. From the first, the European Union has had to adapt to the different demands of the crisis: to stabilise the immediate financial crisis; to rebuild confidence in the financial system; to get banks lending again; to ensure global action that matches the global reach of the crisis; and to bring direct help to those made unemployed or at risk of losing their jobs.

Between now and the European Council, attention will be mainly focused on two areas. The first is the continuing work of rebuilding a regulatory and supervisory regime – a regime which must command the confidence of the public and the investment community alike. This is not only about building a stronger system for the long term to ensure that we do not expose our economy in the same way again; it is also about rebuilding confidence now, and showing the markets and the public that the European Union knows what has to be done.

Last week saw our proposals on hedge funds and private equity, as well as on executive pay. Those proposals demonstrate our capacity to be a prime mover in delivering the reforms agreed in the G20, and to set a standard for the actions we expect our international partners also to adopt in the coming months. Indeed, the Commission is the first executive body in the world to come up with concrete proposals on this very difficult and complex matter. The Commission, Parliament and the Council will have to cooperate closely over the next months to achieve agreement on those proposals.

The next step will be to set out in detail how we propose to organise supervision at European level. There is no point in beating about the bush. The current system of national supervision has failed. That is why I set up the de Larosière Group to provide input on how to build an effective European architecture for supervision. At the end of May, the Commission will present its blueprint for how to organise such a system of financial supervision in Europe. Here, again, I would like Europe to be the first to move at global level.

The second *volet*, of course, is employment. We will discuss the Employment Summit in more detail later. I can already announce now that the Commission will follow up this summit with a detailed communication ahead of the June European Council. I am determined that the European Union should do everything in its power to help those suffering most acutely in this time of crisis.

Our response to the crisis cannot be limited to technical measures to address regulatory problems. It must be, and it must be seen to be, grounded in our core values – values like solidarity, social justice and responsibility, and also responsibility towards future generations. We need to seize this opportunity to rebuild the foundations of our very own European brand of social and ecological market economy.

This should be the overriding message of next month's European Council: an active European Union, looking to the future, working hard for the benefit of citizens and deserving of the confidence of those citizens.

Joseph Daul, *on behalf of the PPE-DE Group*. – (FR) Mr President, President-in-Office of the Council, President of the Commission, ladies and gentlemen, the European Council, which will bring the Czech Presidency to an end, is still looking fairly vague as regards both date and content. Today's task is therefore a difficult one, but it is an opportunity for us to reaffirm our priorities as we reach the end of this parliamentary term. The first job of the European Council in June will be to nominate the new President of the European Commission, pursuant to the results of the European elections.

As was the case in 2004, the Council Presidency will be invited to choose a candidate from the main European Parliamentary group, to hold this important position, and it will then fall to our Parliament on 15 July to voice its opinion on this choice, which will constitute one of the first major political actions of the new parliamentary term.

Ladies and gentlemen, the public often complains that Europe has no face. We want to give Europe a face, by putting an end to the system of a rotating Presidency, and thus providing a stable European Council. The Treaty of Lisbon stipulates this move, which would be a positive development. However, since the Commission Presidency has a five-year term, Europe already has a face that everybody knows, and the President of the European Parliament, for its part, embodies the voice of 500 million citizens. The June European Council will take place within the legal framework of the Treaty of Nice, and it seems that certain Member States will be tempted to wait for the Treaty of Lisbon before making any institutional decisions, and, notably, before nominating the President of the Commission.

It is also unfortunate that we do not yet know if and when the Treaty of Lisbon will come into force, and we clearly need to bring it into force without further hesitation. Did we defer the European elections because the Treaty of Lisbon would have been more popular within the European Parliament? No, we did not, and our group is awaiting a clear message from the Council as soon as possible, regarding its intentions on this institutional matter.

Similarly, the Members of the Group of the European People's Party (Christian Democrats) and European Democrats sincerely hope that the vote in the Czech Senate, expected tomorrow, will clear the way for the forthcoming ratification of the Treaty of Lisbon by the country holding the Council Presidency. That would be a fantastic present for the 1 July, Mr Vondra.

I would also like to say how much we appreciate the manner in which you led the work of the Parliament over the first few months of this Presidency, in a difficult situation, with the energy crisis between Russia and Ukraine, and of course, the financial crisis. You also highlighted the importance of the continuity of European politics, and demonstrated the importance of unity between our countries with regard to our relationships with our main partners, during the European – US Summit in Prague with Barack Obama. I hope that the Czech Presidency ends in as positive and constructive a spirit as it began. The credibility of the European Union is at stake.

Mr President, ladies and gentlemen, the European Council will naturally also debate the latest developments in the economic crisis, and the measures implemented at Europe's request in order to clean up international financial systems. I should like to commend the European Commission's latest proposals in this regard, and particularly with regard to severance agreements, bonuses paid to traders or speculative funds. These are all measures that are heading in the right direction, by imposing rules on the financial markets, in order to help us to get back on track towards growth and employment as soon as possible. These are all measures that highlight once again that those who, often by demagoguery, accuse the Commission and the European Union of paralysis or weakness are mistaken, and deceive our fellow citizens.

When this Presidency draws to a close, giving way to the Swedish Presidency, Europeans will express their views through the European elections, and I hope that the choices they make will help us to collectively take on the important commitments that await us.

Hannes Swoboda, *on behalf of the PSE Group*. – (DE) Mr President, I would firstly like to thank you, Mr Vondra, for your personal commitment, as it is only thanks to this that it was possible to push through the large legislative packages during the Czech Presidency. For this I would like to offer you my sincere thanks.

However, I would like to pick up on what you have said, to be precise about the appointment of the new Commission. You said you would consult Parliament. I should give you or the Council a word of advice

straight away: you know very well, and President Barroso knows too, that we want a change of course. We want a change of course, we want a Commission which pays more attention to social policy than was previously the case.

Unfortunately, President of the Commission, what Mr McCreevy has put forward as regards hedge funds, is not what Mr Nyrup Rasmussen proposed and it is not something we can accept. The European People's Party (Christian Democrats) and European Democrats seem to be behind it. We are not in favour of such a directive, which, like Swiss cheese, has more holes than substance. We have no faith in Mr McCreevy's plan.

Again, I would like to come back to your consultation, which you can have today. For us, choice of direction means that social policy must be much more strongly represented in the work of both the Commission and the Council. In our view you must also trust the candidate and give them the authority to move the social strength to the fore.

In case this is too abstract we, the Socialist Group in the European Parliament, have set it all down in a position paper entitled 'For a Europe of Social Progress'. This ranges from the amendment of the Posting of Workers Directive to the Social Chapter, which in addition to the treaties, in addition to Lisbon, should also clearly set out the social dimension of this Europe. This is different, Mr Daul, from the paper which the PPE-DE recently concluded in Warsaw. If you compare both papers, there is a huge difference. We commit ourselves clearly to the social market economy and 'social' is underlined three times. In its paper, the PPE-DE mentions the social market economy in some parts and the free, that is unrestrained, unregulated market economy in others. That is not what we want, that is precisely the difference between the PPE-DE and our Group.

Let me say a few more words about the economic situation, which you mentioned. Mr Nyrup Rasmussen will express this clearly and articulately. In addition to this activity, which Mr Schulz is publicising and promoting throughout Europe at this very moment – I therefore ask you to accept Mr Schulz's apology – I would once more like to make it clear: the economic crisis has again made it obvious that the lack of economic coordination, for which not only the Commission, but also the Council is responsible, is partly to blame for the weak manner in which we are dealing with this crisis. There would have been a crisis one way or another, but the fact that we do not have sufficient instruments to counter it, that we still have not made progress with Euro funds, is something that depresses us deeply.

The last point I would like to mention, because it is of particular concern to me, is rising youth unemployment. Commissioner Špidla put it quite clearly: now a generation of young people are coming on to the labour market and what do they experience? Mass youth unemployment! So we all have to do something about this. All of us – the Council, the Commission and individual governments must strive to ensure that the first thing that young people experience in the labour market is not unemployment, but training and further education, so that they are better equipped for the labour market. We have to send out this message to young people together, because this is extremely important for social stability in our society.

Graham Watson, *on behalf of the ALDE Group*. – Mr President, we approach the next European Council with anxiety tempered by ambition. One important item on the agenda should, of course, be the nomination of the next President of the Commission, but that nomination cannot be seen in isolation. The President is underpinned by the Commissioners and, in the light of the Lisbon stalemate, we are none the wiser on how those posts will be filled.

So, when we ask the citizens of Europe to choose their new parliamentarians in just four weeks' time, we do so on the basis of uncertainty and we run the risk of that vacuum being filled by the opportunism of Europe's opponents. The time has come to make clear how we will proceed. Mr Daul has expressed his determination that the largest group should propose the President of the Commission, as was the case five years ago. My group follows that logic. The next President of the Commission, whenever he or she is appointed, must know the legal basis and the timeframe for the appointment of the College of Commissioners. The logical approach is to make all the appointments on the basis of Nice or all on the basis of Lisbon. That is the kind of certainty citizens need. Those Member States yet to ratify the Lisbon Treaty should act to make that deal easier to strike. Tomorrow the Czech Senate will vote on the Treaty, with a three-fifths majority required. Assuming its assent, the document will be delivered to Mr Klaus's desk. He should sign it forthwith.

President-in-Office, your Presidency has not been bad. As Mr Barroso said, a number of legislative acts have successfully been brought to conclusion, but the headline facts – despite the best efforts of you and your team, Mr Vondra, and we wish you well – are that we have had the first Eurosceptic Council President and the collapse of a government half way through the Presidency. Also, I am sorry to remind you of it, but it may take some time to forget the *Entropa* sculpture, no matter how much we may want to. So, when the

President replaces the Prime Minister in the summit chair, let him end his term of office on a positive point. Let him confirm his signature of the Lisbon Treaty.

For all that Lisbon matters, it will not define this European election campaign. Europe's voters are interested less in constitutional questions than in practical solutions to the problems they face, and I urge you at your summit to recognise these problems. Europe's economy continues to creak under the weight of recession, and citizens need to know how we will lighten that load. My group welcomes the hedge fund proposals from the Commission in that regard as a good first step. Europe's environment remains in peril as climate chaos draws ever closer and voters must see that the European Union can lead the fight back. Europe's values are undermined by human rights abuses occurring on our doorstep, and people should understand that the European Union retains its resolve to right those wrongs. These are the challenges of our times. This election campaign must show that Europe is up to the task and that Europe alone is equipped to do so.

Brian Crowley, *on behalf of the UEN Group*. – (GA) – Mr President, President-in-Office of the Council, President of the Commission, the Council meeting that will take place next month will have a particular focus on the economic affairs of the European Union. Proposals must be created that will return the economy to its previous state. These proposals must be implemented immediately to restart the economy.

Today, when we speak about the future of Europe, 99% of the people we speak to, or we claim to speak to, do not care about the future of Europe so much as their own future. They care about the economic situation and the uncertainty that is there at present. Too often within this Chamber, or even within the institutions of the European Union, we seem to be stuck on getting one ideological fix over another ideological fix, rather than dealing with the real and exacting problems that people face.

To that extent, I think we have already seen great leadership from the Commission and from the Council as regards their initial response to the economic crisis. Decisive, quick action to put stability into the banking system; decisive, quick action to create a level of certainty and confidence within the operation of the markets within the European Union; and, most importantly of all, ambition – an ambitious vision of what the future can be. Not waiting to react or to respond to events elsewhere but leading the charge as to what will happen.

Rather than point the finger of blame at one Commissioner or another Commissioner, and rather than make party politics, as some have tried to with regard to this, we should be striving to come together collectively and chart a new way forward on how best we can respond. In doing that, we have to be innovative, we have to be creative, and, most importantly of all, we have to be honest with people as regards what we are capable of delivering and of doing. Too often we tend to speak in sound bites and play to the gallery rather than dealing with the factual events that are before us.

We have made mistakes in the past: to err is human, to forgive is divine, as the old saying goes. Even more importantly, as the old saying goes, we may all be lying in the gutter, but some of us are reaching for the stars. That is the kind of ambition that we now need to ensure that we can lift up the economic situation within the European Union, create new employment, new hope and new opportunities to ensure that the collective wisdom, the collective strength and the collective power that the European Union now presents can be used as a force of good, not just within Europe but around the world to set an example of what should happen.

Finally, I want to thank the present President-in-Office, Mr Vondra, for his continuing contribution to this debate within the Chamber, for the respect and courtesy he has shown us at all times and, despite the difficult political circumstances that exist at home, for continuing to deliver the programme for the Czech Presidency.

In conclusion, I wish to say that when we fight these coming elections I do not have the luxury that other colleagues may have of being on a list. I have to go out and meet ordinary people every day and deal with their ordinary concerns. What they are worried about is their jobs, their mortgages and their children's future, and that is what we should respond to.

Monica Frassoni, *on behalf of the Verts/ALE Group*. – (IT) Mr President, ladies and gentlemen, tomorrow you will decide whether or not to approve the Treaty of Lisbon. We naturally hope that you will extricate us from this prickly situation.

Having said this, we can only say that the situation in which we find ourselves today reveals yet again the total inadequacy of the treaty reform procedure. The unanimous procedure is a mistake. This Parliament made it a point of contention back in 1984 and proposed, together with Altiero Spinelli, that the treaties should be ratified by a majority and whoever did not wish to ratify them should be shown the door without

compunction, with an agreement on how to move forward. We believe that this would have been a constitutional reform for the times and I am afraid that this Parliament has really wasted an opportunity in this term to be a driving force for integration and a driving force for the positive reform of treaties by putting up with this unsatisfactory procedure.

The President also emphasised, it is true, that the next European Council will take place after the elections – and also said, and many of us reiterated the sentiment, that this European Council should appoint the next Commission President. We do not think that this is necessary, however, particularly if there is no clarity over what will happen with the treaty: we believe that either the entire Commission, including its President, should be appointed in accordance with the Treaty of Nice, or that the President and also the Commission should be appointed in accordance with the Treaty of Lisbon. I think it would be a mistake to ‘mix and match’; it would be a swindle for the voters and the public, because it would make it even plainer that this institution is simply a door mat when it comes to the interests of Member States and governments.

Mr Swoboda, you very slightly laid into President Barroso for his politics, but I would like to repeat to you what our group has already been saying for some time: if we want to avoid President Barroso’s policies regaining the majority in this Parliament, not only must we win the elections but we must also put forward another candidate; something that your group refuses to do. President Barroso is obviously completely on his own in this campaign and I believe that this is a very serious mistake for which I believe that your group is chiefly responsible: the problem is not poor Mr McCreevy, but the approach of this entire parliamentary term, the efforts of Social Democrats like Mr Verheugen and other things that have not impressed us, or you, this term.

I want to say two things very quickly about the matter of the leadership, or the supposed leadership, of the European Union over climate change. One thing is very clear: the European Council did not want to put its money on the table. We do not therefore have a deal as things stand today, because it is clear that even if the United States comes in with us, if we do not offer a financial deal, EUR 100 billion, to countries that must adopt measures to adapt to and alleviate climate change, we will not have any agreement in Copenhagen. Since we were the ones that gave ourselves so many airs and graces as leaders, if we cannot put this money and these measures on the table, we will not succeed in obtaining a deal and most of the responsibility will lie with Europeans.

Moving on to the matter of the crisis in the financial market, I would like to say that we are a little inconsistent because on the one hand we are saying that we must absolutely manage them, we must limit them and we must regulate them, but on the other hand, when for example we propose that CARICOM should reach an agreement over this matter, what are we actually proposing? Total liberalisation of current accounts for all residents, of capital accounts for investors of practically limitless assets without any rules for financial services: for the matter of financial services, as for the matter of climate change, therefore, we are adopting rules that we cannot then manage to ensure are respected either internally or in our external dealings. I believe that consistency is the European Union’s true problem these days.

Ilda Figueiredo, *on behalf of the GUE/NGL Group.* – (PT) Mr President, the next Council meeting must consider the grave economic and social situation caused by the crisis in capitalism and neoliberal policies. The leaders of the European Union can no longer evade their responsibilities. Neither can all those who pushed into the background the defence of production and social and labour rights in order to give priority to the liberalism of the Lisbon Strategy, the irrational criteria of the Stability and Growth Pact, and the approach taken by the European Central Bank, with its false independence which has in fact only ever served the interests of economic and financial groups.

The European Commission’s current forecasts, which point to a fall in GDP of around 4% this year, with stabilisation only in 2010, accompanied by a loss of 8.5 million jobs over these two years and a prediction that the unemployment rate will reach around 11%, are very serious and demonstrate the ineffectiveness of the measures taken to date.

Who can be indifferent to this exponential growth in unemployment, which may reach 30 million unemployed in the European Union? We therefore need to urgently break away from the neoliberal policies at Community level that have worsened the crisis in capitalism. We urgently need to give priority to the creation of jobs with rights, to the defence of Community-based production, to the improvement of public services and to a fair distribution of income in order to reduce poverty. We urgently need economic and social cohesion to stop being merely an expression without any clear content, and we need the principle of ‘save yourself if you can’ to be dropped.

We need an extra EU budget to ensure that there is solidarity with and increased support for the people most affected and for the weakest economies. We need to create jobs with rights for young people, women and the unemployed, increase the purchasing power of the population, stimulate demand and support micro, small and medium-sized enterprises.

Instead of continuing to insist on the draft Treaty of Lisbon, we need to respect the sovereign decision of the Irish people.

Instead of continuing to insist on priority for the financial sector, we need to put a stop to tax havens and give priority to the productive sectors of the European Union, doing away with the Stability and Growth Pact and replacing it with a social development and progress pact.

Instead of continuing to liberalise regulations and increase labour market flexibility, we need to concentrate on public investment, which can stimulate the productive sectors, prevent redundancies, reduce the average working day without any loss of pay, prevent unemployment, and ensure universal access to high-quality public services in health, education and training, research, housing, justice and the environment.

This is what the people of our countries expect from us. If we want more European citizens to take part in the European elections, then we must respond in the way that the general public and workers in our countries want and deserve.

Hanne Dahl, *on behalf of the IND/DEM Group.* – (DA) Mr President, the summit on employment was actually planned for 7 May in Prague. As we all know, in recent years employment has been a regular item on the agenda of the spring summit. Here the leaders of the Member States discussed the so-called Lisbon strategy, which is the EU's plan for more and better jobs. It is also the forum at which representatives of the parties in the labour market had opportunity to present their views on employment. However, it was not to become a major joint summit on the rising unemployment in Europe. Instead there will be a Troika summit, which is far less ambitious. Those at the top of the EU have thus chosen not to send out clear a signal ahead of the elections to the European Parliament. It could almost have been done on purpose!

At a meeting with the General Secretary of the ETUC, John Monks, I was given to understand that the announcement is a very bad signal to workers. Mr Monks is in no doubt that it gives the impression that the leaders of Europe are not sufficiently concerned about unemployment. Workers feel they have no opportunity to have their voice heard at the highest level. According to the Commission – a number of my fellow Members have touched upon this – unemployment will rise by 11% in 2010 and the budget deficit will increase substantially to 7.5% of gross domestic product. This is not an overestimate of the situation; rather the contrary. It represents a significant challenge to the present single currency system.

A number of countries are having very great problems with the euro. These include Ireland, the Mediterranean countries and the countries of Eastern Europe, and the problems have been significantly exacerbated by the international economic crisis. Countries that are outside the euro zone, such as the UK, Denmark and Sweden, are coping well. Consequently, I believe that a summit in June may avoid adopting a position on the fact that there are so many internal tensions in the euro system. The June summit must make a statement on how the countries having particularly significant problems can extricate themselves from the iron grip of the euro.

Naturally one can choose to create 'economic government', but I have yet to hear of a country wishing to hand over substantial chunks of its financial policy to the EU – not even the strongest nation in the EU, Germany. I would therefore ask: how many people in the EU will have to suffer under a euro system that in reality means that people in Europe must suffer under the hopeless criteria of the stability and growth pact? As mentioned previously, the situation is particularly acute in Ireland, Greece and a number of other states. I believe that these countries need to know that they can of course extricate themselves from the strict requirements of the euro, even if there is no clause concerning withdrawal. I believe that it is time that the countries were able to set their own employment policy.

Jana Bobošíková (NI). – (CS) President-in-Office of the Council, Deputy Prime Minister Vondra, although you are the representative of a failing government, this does not exempt you from the responsibility you bear not only towards the citizens of the Czech Republic, but also towards the entire European Union. I therefore call on you to stop the undemocratic and false promotion of the Treaty of Lisbon, and to inform citizens of the true state of affairs. Please tell them that the European Union is functioning effectively even in an economic crisis, that it is taking the necessary measures, that the Member States are able to help each other and that the Treaty of Lisbon is completely unnecessary for all of this. You should publicly withdraw the Czech Presidency's outrageous assertion that whoever does not accept the Treaty of Lisbon should leave

the Union. You should say frankly that the legal trump cards are now in the hands of those who did not ratify the Treaty of Lisbon, the Irish and the other free-thinking peoples in the EU. You should say that the current treaties cannot be revoked unilaterally, and that withdrawal from the EU is possible only with the consent of all Member States; and that, consequently, no Member State can be excluded from the EU without its own consent.

Lastly, Deputy Prime Minister Vondra, you should withdraw your untrue assertion that 25 countries have approved the Treaty of Lisbon. If you are aware of events, then you must know that ratification has not been completed in six countries, including Germany and Poland. Please also bear in mind that the Treaty of Lisbon was rejected not only by Irish citizens, but, for example, by the prominent German left-wing politician Oskar Lafontaine, by the prominent Christian Democrat politician and former President of the Federal Constitutional Court and President of Germany, Roman Herzog, and by the former member of this Parliament, Graf von Stauffenberg, son of the would-be assassin of Adolf Hitler. Last but not least, it is rejected by the president of your own country, Václav Klaus. The arguments put forward by these people have a common denominator: concerns about the impact of a massive loss of Member State sovereignty on the everyday life of citizens of EU Member States.

Deputy Prime Minister Vondra, 20 years ago you personally contributed to the fall of a regime that oppressed its neighbours, held its citizens in contempt and lied to its people. For this, you are rightly respected. I therefore cannot understand why you are now lowering yourself to the same practices. You are lending weight to the arguments of all those who compare the European Union to the socialist Council for Mutual Economic Assistance, and who liken Brussels to Moscow. I would like to point out to you that the reputation of the Czech Presidency has not been dented by the fall of the Czech Government, but by the blatant pressure being put on Ireland, in which the Czech Presidency is playing a part. Not to mention the lies told about the Treaty of Lisbon by the highest representatives of the Presidency – lies with which you are discrediting the democratic processes of the European Union. You may have resigned, but you still have responsibilities. Please make sure that the final European Council under a Czech Presidency performs its function in such a way that the impression left by our country is not one of totalitarianism, coercion and lies, but one of respect for democracy, freedom and, above all, the true facts. Only in this way can you confirm that the demonstrations of 20 years ago, when people jangled their keys in the town squares, were not in vain.

Timothy Kirkhope (PPE-DE). - Mr President, the Czech Presidency has achieved important successes in difficult times and this record is due not least to the personal skills of Prime Minister Topolánek and Minister Vondra, who is with us today. I would like to take this opportunity to pay tribute to them and thank them for their work over the last five months.

Undoubtedly the economic situation will dominate the June summit, which will of course focus on short- and medium-term measures to get consumers spending and banks lending again. However, it should also look at how the EU can assist enterprise in the longer term. For some small businesses this will mean improving access to finance and maximising their opportunities in the single market, but for many the answer will simply be for politicians to cut down on red tape and interference.

That is why Europe cannot be allowed to go down a Socialist route this June. The economic downturn has caused the Socialists to show their true colours. They believe politicians should dictate how many hours you can work. They believe trade unions should prescribe your working conditions. Above all, they believe that they, rather than the people, know best. Nothing epitomises the 'politician knows best' attitude better than the recent debate over the Working Time Directive.

Conservative MEPs were pleased last week to be able to see off the latest attempt by UK Labour MEPs to scrap Britain's opt-out to the directive. In Britain, 3 million people use the opt-out. Its businesses, workers and public services rely on that possibility.

The Czech Presidency is on the side of the workers in this debate, and I congratulate it for helping us to see off this latest onslaught by Socialists. I urge the June Council to sort out this issue once and for all, and to make it quite clear that workers, not politicians, should choose their working time.

Poul Nyrup Rasmussen (PSE). - Mr President, I am standing here with the feeling that I am on another planet and wondering what is happening right now. It is strange. We are in the worst crisis since 1929. Two days ago Commissioner Almunia said that we are going to have minus growth of 4% this year and next year we are going to have 27 million unemployed. Mr Barroso, compared with the past two years – this year and the year before – that is equal to an increase of 10 million unemployed people.

And what do I hear? Nothing! Nothing! I hear that the intention is to have a message and I hear that you intend to do something to help those who suffer most. But can I remind you that an unemployment level of 11.1% next year is 27 million unemployed people? Can I remind you that at the G20 Summit, with some resistance from some European leaders, you accepted that if there is a reason we are willing to do more to engage in having high economic growth?

President of the Commission, I have 27 million good reasons to do more. That is why I appeal to you today. I know you are a reasonable man; I know that you listen to arguments. Can I put the following proposal to you? I propose that you hold three very carefully planned summits before the June Summit, with a selective group of people, where you formulate a new recovery plan – a recovery plan corresponding to plus 2% in real demand, with 0.5% finance at European level – one half financed by the states and one half financed by the municipality; where you add a new social plan to take care of the immense costs of this unemployment crisis and to move into intelligent work-sharing while you use the Erasmus programme to ensure that young people, instead of being unemployed are allocated to a training scheme; and, lastly, as you said yourself indirectly today, that you now try seriously to propose Eurobonds in a well-focused, well-done, well-planned way to take care of those countries that cannot finance their own recovery plan.

We can do it if we take a new decision; we can do it if we exercise true crisis management and we can do it if we now really say: let us not start by asking Berlin, London or Paris what to do, but let us start by showing Commission leadership by making a proposal that is not intended to fit everyone's shoes. Not everyone will be happy at the beginning, but that is a precondition for moving Europe out of this terrible economic crisis.

Elisa Ferreira, our excellent rapporteur, together with the majority of the European Parliament, has proposed to you a new strong recovery effort. So this is not only our position from the Socialist Group, the Party of European Socialists, the Social Democrats, but a common wish that you should do something more. Please do it. Leadership is about taking chances, taking risks and taking the lead.

Andrew Duff (ALDE). - Mr President, I do not propose to put pressure on the Czech senators or the Irish people in the debate this afternoon, so I am going to increase pressure upon the Commission – and especially upon the President.

It is expected that the European Council is to nominate President Barroso for a second term and, in such circumstances, we would expect to see and to discuss a manifesto from President Barroso. Will he publish such a programme, and what will it contain? Centrally and surely, it should draw conclusions from the financial turmoil and the economic crash, especially as we approach the budgetary review before 2012.

We have to change the size and the shape of the budget so that it more squarely responds to our top political priorities. The new Commission should make the case for a transfer of spending from national to European level in the interests of cost efficiency and added value. It should include, as an important objective, an expansion in the size of the eurozone and support a far stronger Eurogroup, committed to tighter fiscal discipline and a common economic policy, not simply the poorly-coordinated national macroeconomic policies that we have at present.

And, yes, it should include a proposal for the raising of Eurobonds, plus greater federal supervision for the financial sector and a proper fiscal stimulus, accompanied by a proper trade stimulus triggered by the reopening of the Doha trade negotiations.

Georgios Toussas (GUE/NGL). - (EL) Mr President, the only new thing that the European Union Council summit on 18 June 2009 can add is new hardships for the working classes and grassroots classes and new subsidies and support for monopoly groups in the European Union. The European Union and the governments of the Member States are consistently serving the interests of capital and the workers will pay the price of the capitalist crisis. We all know what that means: mass redundancies, spiralling unemployment, drastic wage and pension cuts, new oppressive tax measures, the abolition of the eight-hour day, the division of working time into active and inactive time, an increase in unpaid working time and a 78-hour working week and the general application of flexicurity, which means minimal industrial relations, part-time temporary employment, revolving unemployment, an attack on collective agreements and further privatisation of insurance and pensions systems, health, welfare and education, on the one hand, and subsidy and tax exemption packages for the monopolies, on the other.

The forthcoming Employment Summit on 7 May is being prepared on the basis of this strategy of serving the interests of capital. At the same time, imperialist aggression and the militarisation of the European Union are being stepped up. The imposition of the Treaty of Lisbon is being promoted, despite and against the will

of the people and their opposition expressed in referenda, as in France, the Netherlands and Ireland. The anticommunist hysteria and the unutterable and vulgar equation of fascism and communism are becoming the official policy of the European Union and of the Member States, which are targeting the communist parties in order to strike at the fundamental rights and achievements of the workers. At the end of this period, the workers must take stock of the European Union on the basis of the criterion of their daily reality and life experience. What have the workers gained? What have the monopolies gained?

IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

Vice-President

Frank Vanhecke (NI). – (NL) Madam President, we are actually bidding farewell to the Czech Presidency, which started brilliantly with the speech by President Klaus in this House, on rather a low note. Unfortunately, that speech has been followed up by almost nothing of any consequence.

If the Czech Parliament also ratifies the Treaty of Lisbon tomorrow, this will mean that we were completely fobbed off back then. Yet official Europe is at a dead end. What we really need is a Union that is prepared to confine itself to its core tasks and is not set on acting like a major superstate in the making.

We are currently experiencing a particularly frightening economic crisis, with an enormous growth in unemployment in the European Union, and we have not seen the end of it yet. A Council of Heads of State or Government that fails to decide at this time that it is a mistake, for example, to strive for even more immigration and to consider integrating Turkey, a country still way behind us in economic development, is, in my eyes, an incomprehensible Council that, in any case, is making a particularly grave error.

Alojz Peterle (PPE-DE). – (SL) I very much salute the ambition of the Czech Presidency and am pleased at the great results which it has achieved during difficult times. I do not think that the upcoming rotation of the presidency and the European elections should limit the scope of the EU's ambitions in meeting challenges which definitely require more common policies. I will not repeat how important it is, in that respect, that we ratify the Treaty of Lisbon.

I was pleased to hear both Deputy Prime Minister Vondra and President Barroso speak about targets. If we are to succeed in the fight against climate change, we shall have to set high targets in Copenhagen. These targets are crucial to the success of economic restructuring. We all know that when, many years ago, the Japanese state set high environmental targets, the Japanese economy actually strengthened its competitiveness, for the first time.

I would also add that some people are now challenging the sustainability of the European Social Model. Naturally, it is easy to implement such a model at a time of economic boom and during decades of positive growth, but I think that it is precisely in a time of recession that the strength of the European Social Model and the social market economy model needs to be felt. I firmly believe that we will be able to overcome this challenge, too, and I hope that we will be able to use this period of crisis to improve our approach to development. I also hope that we will be able to affirm the environmental dimension of that approach, not just the social one.

Robert Goebbels (PSE). – (FR) Madam President, Mr Vondra, Mr Barroso, ladies and gentlemen, the world economy is plunging further and further into a serious recession. Despite numerous summits and other meetings between various parties, the fall in economic activity continues to be a high priority within Europe and around the world.

The various plans for economic recovery have at best slowed down this descent into the underworld, but signs of recovery are not yet apparent. What is worse, unemployment is continuing to rise, and will go beyond 25 million in Europe, perhaps even to 27 million unemployed this year, as suggested by Mr Rasmussen.

However, instead of focusing on the dramatic situation of employment, the Heads of State prefer to busy themselves at the next Prague summit with 'major policy' regarding future relations with certain countries on the Union's Eastern border.

Good neighbourly relations are most certainly very important, but we need to be perfectly clear here: Parliament has declared itself on numerous occasions to be opposed to any future enlargement of the Union, unless an institutional reform enabling the 27 existing Member States to operate more efficiently is implemented as a precondition.

I should like to add that any future enlargement must be preceded by fundamental reform of the financial perspectives, and by an appropriate increase in the Union's budget. Diplomacy without financial resources is merely a useless gesture.

The Union's Czech Presidency would have better served Europe's ambitions by organising a full employment summit. I realise however, that the Sarkozys, who prefer publicity stunts to real political work, sabotaged this badly needed summit, and I hope that next June, the European electorate will use their vote to choose Members capable of determining the real priorities for Europe: employment, employment, employment, social protection, and the defence of purchasing power.

I do not always agree with my Prime Minister, Jean-Claude Juncker, but he is certainly correct when he predicts, and I quote, 'a social crisis in the event of a steep rise in unemployment, expected in the coming months'. Therefore, by limiting themselves to an informal meeting on the subject of employment, the European leaders have backed away from the crisis, and are running the risk of a very serious social and political crisis.

Margarita Starkevičiūtė (ALDE). – (LT) On 9 May 1950 Robert Schumann proposed the 'Schumann Plan', which laid the foundations for economic cooperation between European nations. Europe's great politicians and thinkers understood very well that the force which could unite Europe was a common approach to economic problems. Inter-state financial and economic groups, which have created added value and jobs, formed the basis of this approach.

By implementing their own national economic recovery plans, Member States have disrupted the activities of these European groups; therefore we are experiencing many problems, which we will have even more of, if we are unable to rebuild the coordination of economic policy at European Union level.

I hope that, among the new leaders of Europe, there will be people like Robert Schumann, Jean Monet and Konrad Adenauer, who will look beyond their own national interests.

Tunne Kelam (PPE-DE). – Madam President, I would like to congratulate the Czech Presidency on the initiative to come forward with an Eastern Partnership which will shortly be officially introduced, and I would like to call upon the Member State governments to fully commit themselves to this initiative. Above all, our neighbours in the east need to feel themselves as equal partners that are genuinely accepted as long-term associates.

I agree that the Eastern Partnership should be governed by the principles of joint ownership, differentiation and conditionality. However, the main goal is to secure a convincing victory for democratisation and the establishment of the rule of law in these countries. As for Belarus, we need step-by-step progress in reacting to every sign of concrete progress towards democracy by Belarus' current leaders.

One of the most crucial aspects of the Eastern Partnership is going to be visa freedom. I would like to remind you of the Commission's proposal from last December to remove all visa requirements over time for the citizens of the six future partners. Unfortunately, this revolutionary approach was replaced by a much more modest one: an offer to introduce long-term simplified visa procedures on a case-by-case basis. A successful Eastern Partnership, however, needs determination on our side and a positive openness.

It is vital to motivate our partners to make a full commitment to European values and rules. This applies especially to Ukraine. We cannot start our Eastern Partnership with vague and hesitant messages about Ukraine's future. A democratic and firmly European Ukraine is key to a democratic, reliable and law-abiding Russia.

Jo Leinen (PSE). – (DE) Madam President, President-in-Office of the Council, President of the Commission, the June summit will have to deal with the Treaty of Lisbon again – hopefully for the last time before it enters into force. Mr Vondra, I wish you all the best tomorrow in the Czech Senate, I hope it goes well and then we will only have the referendum in Ireland to come. Then you would have to negotiate the package of guarantees with Ireland. Of course, we then have to fulfil the expectations of the Irish population and the Irish Government. However, we must be careful not to create new hurdles for all the other Member States, for example, if one of these guarantees were then to have to be ratified once more in all states. Perhaps you can add something about how this package is being prepared for June.

Secondly, President of the Commission, we are of course interested in the election of the new President of the Commission. We, the European Parliament, would like an agreement with the Council on the procedure for June/July. We would like consultation, as established for the future in the Treaty of Lisbon. President-in-Office of the Council, could you also say something about this?

Olle Schmidt (ALDE). - (SV) Thank you, Madam President, Commission President Barroso, Mr Vondra. One of the main points at the summit in June will probably be the appointment of a new President of the Commission. The media have reported that the Socialist Group in the European Parliament will not vote in favour of your re-election, President Barroso, if you do not promise to open up the Posting of Workers Directive.

This is a strange discussion. The position that the Commission has previously taken is to try to avoid opening up a very complicated and politically sensitive directive and instead to see to it that the Member States that have problems meeting the requirements of the directive change their own national laws. Commissioner Barroso, I would like to ask you this very explicitly, in view of the forthcoming election campaign: is the Commission and are you yourself still of the opinion that, as things currently stand, there is *no* reason to open up the Posting of Workers Directive?

Pervenche Berès (PSE). - (FR) Mr President, Mr Vondra, Mr Barroso, I am slightly surprised by Europe's chronology. The Commission presents us with economic forecasts, predicting that within three months, growth prospects will drop from minus 1.9% to minus 4% within the European Union and the euro zone, and when the finance ministers meet, their main areas of concern are long term viability, the quality of public finances, and the pursuit of structural reforms. You must be joking.

On the campaign trail, the voters ask us outright. Where is Europe? What is Europe doing? What proposals has President Barroso made to help those people who may find themselves unemployed tomorrow?

We are in a situation where it seems increasingly obvious that the reality of the current team's chosen strategy, under the leadership of Mr Barroso, is a strategy *à la japonaise*: in other words, acting too late, and thus in an inefficient and costly manner. This is not what we want.

Let me also say, Mr Barroso, since this will no doubt be the last time I will see you in this House, that your response to the challenge of the directive on hedge funds and investment funds has been totally unacceptable. You suggest that perhaps we ought not to have commented on the ongoing work within the Commission. What kind of text would this have been if we had not brought it to your attention? Your conclusion on this matter is to think that you can legislate on it, but you are only legislating in relation to the managers, and doing nothing to intervene in the reality of these funds. Your only concern is to protect investors, whilst the challenge is also about price stability. You have missed the point Mr Barroso.

Georg Jarzembowski (PPE-DE). - (DE) Madam President, President-in-Office of the Council, President of the Commission, the statements of the Council and of the Commission on the preparation of the session of the European Council greatly disappointed those of us who are interested in transport.

During the current global economic crisis in particular it is essential to adequately upgrade transport infrastructure – rail, roads, inland navigation, maritime navigation, ports and airports – and develop a forwardlooking European transport policy with intelligent transport and logistics systems for the upturn in trade within the European Union and in imports and exports, which will hopefully soon take place.

In addition, our citizens expect clear statements from the European Union as to how the volume of transport can be managed in an environmentally friendly way, not with *dirigiste* instruments, but market-based instruments. A good example of this is the introduction of the emissions trading scheme for aviation from 2012, which has just been concluded by the European institutions.

However, other rules, for maritime navigation for example, are still lacking. We therefore need an environmentally compatible streamlining of transport policy. This subject is important, President-in-Office of the Council, because it is essential to discuss and agree upon similar solutions to the environmentally compatible streamlining of transport with the most important third states, like the US, Japan, but also Russia, China, India and Brazil. Only in this way can we achieve global environmental improvement. Only in this way can we avoid unilateral rules which distort competition to the cost of the European economy.

My Group therefore appeals to the European Council – and I hope that the President-in-Office of the Council will take this up – to discuss and prepare at the next Council balanced approaches for global, environmentally friendly transport policies, ahead of the climate conference in Copenhagen. If we want to be successful in Copenhagen, we must also discuss an environmentally compatible transport policy.

Enrique Barón Crespo (PSE). - (ES) Madam President, President-in-Office of the Council, President of the Commission, ladies and gentlemen, the European Council meeting on 18 and 19 June will be held two weeks after the European elections, and in a democracy elections are fundamental.

I should like to thank the President-in-Office of the Council, to whom the Czech Senate will be giving the green light on the ratification of the Treaty of Lisbon tomorrow. Now all that is missing is for the Emperor President in Prague Castle to deign to sign the Treaty but, anyway, we do seem to be making progress.

Now, one important point: the elections will be held under the Treaty of Nice but the next term of office will be administered under the Treaty of Lisbon. From a democratic point of view, that means giving the Commission greater power than in the previous term, and may I now address one of the candidates, Mr Barroso: you have been a candidate since last Sunday but you are already the acting President. Mr Barroso, I think it makes a good deal of sense for you to ask yourself what the economic and social solutions might be to the problems we have at the moment and the crisis we are experiencing, not taking advantage of the Commission's services but as leader of the Group of the European People's Party (Christian Democrats) and European Democrats; I think this is of great importance so that we do not find ourselves in a situation in which the European Council wants Parliament merely to be consulted (let us recall the Buttiglioni case).

Madam President, in my last speech to the European Parliament, may I ask that you speak to the President of Parliament and tell him that it is extremely important that, in the European Council meeting, he mention the fact that the next Parliament will lack 19 Members because the Treaty of Lisbon has not yet been ratified. This is a crucial issue for democracy and I think that the President of Parliament should defend it.

Íñigo Méndez de Vigo (PPE-DE). - (ES) Madam President, allow me, first of all, to thank Enrique Barón for his career in Europe and all he has done for this Parliament. We will miss him a great deal.

Madam President, on 9 May we celebrate 'Europe Day' in all our countries, but the truth is that we should sometimes hold a 'No Europe Day' to see what Europe would be like if the European Union did not exist.

However, I think there has been a certain election fever today in Parliament, and it seems to me that much of the criticism we have heard here, especially about the European Commission, is entirely unjustified. I think the Commission has reacted well to the crisis and I wonder what would have happened had we not reacted. I would also remind one dear colleague and friend, who is not actually listening to me, of a compatriot of hers, André Gide, who said that everything exaggerated lacks value, and I think we need to set things straight.

Madam President, allow me to add to what Chairman Leinen said. I believe it is very important that, throughout this process of electing the President of the Commission, we remember the spirit of Lisbon. I am sure that Mr Vondra and his successor will do so, because it seems to me that it makes no political sense to hold European Parliament elections and not take the result of those elections into account, nor consult the parliamentary political groups before presenting a candidate to the Chamber.

This is something that must be said with total clarity to the Council: 'Do not make the mistake of going against what this Parliament is going to adopt by a very large majority in Mr Dehaene's report'.

Finally, Mr Vondra, I would like to congratulate you on your Presidency. Ultimately, a distinction must be made between what is accidental and what is necessary and important, and I think you have done a good job. Many years ago, I learned from Milan Kundera and others that the Czech Republic was an important part of Europe; you have demonstrated that and I thank you for it. You have had some difficult times but ultimately, Mr Vondra, I like to think that tomorrow is going to be a great day in the Czech Senate and ('Are we never to say how we feel?', as a classic writer said) I feel and will feel great pride when the Czech Republic ratifies the Treaty of Lisbon tomorrow.

Thank you, Madam President, and may it be so, as we say in my country.

Genowefa Grabowska (PSE). - (PL) Madam President, the Czech Presidency has not been easy, mainly because of domestic problems, and also because of the world economic crisis. I believe, however, that it will end with a very significant success, if it manages to deliver a favourable outcome to the process of ratification of the Treaty of Lisbon. Therefore I would like to ask if the Presidency intends to approach those Member States which have completed parliamentary procedures in this matter and only the Head of State is procrastinating over the signing of this document. This includes my country, Poland.

The second matter which I would like to raise is civil dialogue. I was the rapporteur for that report, and I know that Europeans expect the European Union to tackle serious matters and develop suitable solutions. They believe that Europe will do this better than their own Member States. I would ask that this also be taken into consideration. And the last matter, Madam President. Please do not forget about solidarity, and do not allow the European Union to become a platform for nationalism. We do not want a return to nationalism. I would like to appeal very, very strongly for solidarity.

Luís Queiró (PPE-DE). – (PT) Madam President, President of the Commission, ladies and gentlemen, at the beginning of this legislative term, one of the central issues under debate was the institutional issue. We started with the Treaty of Nice and, five years later, it will still be the Treaty of Nice that we have to use to take some important decisions. The re-election of President José Manuel Barroso, which I of course support, is certainly one of those decisions. I still hope that the Treaty of Lisbon can quickly enter into force, not only because of its virtues and the improvements from which it has benefited over time, but also to allow the institutional debate to be stabilised. I especially hope that our energies can then be better used for and directed at the Europe of results, of which the Commission President spoke and has always spoken.

If, in the next referendum, the Irish say yes, it will be more because they have realised that Europe is a safe harbour, particularly in times of crisis. The current situation is therefore our most powerful ally, but it could also be our most fearsome adversary. Nowadays, Europe's modern promise is particularly one of prosperity and well-being for everyone, and this promise greatly depends on what we are capable of deciding, including at the next European Council. We particularly need the political will to respond to the current economic situation. Protectionism, nationalisation and fear of globalisation will not help us. We need to release and create space for the forces that can build our economies, we need to insist on reforms and compliance with the law, and of course we need to support the most vulnerable.

In this way we can achieve a Europe of results, without the abstraction from which people will inevitably remain alienated. Now as I am leaving Parliament, Madam President, it is this hope that I want to express, and it is this hope that encourages me.

Proinsias De Rossa (PSE). – Madam President, could I suggest that those in this House from Member States other than Ireland who wish to speak for the Irish people on the Lisbon Treaty put their names down on the ballot paper in Ireland for the European elections!

It is a matter for the Irish people to decide whether we ratify the Lisbon Treaty or not. I hope we do, and I will work very hard to achieve that. I want Ireland to remain at the heart of decision-making in Europe.

All those who are calling for a second Irish 'no' are hoping that Ireland can be used as a sledgehammer to begin the destruction of the European Union. I will not stand for that. Our history predisposes us to be cautious. It has also taught us that solidarity and power-sharing with other European states is the best guarantee of our sovereignty and the best guarantee of our prosperity.

Minister Vondra, in his opening statement, made no reference to the social crisis we are facing at the moment. I would urge him to revise his line. We are in fact facing an economic, financial and social crisis: 27 million people and their families are facing total hell over the coming years. We cannot have a European Union that ignores that.

Elisa Ferreira (PSE). – (PT) Madam President, President of the Commission, President-in-Office of the Council, we are facing an unprecedented crisis. It was not in fact the time to discuss internally how we organise ourselves, which is why I want the Treaty of Lisbon to be quickly ratified so that we can face the world stage united, standing shoulder-to-shoulder as Europeans.

As regards the economic crisis, the report for which I was rapporteur, and which this House adopted by a majority, accepted that the recovery plan presented by the Commission was not sufficient. We are now certain that it is not sufficient. A crisis that began as financial is now spreading into the real economy, into employment and into the social arena. The recovery plan is insufficient and has no focus. Every crisis creates an opportunity; this is the Commission's opportunity to respond to the real problems of Europeans through far-reaching financial regulation which is not as limited and as piecemeal as possible, as it currently is, and which is not made up of national and individualistic schemes, but a real European initiative. The Commission's response must not consist of a myriad of measures, but must concentrate on the real challenge, which is employment.

In every crisis there is an opportunity; this is the opportunity for the Commission and Europe to respond to the real problems of European citizens, and I hope that this will happen through a new approach to the recovery plan.

Alexandr Vondra, President-in-Office of the Council. – Madam President, I think this will be my last appearance here in front of this Parliament so I think it is the right moment to thank you. I would like to start with that because it has been a unique experience for me. Occasionally we have had some differences of view but I think in general my experience is that it was worthwhile working here. Despite all the problems at home, as

well as in Europe, in facing the current crisis, we have achieved results. I am leaving early and you are also leaving early because you are going to campaign. The Presidency will meet with you here at the end of June. Some of the people may be different but the work continues. Once again let me thank you for the work we did together in the last couple of months, with you as the co-legislators. I think we did a good job.

I am leaving but the Presidency continues. A new government in Prague should take office in the afternoon of Friday 8 May after the last big Southern Corridor meeting ends. I have no doubt that it will contribute to a successful conclusion of the Czech Presidency. Today I had the opportunity to spend an hour with Mr Jan Fischer, who will be taking command. He is a committed European and a man who understands what it is all about. He will be ready to meet President Barroso on Tuesday in Brussels, during his first visit to the capital, and will be working hard until the end of June. I have no reason to doubt that the European Council in June will be held on time as planned and that the agenda will be professionally prepared.

On the Senate, many of you were talking about tomorrow's vote. The Senate is sovereign and I cannot determine the outcome of the vote, but we have worked hard and I am pretty sure that there is no reason for concern. This also goes for the Presidency work regarding one of the most important outcomes of the June Council, namely the text of the declaration for Ireland. It will be prepared.

On the question of whether we are talking with the others, the answer is 'yes', but we do not want to exert any pressure. I am not calling on the German Constitutional Court. Of course, it is sovereign but we all believe that the outcome of the game will be positive.

Many of you talked about employment. In the context of the current economic crisis, this is the most important challenge for all of us. Jean-Claude Juncker talked about this on Monday – yesterday – before the Ecofin meeting started in the Eurogroup. We and the Commission have been working hard since the beginning of this year and we will be talking about this later here today. I would like to underline the meeting which will be held in Prague in the presence of the Czech Prime Minister, the President of the Commission and the social partners, as well as the two upcoming Presidencies – Sweden and Spain – to discuss measures and recommendations. The intention is clearly to prepare professionally for the June Council and the measures which can be taken, both at national and Community level, regarding the employment situation.

To Mr Rasmussen, I would say that it was José Manuel Barroso who assumed the leadership and encouraged engagement in discussion at a time when many politicians preferred rather to fix problems at home because it is a serious challenge.

(Applause)

I would not mix the Eastern Partnership with the challenges of employment. That is a strategic mission to promote stability, well-being and prosperity in our eastern neighbourhood. It has problems but we need to extend a helping hand and offer them help to fix those problems.

Going back to the June Council, many of you were talking about the future Commission. I said clearly that we, as the Presidency, will consult the European Parliament immediately after the elections. We have to wait for the result of the elections of course, but we will immediately engage in the consultation and can do this in the spirit, not in the letter, of the Lisbon Treaty.

Now I would leave you with my personal testament. We are talking about who is going to be the good leader, and I have no doubt that this gentleman is the real leader of the European Commission. If you want Vondra's private recommendation – and I am a private man and just an ordinary Senator as from next Monday, looking forward to a trip to France because I have just read that the average time for sleeping in France is nine hours a day and I have been sleeping just two to three hours a day over the last months – I think that this is the man to lead us for the next five years.

(Applause)

José Manuel Barroso, *President of the Commission*. – (FR) Madam President, ladies and gentlemen, as some Members have already said, this is the last time that they will be here, in plenary session, at a debate preceding a European Council. I will not be able to see them in July, or September, since the mandate for this Commission comes to a close at the end of October, as you know.

I should therefore like to address in particular all those who have worked on the European project, who are members of the European Parliament, and say to them once again: You can be proud of the work accomplished by the European Parliament.

If we take a step back and assess the work done during this parliamentary term, I believe that we can all be proud of it. The truth is that Europe has led the way in many areas, such as the fight against climate change, the struggle for a new policy on energy security, and in all matters relating to the response to the financial and economic crisis, which is affecting Europe very seriously indeed. However, I have not heard much about any of this yet today.

This crisis is affecting the United States, and indeed it began there. It is affecting Russia, Japan, and even China. It is affecting the emerging markets. Europe has tried from the start to react to this crisis, not only in the short term, but also via programmes tackling the bigger questions of regulation and supervision.

This is the message that I should like to get across to you here today. Given the current electoral period, some of you have issued me challenges, but I believe that I cannot, nor should not, take up these challenges now. The future Commission must, of course, develop its own programme, but it is not for me, now, to tell you what will be in the next Commission's manifesto.

Therefore, I accept your challenge; I take it as a sign of confidence, moreover. However, I cannot respond to this challenge at present. I believe that, by assessing the track record of this parliamentary term, we have good reason to be proud. However, I would now prefer to concentrate on the June European Council, which has to deal with some very important questions indeed, requiring huge responsibility.

Firstly, there is the question of the Treaty of Lisbon and the transition that we need to make from one parliamentary term to another, and there is also the question of the constitution of a new Commission. It is an extremely delicate challenge, as some of you have said, since we do not have the Treaty of Lisbon in place yet, a Treaty signed but not yet ratified by the 27 governments.

That is not the European Parliament's fault, nor is it the Commission's fault. The truth is that these governments have signed a Treaty that they were not in a position to endorse definitively, and due to this setback, we have a serious problem as regards institutional transition. This is a problem that requires a huge sense of responsibility on all sides: Council, Parliament and Commission.

That is why I welcome the wise words of the Czech Presidency, as well as the Members who stated their official position on this matter. We need to find solutions that fully comply with the current treaty; we are a Community based on the rule of law, we cannot suspend a treaty that is already in force. In full compliance with the law, we must find sensitive solutions that guarantee the stability of the European project. I will be calling on the Heads of State or Government at the European Council in June, to discuss this subject.

The other issue that we need to resolve concerns our response to the economic question. I think we also need to realise that in this instance, presenting new programmes on a daily basis does not show real responsibility. That is a mistake. I believe that leadership is mostly an exercise in responsibility; it is not just about playing to the gallery.

It would be easy for the Commission to present new ideas every day, knowing full well that they would have no chance of implementation. We will not do that however, because in our capacity as the European Commission, representing European general interest, we consider our task to be more than merely taking the easy option or staging publicity stunts. We want to propose real measures and guidelines that have a chance of bringing Europe together as a whole, with the other institutions, Parliament and Council, and rallying together the citizens of Europe.

If truth be told, it is the Commission that ultimately put forward the initial proposals for a European recovery plan, using all the instruments at its disposal. As you know, most of these instruments fall within the scope of Member States, such as the national budgets. The European budget is minimal in relation to the national budgets.

Perhaps some of those who are impatient and demand a lot of us can assist the Commission during the next financial perspectives, in convincing the Member States, particularly where the parties voted for a maximum of 1% of their resources – the 1% club who have put a limit on their financial resources. Now *there* is something that would be worth achieving during the next parliamentary term.

I can confirm that we have a plan of action for 2009; we will submit guidelines for the financial review and for our future action plan. However, there is no point asking the European institutions for what they cannot provide at this stage.

It would be better to ask us what we *can* do, and I mean this very sincerely, because I feel that certain criticisms which come from people who share the same European ideals as me, are fundamentally flawed in their constant criticism of what Europe has not yet done; you know very well that if Europe has not yet done it, it is not the fault of Community institutions, but rather due to a lack of ambition at national level. It is not fair to criticise in this way, nor does it make our job any easier, which is to move the European project forward.

The truth is that the Commission has put forward some ambitious proposals, that we constantly monitor the economic situation, and that we will present further proposals when they prove necessary. Now, however, we believe that the important thing is to concentrate on the execution – as I have said – the execution and implementation of what we have decided on, and not just token gestures, because we also have some very serious concerns in relation to stability, with public debt reaching a truly alarming level throughout Europe. The situation in a number of our Member States is very serious, and for this reason we must put forward proposals that can address these issues.

I also believe that we must support the work that Europe is doing. I realise that there is a huge temptation to go against Europe at times in matters of immediate policy, and particularly in the context of the European elections, especially for those who are members of opposition parties in their own countries.

I ask you to think carefully, because tomorrow you will have power, tomorrow you can ask the citizens to vote for Europe, and they will not vote for a Europe that you have described as tribal. The people will vote for a Europe that has the support of all the political forces on the right, the left, and in the centre, and which is reflected in the European project.

That, in my opinion, is a huge challenge. I am in favour of a political Europe but I am opposed to politicking in relation to the European project. I am also against improper political divides in partisan terms. The truth is that we can only build Europe through large political families. The Commission is made up of these families: the PPE, the socialists, the social democrats, the liberals, and other independents. The Commission will continue to operate in this way. I realise that, from the point of view of immediate policy, particularly in the European Parliament, and in the context of the European Parliament elections, we all want to highlight our own programme, and our own party.

I myself am a party man. I was elected to the Portuguese Parliament at the age of 29. I have served as opposition leader and Prime Minister. Hence, I am clearly a party man. Bear in mind, though, that European politics needs party people who are also able to go beyond their own party, who can set up coalitions that go beyond the different party positions. If we are supranational, we must also have a vision that goes beyond that of our own party.

That is what I wanted to warn you against, and I say this with all due respect, since I am aware that most of you are busy with an election campaign at the moment, which can be very demanding at times of major national challenges. I think that is important for the future. If we want to understand the huge challenges for Europe, we must unite all the Europeans on the left, the right, and the centre, all those who support the basics of the European project, and we must not succumb to this upsurge of partisan dramatisation, because in fact, most of the time it is artificial.

I can tell you that the proposals on hedge funds, which some of you have criticised, were the subject of a consensus within the Commission, between all the Commissioners, members of the socialist family, members of the liberal family and members of the PPE. There was no division on this matter. Therefore, although I understand that in terms of the political battle it makes sense to focus criticism on this or that Commissioner, I do not believe that it is fair from a political point of view, or from an intellectual point of view.

To finish, I would like to say that I admire the founding fathers more and more. Let us be clear about the truth: the Czech Republic is facing a political problem. The Deputy Prime Minister, Mr Vondra, has shown great honesty by clearly admitting it. It is clearly very difficult for a country that holds the Presidency of the Union to have to deal with an internal political crisis, and to replace its own government. The truth is that in spite of that we are on the way to achieving good results, thanks to you, the European Parliament. I think I can allow myself to say that it is also thanks to us, the Commission, in a small way, for the proposals that we have put forward. However, it is also thanks to the Czech Presidency. We are in the process of finalising 50 codecision cases, some of which are extremely difficult. We are able to do this whilst the country holding the Presidency is in full political crisis. I think that we should pay tribute to the institutional capacity of Europe, by virtue of which, even in a situation such as this, the European Council is capable of delivering results.

This is why, when I just now paid tribute to the Czech Presidency, and in particular, to Deputy Prime Minister Vondra, I meant it with great sincerity, because I know that it is extremely difficult, as I have witnessed every day, to work under these conditions and still manage to come up with results. This is why there is a choice to make here. Whilst recognising that, for the most ambitious of us, including myself, we have not yet reached the objectives we set ourselves, we also need to emphasise what we have actually done, and what we have been able to do together. Others, for their part, focus mainly on what it has not yet been possible to do. The message that they are sending to the citizens of Europe is constantly negative. As I have often said, the pessimism of the pro-Europeans is sometimes more worrying than the Euroscepticism of the anti-Europeans, because it does not convey a message of hope for those who believe in Europe.

I should now like to say, before the Deputy Prime Minister, Mr Vondra, whom I wish to thank for his speeches, before the Czech Presidency and before all of you, that I should like to thank you for what we have managed to accomplish together, despite all our differences of opinion, for Europe, which is a major project for peace, freedom, and solidarity.

President. - The debate is closed.

Written statements (Rule 142)

Charlotte Cederschiöld (PPE-DE), in writing. – Protectionism is hidden in MS showing less trust for each other and less enthusiasm to cooperate. EU was established as an attempt not only to assure peace but also as a tool for cooperation. It is in times like this, during economic and financial crisis, it's important for MS not to build walls around its national borders but continuing to act together in a coordinated manner.

We must maintain European solidarity while adhering to rules and principles that stem from the EU treaty. EU must make maximum use of the single market and stand up for open trade in the economic downturn.

Attempts to find a scape goat, such as the financial markets, will not solve the problems. Abuse shall be stopped by new rules but not prevent access to capital and investments when we come out on the other side of the crisis.

It is not easy to overcome the problems. Protectionism is for sure not the solution. The solution after the fire alarm activities are passed is more trade, more harmonization, functioning internal market with goods and even more with services. Cross border cooperation increases innovation and jobs, the only sustainable ways out of the crisis.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) The EU is trying to 'hide the sun with a sieve', but it is clear how much responsibility it holds for the constant deterioration in living conditions of the general public and workers.

In the last 23 years, the EEC/EU has promoted the circulation of capital and the financialisation of the economy; it has liberalised markets and promoted privatisation; it has encouraged over-production; it has relocated and destroyed productive capacity; it has promoted the economic domination of some, at the expense of the dependence of others; it has intensified worker exploitation; it has centralised wealth, like never before; and it has increased social inequalities and regional asymmetries, all under the control of the major powers and the large economic and financial groups.

The European Commission's terrible 'spring' predictions are no more than a depiction of the consequences of the EU's neoliberal policies – decided and implemented by the right and the social democrats – for Portugal: over 600 000 unemployed, a loss of real income, two years of recession, increasing public debt, and a budget deficit which will once again exceed 6%.

However, much worse than these predictions is the actual reality being faced by millions of Portuguese who are seeing their problems increase day by day.

On 7 June, the Portuguese will have another opportunity to say enough is enough, by voting for the CDU (Portuguese Democratic Unity Coalition).

10. Preparation of the Employment Summit - European Globalisation Adjustment Fund - Renewed Social Agenda - Active inclusion of people excluded from the labour market (debate)

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

- the Council and Commission statements on the Preparation of the Employment Summit,
- the report (A6-0242/2009) by Gabriele Stauner, on behalf of the Committee on Employment and Social Affairs, on the European Globalisation Adjustment Fund [COM(2008)0867 – C6-0518/2008 – 2008/0267(COD)],
- the report (A6-0241/2009) by José Albino Silva Peneda, on behalf of the Committee on Employment and Social Affairs, on the Renewed Social Agenda [2008/2330(INI)], and
- the report (A6-0263/2009) by Jean Lambert, on behalf of the Committee on Employment and Social Affairs, on the active inclusion of persons excluded from the labour market [2008/2335(INI)].

Alexandr Vondra, *President-in-Office of the Council*. – Madam President, we are all aware that we are continuing to suffer from one of the most severe financial and economic crises for many years. The Union and the Member States have taken a wide range of measures both to try to mitigate the effects of this crisis, and also to address some of its root causes, while also taking into account the pressing need to better prepare ourselves for the future in order to face the challenges of the global economy.

We are also aware that the current difficulties are not simply about figures on balance sheets, or amending economic forecasts. They have a real impact on people: on their livelihoods, on their families, and on their standards of living. Most directly affected are those who have already lost their jobs as a result, or the many more who risk losing their jobs over the months to come.

The Spring European Council agreed that an Employment Summit should be held in order to allow for an exchange of experiences on the extent to which the recovery measures taken have succeeded in supporting employment and creating new jobs and more jobs. The Summit will take place in Prague this Thursday.

The mandate given to the Presidency was clear. We need to examine issues such as maintaining employment levels through flexicurity and mobility, creating a favourable environment for investments and job creation by businesses, especially small and medium-sized ones, upgrading skills and anticipating labour market needs. We must also look at strengthening and restructuring the labour market so as to prepare it for the future. Our objective is to ensure that the Summit is not just an opportunity to talk, but that it produces concrete outcomes and recommendations which will benefit society as a whole.

The participants will include the social troika at the level of the prime ministers and employment ministers of the current Czech Presidency and of the forthcoming Swedish and Spanish Presidencies. The social partners will be represented by the presidents and general secretaries of Business Europe and the European Trade Union Confederation, together with the representatives of small and medium-sized undertakings and public-sector employers. The European Commission will be represented by President Barroso and Commissioner Špidla.

The chairs of the Employment Committee, the Social Protection Committee and the Economic Policy Committee will also be present. Representatives of the European Parliament have, of course, been invited as well. It is also my understanding that the President of the European Parliament, Mr Pöttering, is going to attend.

In order to help prepare for the Summit, three workshops have been organised in the countries of the three participating delegations: in Madrid, in Stockholm and in Prague. These workshops have especially addressed the issues of upgrading skills, increasing access to employment, and how to maintain employment, create jobs and promote mobility.

These workshops have enabled us to focus, with the social partners, on the key areas of concern. We were pleased that the representative of the European Parliament attended the preparatory workshops – namely Mr Andersson, chair of the Committee on Employment and Social Affairs.

The workshop on skills upgrading, which took place in Madrid, highlighted that skills are the key to preparing for the future. In the short term, skills increase both productivity and mobility. In the longer term, they pave

the way to recovery, increase competitiveness and are crucial for reducing exclusion and promoting greater social equality.

The case for upgrading skills, which is endorsed by all stakeholders, is not just about formal qualifications, but also about promoting areas such as communication skills amongst young people.

The issue of financing the acquisition of higher skills cannot be overlooked, especially in a time of crisis. It requires commitment not only from the public authorities, but also from employers and from workers and job-seekers themselves. At EU level, there is a need to explore further the possibilities of using the European Social Fund. As far as employers are concerned, their own interest in developing skills is self-evident, as firms which fail to invest in skills upgrading are two and a half times more likely to go out of business than those that do.

The workshop in Stockholm on increasing access to employment focused on how to get the newly unemployed and the inactive into – or back into – jobs as quickly as possible. The newly-unemployed should not be allowed to become long-term unemployed. It is particularly important to ensure that social protection systems serve as a springboard into new jobs, and not just as passive safety nets. A need for incentives to actively seek employment cannot be overlooked. A flexicurity approach should contribute to making transitions pay, not least by providing the necessary element of security.

During this workshop in Stockholm, it was also stressed that the short-term measures should not be allowed to prejudice the longer term. Early retirement schemes are a poor solution to providing more jobs for the young, as they lower overall participation rates, and are inevitably accompanied by higher social security costs.

At EU level, the possible use of the European Social Fund for funding active inclusion measures was identified, as was the possibility of enabling older workers to stay in employment by reducing their social security contributions.

At the last workshop, which took place in Prague last week, the need to maintain employment and to improve an environment friendly to entrepreneurship and job creation was emphasised. The temporary short-term working arrangements can be beneficial, but their financial sustainability needs to be ensured. However, we must guard against the trend to protectionism, which can only harm the Union as a whole.

We also need to use active measures to promote mobility and again, in this context, the increased flexibility of our labour markets has a key role to play. Despite the impact of the crisis, there are still a substantial number of vacancies in Europe, but there is a lack of coordination both within and between the Member States. Often, people are in the wrong place, or lack the right skills, or a combination of both.

It is clear from these workshops that the present crisis is not just cyclical, but structural. Profound changes are going to be needed to face stiff competition in a globalised economy and to safeguard long-term employment in the EU. However, in many instances, these changes are actually about continuing initiatives or even accelerating the overdue reforms which have been pursued for many years in the context of the European employment strategy.

Apart from the efforts to maintain current jobs, we must also create a favourable environment for investors and businesses to invest and create new jobs. We cannot keep all existing jobs: the crisis requires structural change and people will lose jobs. But we must offer the unemployed a chance to improve their skills and employability, and to quickly find a new job which has been created somewhere else.

Let me also briefly touch upon some other topics which you will discuss here today during your Social agenda debate. I congratulate Mr Silva Penada, in particular, on his extensive and far-reaching report which covers a wide range of issues, and which calls specifically for an ambitious social policy agenda.

Mr Penada's report underlines the need for job creation and flexibility in the workplace as part of Europe's broader social policy. It also recognises the importance of developing new skills, of lifelong learning and of promoting university-business cooperation. These are all key aspects which will also be taken up as part of our agenda for this week's Summit.

This wide-ranging report is complemented by that of Ms Lambert on how to include people who are frequently excluded from the labour market. This week's summit will certainly need to take into account this important goal. We cannot and will not seek to push job creation for a few. Our objective – even more so in the current difficult climate – is to adopt an inclusive approach to employment policy.

The Czech Presidency supports the long-term employment targets of the European Union and has repeatedly emphasised the need to better motivate people to seek employment and to improve their employability. We all probably agree that it is better if people earn their living themselves and are free instead of being dependent on the social protection system. This is why we need to reduce the segmentation of our labour markets.

The Global Adjustment Fund provides support for workers made redundant as a result of globalisation. I am pleased that there is agreement between Parliament and the Council on amending the Fund, and I am grateful to Ms Stauner for her work on this. By introducing greater flexibility in how the Fund is used and by reducing the number of redundancies from 1 000 to 500, it will become an ever more effective instrument for helping to tackle the effects of the economic down-turn.

Let me conclude by saying that the most urgent need now is to ensure that the many ideas which have emerged from preparatory workshops, and which will shape the debate at this week's Employment Summit, are translated into action. As I said at the outset, we are looking for a concrete outcome which will benefit society as a whole, as well as European citizens.

We cannot hope to resolve the effects of the current crisis in a single meeting, but we should focus on specific recommendations and initiatives which will together play a role in mitigating the effects of the crisis and help us emerge from it even stronger.

IN THE CHAIR: MR SIWIEC

Vice-President

José Manuel Barroso, *President of the Commission*. – (FR) Mr President, ladies and gentlemen, the sharp rise in unemployment is the most serious consequence of the world economic crisis. It affects both families and individuals, who are plunged into real difficulties. It affects society, depriving it of vitality, and it affects the economy, which loses skills and experience that will take years to rebuild.

It is here that the human and social cost of the crisis hits hardest. Unemployment is a local, national, but also European phenomenon. Within the European market, where more and more citizens are exercising their right to freedom of movement, employment has been a long-standing concern in both national and European politics. That is why it is absolutely necessary to find answers from a European point of view.

Unemployment is the Commission's main concern. The Commission is working tirelessly to ensure that everyone with political responsibility in Europe hears this call, and devotes all of their energy to seeking an end to the crisis.

I know that there is no need for me to explain the importance and seriousness of unemployment to those within the European Parliament. Every day one of your electorate loses his job, and three more worry that they will suffer the same fate.

In March, the European Council approved the initiative by the Commission and the Council's Czech Presidency to devote a summit to the 'employment' dimension of the current economic and financial crisis. This issue has been our main concern since the start of the crisis, and led to our proposal for a European economic recovery plan last December. Its implementation at national and European level is already playing a major part in keeping existing jobs and creating new ones.

However, we now urgently need to evaluate its impact on employment. We must learn the necessary lessons in order to adjust our action in the coming months. I still think that the issue of employment would have justified a full European summit, a summit that would bring together the 27 Heads of State or Government.

The March European Council decided on a more restrained format, to my great regret. Nevertheless, that is no reason for the Commission to scale down its ambitions in relation to the content of this employment summit, and its monitoring during the Swedish and Spanish Presidencies to come.

The European dimension is absolutely vital for two main reasons. Firstly, we must send a clear signal to citizens, letting them know that the European Union clearly understands the true nature of the crisis, that it is not just a matter for the economists and bankers, but that it is the well-being of citizens, workers and their families in the four corners of Europe that is at stake.

Our response to the crisis must not be limited to clinical technical measures to resolve regulatory problems. It should draw its essence from our most fundamental values: social justice and solidarity. Our response

must be perceived in this way, as a response stemming from the importance we give to certain essential values.

I believe that every crisis also offers an opportunity to be seized, an opportunity to renew our European model of a social market economy, and an ecological economy also; it offers an opportunity to show Europe's strong desire to contribute to the well-being of its citizens.

Secondly, Europe really can change things and make a contribution. Of course, while the majority of power is held at a national level, Europe can do a lot, and let us be absolutely sincere on this. We can design the tools at our disposal for maximum efficiency. The European Social Fund can help a considerable number of people; it enables nine million Europeans to access training every year.

We can also act as a reception centre for ideas, as a laboratory. The national governments, local authorities, social partners, and all the stakeholders in Europe, are all trying to find solutions to the consequences of unemployment. They need ideas and projects. The European Union is the ideal setting to gather ideas, to pick out those that will work best, and especially to help in their implementation.

We have worked on this process with the Czech Presidency, the upcoming Swedish and Spanish Presidencies, and the social partners.

Mr President, as you know, the summit has been prepared with an intensive consultation process, built around three preparatory workshops. The input of this Parliament into that process has been most valuable. I would particularly like to pay tribute to the personal commitment of the members of the Committee on Employment and Social Affairs, and in particular Mr Andersson as chair.

The workshops organised in Madrid, Stockholm and Prague have proved an excellent focus for the phase of gathering ideas about what works best. I welcome the active involvement of the social partners, as well as the input received from other stakeholders. The European Economic and Social Committee has played an active role in gathering ideas from its national counterparts, which will enrich the debate – in fact, I will be meeting the Economic and Social Committee in Prague.

I would like to point to four key issues that have emerged from these events.

First, the top priority must be to keep people in jobs, to do everything possible to prevent a new hike in unemployment. Those who lose their jobs must be helped to find another one. This help must be offered immediately: it is no good waiting until people have been unemployed for several months, by which time their skills have decayed and their confidence is at rock bottom. Long-term unemployment is a tragedy for those hit, and brings real damage to our social stability and long-term competitiveness.

Second, the crisis hits the most vulnerable people the hardest – people like the low-skilled, new entrants or disabled people, who find it difficult to find jobs at the best of times. Now is the time for active inclusion, to step up efforts to give particular support to these groups – a very clear echo of the Lambert report on the agenda today.

Third, we must also work to boost opportunities for young people. I know that this is a particular concern of this Parliament. We must act to tackle the risk that many young people will finish their education and slide straight into unemployment. Young people need our active support to find apprenticeships or further training so that they can find and keep jobs in the future.

Finally, upgrading skills and matching labour market needs. In an economic downturn, it is all the more important for people to acquire those skills that will improve their employability during but also after the crisis. We need to prepare people for the jobs of the future: green-collar jobs and jobs in other growth sectors, such as health and the social-care sector.

This debate also provides the moment to draw together this Parliament's examination of the renewed social agenda. I regard the issues covered in the Silva Peneda report as an important part of this Commission's legacy: an approach of access, solidarity and opportunity to ensure that our policies fit both our enduring core values and the realities of society today. I really want to congratulate Mr Silva Peneda on his great work and I think that our cooperation, namely with my colleague in the Commission, Vladimír Špidla, has been of great importance.

This agenda, an agenda of social inclusion and social innovation, seeks to empower and equip Europeans to deal with rapidly changing realities shaped by globalisation, technological progress and ageing societies and help those having difficulties coping with such changes.

We cannot separate our economic and our social agenda: there can be no economic recovery on the foundations of social collapse, just as there can be no social progress in an economic desert.

I am grateful for the detailed examination of these proposals by Parliament, on which Commissioner Špidla will respond in more detail later in the debate. Allow me to focus on one issue for which I feel a particular paternity, and that is the European Globalisation Adjustment Fund. I would like to thank Parliament for treating the Commission's proposals for revamping the Fund with such speed. The new rules will improve the uptake of financial assistance for the redeployment and retraining of workers who are losing their jobs due to the current recession; more firms will be eligible, and the Community budget will shoulder a larger part of the costs. Your vote this week is excellent news ahead of the Prague Employment Summit.

The Employment Summit this week gives an opportunity to keep employment at the top of the European agenda where it belongs. I want this Summit to yield concrete, tangible results. I am hopeful that it will. And, rather than being a one-off event, I also hope that it will be another milestone in an ongoing process that started well before the crisis – a process of cooperation between the Commission, the Member States and the social partners – which will go on throughout the crisis and beyond.

As President of the Commission I will take this agenda to the European Council in June, for the attention of all 27 heads of state and government. It deserves no less. Europe is not only an economic and political project. It has always been, and always will be, a social project as well.

Gabriele Stauner, *rapporteur*. – (DE) Presidents, ladies and gentlemen, so much effort, so little effect! This is how one might summarise the work to adapt the European Globalisation Adjustment Fund (EGF) to the needs of the economic and financial crisis.

Little effect because, in view of the number of employees concerned and the depth of the crisis, the total funds allocated to this instrument – namely EUR 500 million – seems a meagre amount. However, that would be the wrong conclusion altogether. The achievements of the EGF, following restructuring in conjunction with the other solidarity and support instruments, which we have at European level, are there for all to see.

The EGF is the baby here. It was first created in 2006 and was supposed to be a clear sign that globalisation does not just have positive effects on workers, but through mass redundancies, and especially through company relocations, can also have negative repercussions for workers. Thus even the more frugal budget specialists laid aside their concerns and we opened another funding pot.

Now the effects of globalisation have been completely overwhelmed by the financial and economic crisis and our measured reaction is the adjustment of the funding criteria of the EGF. At the same time, one problem for our deliberations on revision was that, because of the newness of the EGF, there was no great wealth of experience in the Commission and we still find it difficult to judge the efficiency of the present rules.

I would also like to note that, for the future, the coexistence of the EGF and the European Social Fund should not be overlooked.

The majority of the Committee on Employment came out in favour of temporary validity for the regulation which is to be amended, so that the provisions will now apply to all applications filed by 31 December 2011 and, as regards content, will affect those workers who have lost their jobs as a direct consequence of the global financial and economic crisis. This means that from 2012 we must once again reflect on the continued validity of the European Globalisation Adjustment Fund.

In terms of content it undoubtedly represents an alleviation, if the trigger figure for redundant workers in a given region is reduced from 1 000 to 500, and, at the same time, the payment period is raised from 12 to 24 months. This facilitates the application process and provides sustainable support for our workers until they have found a new job.

The level of the EU financing share and cofinancing from national budgets was a highly controversial issue. We have found a compromise. It remains basically at 50% – so 50:50 – and only in special cases can the financing share from European funds be raised to 65%. I am very happy about this. In committee we have therefore already put a stop to further wishful thinking, as a Member State which receives funds for its workers should already be aware of its responsibilities. This is best achieved if it has a substantial financial contribution to make itself.

I am especially pleased that we were able to reach a consolidation – 20% of the direct costs – in our talks with the Council and the Commission. This is exactly what we agreed in committee a few days ago for the European Social Fund. There is still enough room for future amendments and improvements. I would like to thank you for your constructive cooperation at every stage, both in committee and with the Council and Commission, and ask you to support the amendment.

José Albino Silva Peneda, rapporteur. – (PT) Mr President, ladies and gentlemen, over the last few months while I have been preparing the report on the Renewed Social Agenda, the effects of the economic, financial and social crisis affecting Europe and the world have been getting worse. Every day we are seeing more redundancies, more company closures and more families in terrible situations.

This is more than just an economic and financial crisis; I believe that we are experiencing a crisis of confidence. According to the latest Eurostat data, in February 2009 over 19 million men and women were unemployed in the European Union. Given this scenario, if nothing is done, the rise in unemployment will definitely be followed by more poverty, more social exclusion, more insecurity, more crime and, in particular, more distrust.

We take the view that unemployment – the most visible face of this crisis – does not simply mean a loss of income for those who are unemployed and their families; unemployment discourages you and can lead to a loss of confidence in yourself and in those around you. Even before the crisis that we are facing today, the Member States of the European Union were already being confronted with social problems stemming from weak economic growth, a complicated demographic situation and the difficulties of living in an increasingly globalised world economy.

In this report I have tried to reflect these concerns as clearly and as pragmatically as possible. I know that a social agenda is a very broad concept and I have therefore tried to produce a balanced report and to clearly and concisely present the real priorities.

Firstly, the institutions of the European Union can play a vital role by reaffirming the importance of the social models and infrastructures of the Member States, thus helping to build consensus on the importance of universal access to these models and infrastructures, their high quality and particularly their sustainability.

Secondly, we have to mobilise all available instruments to ensure that more people are better integrated into the labour market.

The third priority stems from the conclusion that there is still much to do to ensure full mobility for citizens within the European Union.

I believe that the fourth priority is for the European Union to play a much more active role in promoting social and environmental standards in its external relations with emerging powers, such as Brazil, Russia, India and China. This is particularly important when we are talking about trade agreements.

The fifth priority which the Commission has tried to implement, even today with the planned vote on the report on the European Globalisation Adjustment Fund, concerns making the European Structural Funds more flexible.

To ensure that European citizens can understand and deal with the changes brought about by the current context, social dialogue must be reinforced in order to increase transparency in decisions on social adaptation and economic restructuring. I tend to say that you have to go through a period of turmoil in order to get to a period of cooperation in social dialogue relations. The open method of coordination must also be reinforced, as this is an essential complement to the European Union's legislation. Social policies cannot be a patchwork of isolated actions and ideas; we need to ensure a better link between economic, labour, social and environmental initiatives.

It is vital that social policy goes hand in hand with economic policy, to ensure a sustainable recovery not only of the economic fabric, but also of the social fabric. There is one point on which I want to be very clear: the crisis that we are experiencing cannot be used as a pretext to cut social expenditure. It must be said that, if this is not the time to make cuts in social expenditure, then this is in fact the time to firmly push forward with implementing the necessary structural reforms. I therefore want to congratulate the Commission and President Barroso who, in such complex circumstances, have managed to drive Europe to deal with the problems of the crisis in a coordinated manner ...

(The President cut off the speaker)

Jean Lambert, rapporteur. – Mr President, I also have a couple of minutes later on to talk about some of the other issues on the floor this afternoon. But the report I was dealing with particularly concerns the issue of active inclusion of people who are excluded from the labour market.

Firstly I want to thank all the colleagues who have been involved in this and the very many civil society organisations that have also contributed.

We have been hearing this afternoon about a time of recession increasing risks of exclusion unless we are very careful: the risks of people now losing their jobs and maybe not making it back to the labour market at some point in the near future; those who are already in difficulty not even being able to access the labour market; and then of course there are those who are not even part of the labour market. They risk being forgotten and that is something we have to be very much aware of.

We have to look at some of the structural barriers that we as a society are also putting in place in terms of active inclusion. One of the things we agreed in the committee was that active inclusion should not be replacing social inclusion, that wider field of feeling that you have a role to play in society. We are generally in broad agreement with the Council and Commission in their recommendations on this, in terms of adequate income support, and this report uses that phrase.

We also talk about minimum income in places where we really mean that. That people need that income to give them dignity, to give them choice and the opportunity to actively participate in society. It is important in terms of support for the more vulnerable, for carers, those needing care, those needing support for independent living, and indeed it is important for pension levels.

The report also says that it is important that Member States should be considering a minimum wage. We have got a growing problem with the working poor within the European Union.

We have also talked in the report about difficulties with social security systems and their lack of responsiveness, particularly when you are trying to keep people in touch with work, and they might then be doing casual work, temporary work, fixed contract work. Social security systems do not always respond to that very well.

But we also sound a warning on activation measures, particularly those that sometimes introduce penalties which can have an indirect effect, for example on the families of those affected, or indeed where you find people undergoing several training programmes for work that simply does not exist.

We also agree concerning the issues around the inclusive labour market. That is why we have singled out the issues of anti-discrimination and that legislation being properly applied, questions relating to training and education to keep people in school rather than leaving early, and a more individualised approach that deals with an individual's needs.

We have also agreed concerning the issue of access to quality services because those are extremely important for vulnerable individuals in difficulty. And we have highlighted the role that local authorities have to play within this – and indeed the need for more of a framework around services of general interest – so that we can ensure that people are getting the services that they need.

But equally important for us is, I think, the question of voice within this: that those who find themselves excluded should also be included when we are looking at measures that are being put in place and considering whether they are really going to meet the needs of the long-term unemployed, of older people, of younger people trying to gain access to the labour market, or whatever. That question of voice being structured through the open method of coordination is extremely important and should not be forgotten.

Anne Ferreira, draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety. – (FR) Mr President, ladies and gentlemen, as draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety, I should like to thank Mr Silva Penada for having detailed in his report the fact that the Commission was not proposing concrete measures to offset the social and health consequences of the ecological and climate crises. I should also like to thank him for having mentioned the social economy, although I regret that its role in relation to cohesion policy and the creation of quality and nonrelocatable employment has not been highlighted.

On the eve of the European elections, this report would have been more welcome if certain objectives were not suffering from a clear lack of ambition. Can we be content with flexicurity, and with minimum standards in relation to labour law? No we cannot. We should be worried however, that tomorrow, the right may reject

these minimum standards, in the same way that for the last five years they have rejected a directive on services of general interest.

Will we finally approve a minimum wage tomorrow? The European citizens have been demanding a strong social Europe for years. The next Parliament must be able to put into practice the various social advancements proposed in the report. I hope that this will help to mobilise everyone on 7 June.

Monica Giuntini, *draftsman of the opinion of the Committee on Regional Development*. – (IT) Mr President, ladies and gentlemen, as draftsman of the opinion, I would particularly like to say something about the amendments to the EGAF, the European Globalisation Adjustment Fund, and express my appreciation for the Commission's proposal over the agreement reached with Parliament at first reading.

I am particularly encouraged by the following: one, that we have temporarily extended the possibility of using the EGAF, making it an instrument of the European recovery plan to respond to the world financial and economic crisis and support workers who have lost their jobs; two, that we have reduced the minimum number of redundancies required to be eligible for support from the fund from 1 000 to 500; three, that we have raised the EU cofinancing rate in particular cases to 65% for this stage.

Lastly, I hope, as stated in the opinion of the Committee on Regional Development, that the Commission submits an assessment of the effects of the temporary measures by the end of 2011 and gives Parliament an opportunity to revise the legislation if necessary.

Cornelis Visser, *draftsman of the opinion of the Committee on Culture and Education*. – (NL) Mr President, the importance of the renewed social agenda is clear, particularly in view of the current economic crisis. The rapporteur, Mr Silva Peneda, has put great effort into this report. We in the Committee on Culture and Education have contributed via this opinion. Four issues are in the spotlight, namely education and business and the relationship between the two, lifelong learning, the importance of multilingualism, and sport.

First of all, I should like to discuss the relationship between education and business. Greater dialogue between enterprises, training bodies, trade unions and the voluntary sector is needed, aimed at identifying new competences for the economy. Adult education plays a role here in developing these skills.

The content of education must correspond to vocational and practical requirements. There is also a need to promote university–business cooperation. A bridge should be built between study programmes and business, and the business community should have the possibility to complement study programmes, offer internships and organise open days for students.

Lifelong learning is also very important. It is crucial to strike a balance between family life, work and learning. Public and private childcare also plays an important role here, and must be extended so that parents can participate throughout their lives.

Sport is another instrument, and I should just like to mention this from the perspective of the Committee on Culture and Education, which also promotes sport. Sport promotes the development of values such as fairness, solidarity, respect for the rules and team spirit, and is also important for health. It is important to encourage the Member States on these points.

Marie Panayotopoulos-Cassiotou, *draftsman of the opinion of the Committee on Women's Rights and Gender Equality*. – (EL) Mr President, I drafted the opinion of the Committee on Women's Rights and Gender Equality on the report by Mrs Lambert on the active inclusion of persons excluded from the labour market, whom I also congratulate on her willingness to include the opinion of the Committee on Women's Rights and Gender Equality as fully as possible.

Gender equality and respect for the principle of nondiscrimination in general are basic preconditions to active inclusion in the labour market and the social integration which must accompany it. In particular, I consider it important that emphasis is placed on support for family members of all ages, intergenerational solidarity and the help which must be given to vulnerable groups of the population in the difficult times which a family may go through, so that it can be useful to society at all times, without difficult circumstances in its life leaving their mark. That is why the transition from one situation to another is very important and must be supported using means supplied by the state, by social agencies, by the social partners and by the voluntary sector, so that society feels solidarity and mutual responsibility for all its members.

I hope that Mrs Lambert's report will give momentum to the motion for a resolution, as also corrected by my political group, so that it does not only include income support, but also includes overall support for

dignified living conditions which cover major and minor participants and non-participants in the labour market.

Othmar Karas, *on behalf of the PPE-DE Group*. – (DE) Mr President, President of the Commission, President-in-Office of the Council, ladies and gentlemen, we are now debating three reports. The European People's Party (Christian Democrats) and European Democrats have provided the rapporteur for two of these reports and the Group of the Greens/European Free Alliance for one of them. I say this because it demonstrates clearly that the Socialist Group in the European Parliament does not have a monopoly on socio-political topics, but that these topics concern us all.

As vice-chairman of the PPE-DE Group, I would especially like to thank Mr Silva Peneda and Mrs Stauner for their work, because they are credible representatives of the European social and life model of the social market economy and are important champions within our group of a deepened social dialogue. These reports should ensure that European Union policy can react effectively to the economic and social challenges. They aim to give more people opportunities, to improve access to high-quality services and to show solidarity to those for whom the changes have negative consequences.

Everything we want from the Community must also appeal to a majority at home, because we do not have the authority to do everything that people expect of us. Unfortunately, in social policy we cannot do everything yet. However, the Treaty of Lisbon is a great step forwards. Full employment will become a goal, the sustainable social market economy will become the European social and economic model and fundamental social rights will be enshrined in the treaty.

However, not only do we have too little authority, we have too little money. Therefore, I urge the Commission to submit a proposal for a financial transaction tax by the end of the year and to put forward a concrete European initiative with two goals. The first is to use the proceeds for the specific purpose of creating sustainable jobs, as anything which creates work, creates social stability and security. The second is to put a clear European project on the table for the G20 Summit in the spring.

Now employees who have been made redundant as a result of the global financial and economic crisis can also be supported and we have increased the cofinancing to 65%.

Although there is room for improvement, how would the future look without our European social model? We must strengthen it – as Mr Silva Peneda urges – by strengthening fundamental labour legislation through the establishment of minimum standards in employment rights, by fighting discrimination, by strengthening social cohesion, by modernising social insurance systems, by fighting poverty, by promoting the transition to self-employment and by strengthening the Structural Funds. We are taking a step forwards, but we still have a lot to do.

Jan Andersson, *on behalf of the PSE Group*. – (SV) Mr President, Commissioner, President-in-Office of the Council, I shall focus on what was intended to be a summit, but did not turn out to be one.

Jean-Claude Juncker said yesterday that we are now going over from a financial and economic crisis to a social crisis. We are also heading for an employment crisis. We shall have higher unemployment over the next few years, with perhaps 26 million inhabitants unemployed in the EU in a year or so.

This is the situation, and in *these* circumstances the Council and the governments of the centre and of the right have decided to downgrade the employment summit to a troika meeting. Several of the leaders will not attend this meeting. This indicates that the Council and the governments are not giving priority to the issue of employment. I share the view of Commissioner Barroso. The Commission wanted a summit. Is this an unavoidable development? No, it is not. More needs to be done and in a more coordinated way, and something needs to be done now. It is a question of environmentally sound investments which are long term, but which also provide jobs in the short term. It is a question of energy efficiency in homes, which provides jobs now, but which also makes homes better for the future. It is a question of lifelong learning, which has never met the objectives of strengthening Europe for the future. If we do this now, people will receive the necessary training and it will strengthen Europe for the future and reduce unemployment. They can be replaced by young people who study and who get a foothold on the labour market instead of becoming unemployed. We can invest in consumption aid for the groups that are worst off – pensioners, students and the unemployed. This will create jobs and it will create consumption.

Mobility is important, as stated at the workshop in Prague. It is important – extremely important – both in a professional sense and in a geographical sense, but if we do not ensure that there is equal treatment, equal

terms and conditions and the right to strike for equal treatment on the European labour market, protectionism will increase. Therefore, the Commission has a responsibility to amend the Posting of Workers Directive.

In summary, something can be done now, unemployment can be reduced, Europe can be strengthened for the future. These two things go together, but far too little is being done at the moment.

Ona Juknevičienė, *on behalf of the ALDE Group*. – (LT) Ladies and gentlemen, Commissioner, I would really like to congratulate everyone sincerely on a report, which we can indeed call a report for the people of Europe. Europeans often ask what we do here in the European Parliament, what good we do for them.

I think that it is one of those reports which are designed to help people and I would therefore like to congratulate all of my colleagues, Mrs Stauner and the Commission, and the Council, for reaching an agreement at first reading. This report will be adopted tomorrow, in a particularly speedy procedure, not just because it is important for people, but because this fund is now designed for the crisis, so that people who have lost jobs can receive support.

I have just one question. Has this report really been prepared for the people and will the aid get through to them? As you will recall, Commissioner, during the great debate in our Committee, we, the Group of the Alliance of Liberals and Democrats for Europe, said we would support this aid for the people, as long as it does not simply go to bureaucrats or other structures.

Unfortunately, a year of experience has taught me that in my country, as I see it, the European Globalisation Adjustment Fund is used the same way as the European Social Fund, namely for retraining. It is hardly used or not used at all for the other intended measures. We need money to reach the people, so they can be supported, it is wrong that the administration, job and training centres take the money themselves, train people, but then the people fail to find work.

I would like to draw your attention to this, Commissioner, to check whether this regulation is working properly in the Member States. Has this regulation been correctly transposed into national law? Often legislation does not allow the regulation to be implemented.

You will say that this is a matter for the Member States' governments, but I say no! We were elected by the people; we are not representatives of our governments. We were elected to defend the interests of European citizens, to defend our peoples' interests and to ensure that money reaches the people, not the bureaucrats.

Brian Crowley, *on behalf of the UEN Group*. – Mr President, I thank the rapporteurs for the tremendous amount of work they have done on these reports, coming, as we said in an earlier debate, at a very important time when people are looking for answers and looking for ideas on how to move forward.

I suppose in many ways these can be divided up into four separate yet linked areas. Firstly with regard to education and training, whether it is lifelong learning, the upskilling of existing skills or providing new skills to people.

Secondly, the whole area of innovation, and about looking to see where jobs are going to come from in the future and making sure people have the skills and the training for that.

Thirdly, the whole area of sustainability, with people who are already at work given protection and certain support now to make sure that they do not lose their jobs and then have to go through the cycle of retraining and upskilling in another year or two's time to get another job; to maintain the existing jobs that are there.

Fourthly, to try and anticipate, if that is possible, where we need to move in the future.

If colleagues think back to the early 1990s, when we had the whole Delors Plan with the white paper on the social package and so on, this was considered groundbreaking and innovative. It contained many difficult dossiers and many difficult ideas which many people in industry, in particular, were opposed to but also, uniquely, which a lot of people involved in trade unions were against as well.

If our experience since 1994 can show us anything, it is that first of all we must ensure that all social policy is predicated on the basis of delivering results for people – not just merely massaging figures, but actually making people's lives better.

Secondly, it shows that, no matter how good your training or education or skills may be, there are people who will be caught in unemployment, and they must be guaranteed a safety net and security to allow them to have a proper and decent standard of living.

As well as that, as President Barroso rightly mentioned himself, despite high employment participation levels in many countries in recent years, many people with disabilities, and 74% in total, were unemployed, despite the fact that they had access to education and training, because of the psychological barriers and blockage that existed.

I am sorry for having gone on so long, but would like to sum up very briefly with the old saying 'give a man a fish and you feed him for a day; teach a man to fish and you feed him for life'.

Jean Lambert, *on behalf of the Verts/ALE Group*. – Mr President, I want to pick up on certain of the aspects from the employment side of things – and not least the context, given that the Spring Summit was at one time supposed to be the 'sustainable development summit' – and to link that with the Commission document from late last year on new skills and new jobs. That document mentioned how the transition to low-carbon economies would have an important impact on employment. It is very important that we remember that and do not lose sight of it in the general discussion that we are having at the moment.

What I would like to see coming out of much of the concern about employment at the moment is a very coherent package as regards new industries and new investment. We are not seeing this at the moment. We have an excellent example downstairs at the moment of solar technology and how that is developing in a part of Germany, whereas at the same time we are seeing job losses in the solar sector in Spain and in the wind-turbine sector in the UK. Just at the point we are looking for new skills in new technologies, we also run the risk of losing them through lack of a clear investment strategy and, indeed, a clear skills development strategy within that.

Therefore, when we talk about many of the issues around retraining and developing skills etc., we should also be looking at the so-called Just Transition Programme, worked out with the ILO, the ITUC and the UN, because the skills we are looking for at the moment are beginning to change. We need to develop the skills of those who still have problems with literacy and numeracy and, indeed, IT, but we are also looking for transversal skills – which is something else out of the Commission's document. We should also be considering what we do with sectors that have been orphan sectors in terms of skill developments – not least the care sector at the moment – and really look at how we can ensure equality there.

Gabriele Zimmer, *on behalf of the GUE/NGL Group*. – (DE) Mr President, ladies and gentlemen, my colleagues from the Committee on Employment and Social Affairs have touched a raw nerve with their reports and have made it clear how essential joint action by the Member States and the European Union is to ensure that the consequences of the global economic and financial crisis are not borne by those who are worst affected by it, namely, those on the bottom rungs of society's ladder.

I am therefore also extremely disappointed that the so-called Employment Summit on 7 May is actually nothing more than a farce and it should be extremely embarrassing to all of us who bear responsibility in the European Union that this summit is going under such a name. In my opinion it shows clearly that current policies still do not reflect the fact that we can only fight the economic and financial crisis if at the same time we also fight poverty, social exclusion, job losses and the ubiquitous fall in labour standards.

The Commission recently presented dramatic figures for employment development and the employment situation both in the European Union and the euro zone. It is time for consistent action here! It must be about finally putting a stop to the privatisation of public services – security systems like old-age provisions. I still do not understand why, at the March Summit, the Commission and the Council were still urging Member States to further privatise pension systems and create pension funds. This is completely counterproductive – more and more people sink into poverty as a result and it exacerbates the problem of old-age poverty.

We need anti-poverty social security systems, we need a social pact for Europe, as European trade unions have demanded. The fight against poverty could be a truly humanitarian way to start fighting the economic and financial crisis globally and the European Union is duty bound to do this.

Derek Roland Clark, *on behalf of the IND/DEM Group*. – Mr President, if globalisation causes redundancies, there will be a shortfall in revenue so the Globalisation Fund will not have the money it wants to spend. Do not fight globalisation; join it by encouraging competition within the EU and learn how to compete on world markets.

You want to renew the social agenda via the Working Time Directive, which has two aims. Firstly, it was supposed to provide more jobs by limiting hours worked so that companies had to take on more staff, but

extra staff means the extra cost of social taxes, so unit costs rise. Small companies then become uncompetitive and lose orders, causing short time or even closure. Workers then have no job at all. How social is that?

Secondly, it was meant to result in more time with the family, but what use is that if the take-home wage is then insufficient? How social is it if the family is deprived of some of the nice things in life? Let individuals work out their own salvation. Many countries have a minimum wage structure and I support that. We do not wish to see the social ills of people exploited, but the EU has now destroyed even that with one of its own institutions, the ECJ, where the rulings on Laval and other cases ruined Member States' minimum wage policies. How social is it to overturn the way national parliaments have tried to protect workers? These measures are nothing less than an attempt to establish a Soviet-style command economy, and we all know how well that worked.

Carl Lang (NI). - (FR) Mr President, 'to err is human, to persist is diabolical'. Hearing the debates today, all I can say is that actually, despite the huge economic, financial, social, and demographic impact of the crisis we are experiencing, neither the European institutions nor the Heads of State or Government have grasped the full extent of the tragedy, and of the consequences for us all.

A minute ago, I heard the President-in-Office of the Council telling us that the unemployed need to be able to improve their skills, and that we need to motivate people more in their search for jobs. Do you really believe though, that the hundreds of thousands of unemployed victims of this crisis are in this situation because they are unfit to work? All of this is quite clearly the fruit of an ideological and doctrinal choice, of a kind of group thinking, of economic theory, which is the economic theory of the free market and free trade.

Finally, the European Union, which promotes the concept of freedom of movement of capital, goods, services and persons, would like to globalise this economic choice, this doctrine; however this is economically and socially criminal. We need to achieve global international competition.

If we are not capable of implementing a policy of social preference via economic preference, a policy of social security via economic security, if we are not capable of implementing a trade protection policy, well then, ladies and gentlemen, we are going to deliver what remains of our farmers, our craftsmen and our industries to the law of the globalisation jungle.

Within this House, there are the liberal globalists, the socio-globalists, and the alter-globalists. I am proud to be amongst the anti-globalists, those who want to win back the internal market, those who want to apply the rule of national and Community preference, and the rule of national and Community protection, in order to serve our people.

Elisabeth Morin (PPE-DE). - (FR) Mr President, I am happy to be here today to defend the revision of the European Globalisation Adjustment Fund, because I believe that due to the financial and economic crisis, and the ensuing social crisis that we are facing, it is important to defend jobs.

If we are to defend the future of our workers, we of course need to offer them professional mobility, so as to allow them to better adapt to the changing needs of business, both now and in the future. Economic recovery, the future of employment, the competitiveness of our countries, all these depend on the development of employees' skills, as it is they who set the standards for our businesses.

Of course, the first step required in the fight against social exclusion is integration into the labour market. We must promote this social model, and work together to promote this 'human' capital. All workers have the right to work.

Our political efficiency will be measured by the speed with which we take action to ensure that mobility, adaptability, and the validation of acquired experience, can become strong levers for all the men and women of our European countries in the future, for all the men and women employed in our businesses. This is what we care about, and it is these things that have guided the work of our Committee on Employment and Social Affairs.

Jean Louis Cottigny (PSE). - (FR) Mr President, Commissioner, ladies and gentlemen, I believe that Commissioner Špidla was right to suggest that we on the Committee on Employment and Social Affairs should review this European Globalisation Adjustment Fund (EGF), which came into being on 1 January 2007.

Parliament should adopt this proposal unamended as it aims to extend the scope of the EGF to situations of economic and financial crisis. Our committee chairman, Jan Andersson, was right to propose a text adopted by a large majority on the Committee on Employment in order to convey to all the committees, particularly

the Committee on Budgets, that it was important to communicate with the Member States, so that every employee, every member of a trade union, and every member of the public can be informed in their own language of the existence of this European Fund.

Thanks to this dialogue, and because a large majority on the Committee on Employment rejected all the amendments, we can be proud of ourselves due to: cofinancing of 65% by the EU and 35% by the Member States; the number of redundancies required to benefit from the European Fund reduced to 500 workers; redundancies counted from the announcement of the company's redundancy programme; intervention by the European Fund due to the consequences of the economic crisis; exceptional arrangements more favourable to the application of the Fund, which will continue until the end of 2011; and finally a period of 24 months for implementation of the EGF.

Our committee was right, but we must go further. I would ask all the Member States to do everything in their power to ensure that all workers who find themselves in difficulty can benefit from these provisions as quickly as possible. I would ask Commissioner Špidla if this amendment can apply from 1 May 2009, provided that tomorrow we have the large majority needed to adopt this proposal at first reading. Let us crown our legislative term with the adoption of this amendment to the European Fund, which will allow us to help our struggling workers.

What does a redundant worker want? He wants to know what his life will be like at the end of the month. He wants to know what he will do with his life tomorrow. He wants to know if he can utilise the knowledge that he acquired while he was in work. Think about the fact that he might need further training in order to advance into the future.

At the end of this legislative term, I therefore address all those who are members of the Committee on Employment, whatever side they sit on: please make sure that this text can be applied immediately.

IN THE CHAIR: MRS MORGANTINI

Vice-President

Elizabeth Lynne (ALDE). - Mr President, as the shadow rapporteur on the active inclusion report, I shall concentrate mainly on that one. I would like to congratulate Jean Lambert, the rapporteur on that report. She has brought forward an excellent report. I am delighted that most of my amendments got through the committee, particularly those on anti-discrimination. As you know, it is something dear to my heart.

People are excluded from the labour market for many reasons, but it seems to me absolutely incredible that it is still happening on the grounds of disability, age, religion or belief, or sexual orientation – despite the Employment Directive of 2000. The problem is that it is not being properly implemented across all Member States and we must be even more vigilant in making sure that we are monitoring it properly.

I am also pleased that my amendment on mandatory retirement age was accepted. It has always seemed wrong to me that someone reaches a certain age and is then thrown on the scrapheap. However, even if people are not excluded from work but cannot get to work because they cannot get the access they need, that leads to exclusion as well. That is why I am pleased that my amendment welcoming a new comprehensive anti-discrimination directive was also accepted by the committee.

I regret, however, that the PPE-DE Group has tabled an alternative resolution. I believe this has been done mainly to remove any reference to a new directive on anti-discrimination, as I know most of them are opposed to it. It seems amazing to me that anyone would wish to deny people their basic rights at EU level just because of their age, disability, religion or belief or sexual orientation.

The other areas I sought to address were the blurring of economic migration with asylum-seeking and of economic migration and asylum-seeking with illegal immigration – all distinct, separate issues which must be dealt with differently. I believe that asylum-seekers, for instance, should be allowed to work while they are waiting for their asylum application to be processed. This would take away from their reliance on benefits. We also need to do more to integrate people with mental health problems and those who have alcohol or drug problems.

Finally, a quick word on the European Globalisation Adjustment Fund. I am glad we have had a speedy conclusion on this. It is important that the remit of this fund is widened to include workers who were made redundant through the economic downturn, not just globalisation, and that the number of redundancies

needed would be 500 instead of 1 000. This is extremely important for people in my West Midlands constituency, as elsewhere in the UK.

Ewa Tomaszewska (UEN). – (PL) Madam President, 16% of Europeans are at risk of poverty. The crisis is producing a series of group redundancies. Lack of work is the main cause of deep poverty. Poverty promotes social exclusion and restricts access to education and health care. In spite of the economic crisis, we want to preserve European social models which foster social cohesion and solidarity, and this includes tackling poverty. Economic independence guarantees dignity. This is why it is so important to protect jobs and incomes, and also to improve professional qualifications which increase mobility in the job market.

One thing which allows us to feel that we have real control over our lives is the ability to participate in decision making. Therefore it is essential to respect the opinions of social partners, the process of social dialogue, group agreements and social settlements. We should work together to ensure the existence of conditions which enable people to earn enough to participate in the life of society and to support their family, especially where they have many children. We should also tackle discrimination in the job market, especially as it affects people with disabilities. The fact that during the crisis barely 3% of the funds available in the European Globalisation Adjustment Fund have been used is an indictment of politicians. I congratulate the rapporteurs.

Sepp Kusstatscher (Verts/ALE). – (DE) Madam President, the Lisbon agenda provided for a European home built on three pillars: the economic, social and environmental pillars. We have often criticised the fact that the economic pillar is overvalued compared to the other two. The social agenda has significantly strengthened the social pillar. Our thanks therefore to rapporteur Mr Silva Peneda and the majority in the Committee on Employment and Social Affairs.

We now have a document before us which is significantly better than the Commission's original vague proposal. In the Committee on Employment and Social Affairs, we Greens made more than 40 amendment proposals and so contributed to a more concrete improvement of the socio-political core statements. Social policy involves more! It must consist of more than just a few general demands for more jobs. There needs to be more fairness in the distribution of goods, a committed fight against poverty, effective gender equality, social integration instead of exclusion, international solidarity, restructuring, respect for fundamental rights and human rights – including towards immigrants – concern for health and the environment, so that working and living conditions can be improved, and finally there needs to be clear EU directives, which cannot be undermined by the European Court of Justice.

Much is now contained in this report which will be passed during this Parliament's final plenary sitting. We can only hope that the Council and the Commission will also take these demands seriously. Only then can a social and solidly united Europe be built, a Europe which the EU's citizens expect and will happily accept.

Roberto Musacchio (GUE/NGL). – (IT) Madam President, ladies and gentlemen, I will focus on the Globalisation Adjustment Fund. Our discussion of this fund is taking place in the midst of an extremely powerful and dramatic economic and social crisis, as other Members have already mentioned. Although it is a good idea for the fund to be used more directly as part of measures to cushion the blow of unemployment, as we have been saying, we need to have a deeper discussion of its role and the context of the instruments required to tackle the crisis.

Firstly, we must take care to ensure that the emergency does not proliferate and therefore make it clear, for example, that whoever takes public money from Europe is obliged not to dismiss employees. Then we also need European crisis intervention measures to guide structural choices at this particular juncture in the automotive sector; this concerns Italy and our relationship with the United States and Germany. Secondly, we need industrial and environmental policies, but also cohesion policies, that put an end to dumping within Europe.

Thirdly, the resources are woefully inadequate, especially when compared with those deployed by the US government, for example. Buffers are no use: we need a radical change in policies.

Kathy Sinnott (IND/DEM). – Madam President, I welcome the changes to the European Globalisation Adjustment Fund. Although reducing the number of redundancies needed to qualify for this Fund from 1 000 to 500 is an improvement, the large number still discriminates against small countries and against workers who lose their jobs in smaller numbers.

In my constituencies, those who have lost their jobs due to the closure of two companies – Waterford Crystal and Dell – could qualify. That is very good, and I call on the Irish Government to immediately apply for funding on their behalf. However, thousands have lost their jobs because of global economic conditions and it is unfair that they are disqualified because they do not work for big multinationals but for small and medium-sized businesses.

I suggest that we could make this scheme fairer by either abandoning the numerical criteria of 500 jobs or by looking at job loss by category or area, not company. This way, we could extend this funding to 500 workers who have lost their jobs across a sector like farming, food processing or IT, or in a specific area, like Tipperary, Waterford, Limerick, Cork or Kerry.

A further obstacle for workers trying to access the Globalisation Fund is that it is only available to workers if their government is willing to apply for it and pay the national contribution. What happens to workers whose governments will not apply? In this I am thinking of the Irish Government, which has not applied for the Fund so far.

The very countries whose economies are hardest hit and which have the highest unemployment rates may be the countries that can least afford to pay the necessary contribution to help their workers, and yet they are the countries that need it the most.

Juan Andrés Naranjo Escobar (PPE-DE). - (ES) Madam President, I am going to talk about the renewed social agenda. Allow me to begin by sincerely thanking the rapporteur Mr Silva Peneda for his work; given the contribution he has made to this House on matters of social policy and employment I think we could talk of the 'Silva Peneda legacy'.

Madam President, mistrust and fear have taken root in our societies: unemployment is growing and in my country is doing so in dramatic fashion. We have to turn this situation around and the social agenda should help achieve that. Economic progress and social progress are not divergent paths; quite the opposite: if we want to stimulate growth and provide more, better quality jobs then we need to and must implement the social agenda, starting with all that inspires the greatest consensus.

There is no time to lose; we must not entrench ourselves in defensive positions but rather move beyond local, short-term interests and look to future generations. Social Europe should be an area that unites us and not divides us, because we are talking about common European interests. The social agenda cannot be separated from a renewed Lisbon Strategy, because economic success sustains social benefits and social benefits also contribute to economic success.

In the coming years, Europe is facing a period of stagnation and the progressive ageing of its population. We cannot bury our heads in the sand; we need to modernise our social model, precisely in order to improve it and make it fairer and more sustainable. Madam President, there are structural weaknesses that are a heavy burden and prevent us from moving forward. We must rid ourselves of that burden and implement the social agenda.

Gabriela Crețu (PSE). – (RO) The European Union has been admired for a long time for its social model. However, we have been observing for a good number of years the undermining of the right to work and social rights. A country containing all the poor in the EU would have the same number of inhabitants as Germany.

New social phenomena are appearing. After the last enlargement, it seems that social Europe is developing at two rates, with both of them going backwards. The Commission has put forward a modest social agenda in response to this. At the moment, a financial crisis has been unleashed, with an economic impact that is anything but modest, while the danger has increased of a deterioration in the situation of those already at risk.

Against this backdrop, one main principle must be applied: social rights and objectives take priority over economic freedoms in the event of any conflict. We must counter a long tradition which states that wars and crises are caused by the rich, but are paid for by the poor. Let us reject the idea, cherished by some, that profits are divided privately, but losses are shared by society.

We need a European solidarity and cohesion policy, backed up with specific legislative, fiscal and financial measures. However, to achieve this, we need political will, and this political will is expressed in the following key concepts: active inclusion, jobs, intelligent distribution of work, education, equal treatment and pay, as

well as sustainable, green development. Signing and implementing an agreement for social progress and employment would be proof of this political will. We cannot wait for it!

Philip Bushill-Matthews (PPE-DE). - Madam President, may I start by thanking the Presidency-in-Office for their opening comments – comments that were far-sighted, balanced and sensible, adjectives that we have come increasingly to associate with the Czech Presidency.

May I also thank Commission President Barroso for his remarks, particularly to remind us of the importance of jobs and especially of the need to focus on those unfortunate people who do not yet have one.

Finally, both of them referred quite rightly to the excellent work of all three rapporteurs, but I would just like to single out their reference to Mr Silva Peneda's report, because they called it 'ambitious and far-reaching'. It is, and it needs to be because of the importance of this particular subject.

Mr Silva Peneda gave us various priorities for what we must do. Can I just add a couple of things that, ideally, we should not do. We need to avoid two things in particular: one is over-rigid labour markets which paralyse opportunity, promote unemployment and simply encourage the black economy. We see this particularly at the moment in Spain and we have to learn the lessons of the Socialist failures there.

Secondly, we need to avoid exclusive concentration on protecting those still in work at the expense of those who seek it and those employers who seek to provide it. These are the groups who really need our help.

Finally, can I say that all of us clearly have different views on all sides of this House, but one thing we have in common is that we all care about the issues, which is why so many of us have been overrunning our speaking time.

I am delighted we are having this key debate. I personally am delighted that my final speech as coordinator, my final speech in this plenary, should be on such an important subject. May I wish all those colleagues who are returning every good wish and may I particularly single out Stephen Hughes. One day, Stephen, you will miss me and I shall certainly miss you, but even when I am not here I shall be watching you!

President. – We will really miss you and be thinking of you.

Proinsias De Rossa (PSE). - Madam President, no doubt he will be lobbying us too!

It does not augur well that some Member States do not want the Employment Summit this Thursday. Nor does it augur well for the future development of a social market economy that a minority of Member States blocked a compromise on a revised Working Time Directive last week. If Europe's commitment to a social market economy is real, we must integrate economic, social and environmental policies as equal elements of the whole package.

The multiple crises we face right now will not be resolved simply by fixing up the banks with massive amounts of taxpayers' savings to the exclusion of our citizens' needs as social beings. It must go beyond the open method of coordination to coordinate policies on pensions, employment, education, health and, indeed, the caring services.

However, some of our Member States are clearly incapable of thinking outside the economic box, which considers social and environmental policy costly luxuries to be dropped as a restriction on the market. That must change urgently if we are to ensure progress towards our objective of a better society.

Anja Weisgerber (PPE-DE). – (DE) Madam President, the European social models face great challenges. In particular against the backdrop of the current financial crisis, measures at European level must be coordinated. I would therefore also like to thank the rapporteurs very much for their excellent work.

Not only must we take immediate measures to regulate the financial market, we must also coordinate sociopolitical measures and create a social framework. Here we should also bear in mind the competences of the Member States. I am in favour of giving priority to creating and boosting employment at this time of crisis and also of pressing ahead with the realisation of the flexicurity principle. However, I refuse to accept the demand for the introduction of minimum wages in all Member States, as called for in paragraph 14 of the report by Mr Silva Peneda, whom I would otherwise like to thank for his work. This demand, which relates to a decision that should be left to the sole discretion of Member States, infringes the principle of subsidiarity.

Labour market regulations and systems vary greatly from one Member State to another. In my opinion, every person must be guaranteed sufficient income to be able to lead a decent life. This can be achieved through a minimum income with the help of additional state social benefits. What level would the minimum wage be pegged at? At the Romanian level perhaps? There it is around EUR 72 a month.

I particularly support the idea that we must secure a basic income for everyone, but I refer back to Member States' competences for establishing appropriate limits. I declare myself in favour of a social Europe. Europe must create a social framework, but at the same time consider the powers of the Member States.

Stephen Hughes (PSE). - Madam President, we were originally promised a full-blown employment summit this week but, instead, what we have is a half-day troika. What a dreadful message that sends to European citizens, who are joining unemployment queues at an alarming rate! What a negative message it sends to the many more who are in fear of losing their jobs! Projections show that by 2010 up to 27 million could be unemployed in the EU, and I fear it could be even worse. I very much hope the June Summit will devote at least one full day to looking at how we respond to this challenge.

Instead of pretending that the answer lies only at national level, we need strong, coherent, European-wide responses, coordinating actions at the European, national and regional levels. We need urgent action to retain viable jobs wherever possible. Lay-offs should be a last resort: intelligent work-sharing and reskilling should be used instead. We need to invest to create smart green jobs in the knowledge-driven, low-carbon economy. We need to invest to give workers the skills to work in that new economy. We need strong, active labour market policies to quickly reintegrate workers laid off and we need strong and viable social protection systems to support those who find themselves unemployed through no fault of their own.

That is more than enough to fill a full day at the June Summit. This half-day troika is a pathetic response.

And finally, Philip, I will miss you – a bit like a toothache!

(Laughter)

Oldřich Vlasák (PPE-DE). - (CS) Madam President, along with the collapse of financial markets, the growth in unemployment is one of the two main problems arising from the current economic crisis. I firmly believe that if the European Union wishes to tackle this growth, it must avoid any form of protectionism. I also regard it as crucial to coordinate individual measures within the European Union. There is a need for measures to motivate people who become unemployed to try to find new jobs. In this context, I take a positive view of the proposal that people who have lost their jobs as a result of the current economic crisis should be able to draw funds rapidly from the European Globalisation Adjustment Fund. The question, however, is whether we are going too far with the amendments to the rules of the Globalisation Fund. In my opinion, the newly proposed 75% cofinancing level is too high. The cooperation of the Member States is needed here, and let us not forget the need to simplify the administration of the fund.

Ladies and gentlemen, we surely agree that maintaining employment and creating new job opportunities in the wake of the financial and economic crisis is one of the key tasks of the European Union. In this context, the forthcoming EU summit on employment should clearly establish a common framework and specific proposals, and should also bring to a close the discussion on changes to the Globalisation Fund.

Jan Cremers (PSE). – (NL) Madam President, ladies and gentlemen, when the Commission's social agenda was first discussed last year, I said I thought that the programme lacked ambition, that it was too little, too late. I should like to thank Mr Silva Penada for his cooperation in this field of late. I think his report shows that, at all events, the European Parliament wants to see a great deal more ambition in this field.

At the start, when the idea of the European Union was born, it was clear that we wanted to base our social policy on a regulatory framework found in almost all Member States, namely sound labour law to guarantee that no one falls by the wayside and collective bargaining to safeguard workers' position in the labour market.

We have now had to add to this the social protection of the vulnerable in our society. Despite the growth there has been in Europe, we have seen a new phenomenon: that of the working poor. I should also like to thank Mr Silva Penada for including this in his report.

David Casa (PPE-DE). – (MT) It is an honour for me to have worked in the two areas that we have discussed. I would like to warmly thank the rapporteurs and all those who were involved who helped us reach the position we have today. We must, before anything else, defend those workers who unfortunately were laid off as a result of this crisis, and I believe that today it is easier to help these people re-enter the labour market.

This evening we also agreed to do our utmost to create more jobs in Europe. We can create more jobs, not, as the Socialists wish, by restricting overtime hours for workers. On the contrary, we want the workers to decide for themselves. We, as politicians, cannot dictate the amount of overtime hours one can work. This decision has to be left up to the worker. Therefore, yes, following Commissioner Almunia's statement that that we will be facing a labour crisis in the euro zone, we must do everything in our power to create more jobs and better jobs for all European workers.

Colm Burke (PPE-DE). - Madam President, I warmly welcome the revision of the criteria governing the European Globalisation Adjustment Fund. We are now at a time of deep economic crisis, the deepest since the end of the Second World War. We therefore need innovative solutions to tackle the enormous economic problems we are faced with.

The European Globalisation Adjustment Fund is one such example. I was the first Irish Member of this House to identify the possibility to deploy these funds in the recent job crises in Limerick, Waterford and Tralee, three important locations in my own constituency. I therefore welcome the work of the rapporteurs to make the criteria for application more flexible in the light of the economic crisis. Special mention should be made of the new ratio of funding between the Commission and Member States, plus the temporary lowering of the threshold for unemployment from 1 000 to 500.

I believe that these reforms will send a strong signal from the heart of Europe to those unfortunate enough to be buffeted by the gale-force winds of economic crisis that there is help available to them to help themselves retrain and upskill their way to future prosperity.

Katrin Saks (PSE). - (ET) I also support the reorganisation of the globalisation fund. In my home country, Estonia, this fund has not been used, and when I inquired why that was, I was told that the conditions were very stringent and that the limit, which until now was 1 000 people, made it impossible. We do not have any companies of that size, but smaller ones have indeed gone bankrupt. Reducing the limit to 500 would thus also definitely give Estonia – where the unemployment rate is already very high – opportunities, and the changing of the percentage of financing required would also be very favourable. Thus I once again welcome the changes that have been made regarding this fund.

Theodor Dumitru Stolojan (PPE-DE). - (RO) I too would like to welcome as being particularly useful – and I will be supporting them with my vote – the proposals for transforming the European Global Adjustment Fund into an effective instrument for combating the most painful impact of the economic crisis, namely, job losses.

It was not appropriate that this fund can currently be accessed only in situations where jobs were lost due to company relocation, a scenario regularly encountered in developed countries. The proposed amendments will allow less developed Member States, which includes Romania, to qualify for this fund.

Alexandr Vondra, President-in-Office of the Council. – Madam President, first of all let me express my thanks for this useful debate here. I think the debate was very important and constructive, just with regard to the merits of the issues. I think we are benefiting simply from the fact that this debate is very timely, immediately before the meeting which will take place on Thursday in Prague.

So let me thank you for all your contributions. I think nothing is going to be omitted or forgotten. I think this debate will contribute to the outcome of the summit to the same extent as all the preparatory work that we carried out with the Commission and which materialised in the form of those three important workshops in Stockholm, Madrid and Prague.

To those who were talking about the size or the scope of the meeting: yes, originally we had intended to have a larger summit, but we have to be aware of the general situation in the area of employment. It is an area where the national competences are very important and the Community contribution to this is not the only instrument which we have at stake. I said this in my opening remarks in which I set out some of our hopes for this week's summit. We should not lose sight of the fact that, notwithstanding the European Employment Strategy, employment policy remains essentially a Member State responsibility.

A key element of the strategy in place since 1997 has been the role of mutual learning in the search for a solution to shared problems in the employment area. This approach remains crucial today as we face one of the worst economic crises in recent times and also has its part to play in this week's summit.

But, over and above measures taken at national level, the Union itself has a role to play and it is in this context that full use should be made of the available financial instruments, not least the European Social Fund and

the European Globalisation Fund, in the process of being amended at this moment, with of course Parliament's agreement, to extend its scope to cover job losses resulting from the current crisis.

This is exactly what we want to achieve, and I think that we have reason to believe that the outcome of the meeting in Prague in the presence of the Commission, the Presidency, the upcoming presidencies and the social partners will be able to produce results in the form of recommendations and suggestions. Then we will again have the opportunity to meet as 27 at the European Council in June to generate the decisions.

So it is our hope that, with the help of the European social partners and on the basis of the preparatory works in the form of these three workshops as well as this debate here, the European Employment Summit will succeed in identifying further steps which can be taken as a matter of urgency to respond to the serious situation which currently faces our citizens and to help us to create a Union which is stronger and also more competitive in future.

Vladimír Špidla, *Member of the Commission*. – (CS) Madam President, ladies and gentlemen, during my five years of work in the Commission I have had a number of opportunities to meet with rapporteurs, and the quality of their reports therefore comes as no surprise to me. It is clear that we are meeting at a time when Europe and the whole world are facing a crisis. This crisis is often compared to the crisis of the 1930s, and there are often fears that it will have similar consequences, and certainly it is a serious crisis. However, a number of things have changed in comparison with the earlier crisis. We have the European Union, and the continent of Europe is not filled with mutual tension and hatred. There is the European social model, which has developed a very comprehensive system of social protection, and this is a substantial change. I think there is also a progressive increase in the will and the ability to act jointly, because now, for the first time, Europe has responded to crisis in a coordinated way with its plan for economic renewal, by using the power to coordinate at Community level and at the level of individual Member States. It is also clear that if we are talking about a crisis, we are thinking mainly about unemployment and its social consequences. The Commission regards the issue of employment and unemployment as an agenda priority and proposes that it should be a priority on the agenda of the EU as a whole. A number of Members have raised the criticism that the original aim of the summit of Heads of State or Government has changed to a different format. The President of the Commission has clearly expressed the view backed by the Commission, and this represents the original idea. However, I wish to say that the Prague summit is an exceptional event. It is being prepared in an exceptional way. It will include participants who have never taken part in such events before, and it is also a step on the way to the European Council. This means that the issue of employment and unemployment will be addressed at the level of prime ministers and presidents.

Ladies and gentlemen, we have debated a number of individual issues within the scope of the social agenda and during the debate a number of questions have arisen in connection with changes to individual funds. I would like to point out that the proposed agenda was mostly prepared before the onset of the crisis, but in spite of this I want to make it clear that it was and still is a good basis for facing the crisis. It also provides a good basis for actions to be taken after the crisis. I think the European social model is more than just a reaction to the crisis, however serious this may be. It is a process and it is a very long-term political and social strategy, and it is precisely that long-term aspect that is built into the social agenda. On the question of the European Globalisation Adjustment Fund and the issue of changes to the European Social Fund, I would like to express my thanks for the excellent cooperation, because the dialogue has been so constructive that the achievement of our aims is within reach at this meeting, and I consider that to be extremely important. We have a saying in Czech that 'he who gives quickly gives twice'. I do not know if our ancestors established this through precise calculations, but a quick response clearly counts for something, and is more helpful than hesitation.

Some specific questions were raised in the debate, which I would like to answer. The first of these is the question put by Mr Cottigny, concerning 1 May this year, or the month of May this year and the use of the fund. I would like to make it clear that all applications submitted after 1 May this year under the proposal which is in its closing stage will be processed according to the new rules. Mrs Juknevičienė was concerned that money from the fund often fails to reach those who need it. I think that effectiveness should always be monitored. I have had the opportunity to visit East Karelia, where there was discussion about using the fund to help people who had lost their jobs through restructuring at Nokia, and I can say from this experience that discussions clearly showed that the great majority of those who had lost their jobs considered the assistance given to them by the European Globalisation Adjustment Fund to be necessary, rapid assistance which was useful to them. At the time I was there, 60% of them had already found new jobs. Of course that was not everyone, but even so, it was clear that this mechanism was working. Another question which was raised was that of cofinancing. Of course, Mr Vlasák is right in saying that cofinancing plays a significant role; nevertheless, I think an increase in the level of cofinancing in a time of crisis was the right proposal,

because some states which are in a very difficult situation have serious problems in obtaining cofinancing. In order to facilitate this, we proposed a level of 75%. Following the debate in Parliament, the proposal has been reduced to 65%, and I think this is a substantial step which genuinely facilitates use of the fund. I would also like to underline something that was not so explicitly emphasised in the debate, although the European Social Fund is a well-established institution which helps millions of people annually, and helps them very effectively. In the case of this fund, too, we have jointly amended the rules in discussion with you, and I think this will facilitate its use and effectiveness. Mrs Lambert emphasised the importance of social inclusion. I think it should be stressed that our line is absolutely clear. The European social model is a model of an active society, where activity in the labour market is the key element. However, it is not a model that accepts only those who are participating in the labour market, because a large proportion of our citizens are, for various reasons, not participating in the labour market and yet it is very important that they should have the opportunity to participate actively in society and that they should play an active part. Mr Silva Penada emphasised social dialogue. I can only agree with his view that social dialogue is, at this particular time, more important than ever.

Ladies and gentlemen, I would like to say that in my view, the social agenda and the employment agenda are gaining in importance and that this is a process which is progressively making itself felt in all EU strategies, as it is in all of the proposals for changes to the long-term plans and outlook of the European Union. I would like to thank you and to end by expressing my deep conviction that the European social model is a model which calls for European integration; it is not a model which could be developed and maintained within the borders of national states acting on their own, and I would therefore like to conclude by saying that in my view, Europe and European integration are an essential precondition for the further development of the European social model.

Gabriele Stauner, *rapporteur*. – (DE) Madam President, President-in-Office of the Council, Commissioner, I would like to add to the Commissioner's remarks on the European Globalisation Adjustment Fund (EGF). The EGF is also part of the European social model. He was right to say, 'a stitch in time saves nine'. We had intensive discussions with the Commission and I would like to stress that in this case our reaction is swift, but high calibre in terms of content and quality. It is a compromise which I and my colleagues are very proud of.

I would like to summarise a few thoughts from the discussion: as far as the EGF is concerned, it turns out that thankfully there is broad consensus on revision. I would like to direct a small appeal to the Commission: please do not only take residual funds out of the European Social Fund (ESF) for the EGF, but collect other residual funds from the budget. To those of us interested in social policy, it would of course be ideal if the ESF funds were spent entirely on ESF objectives and the EGF funds came from other residual funds; then we would be able to do twice as much good for workers.

To my fellow Members Mrs Lynne, Mrs Sinnott and Mr Burke I will say, by way of example, that the EGF can achieve a lot, but it certainly cannot solve all regional problems. That is quite clear, and that is not its purpose. Member States still have some responsibility. I would like to make another appeal to the Commission: perhaps you can avoid exhausting the funds for technical assistance – 0.35% – which are at your disposal in accordance with the regulation. Workers would then benefit even more. The comment by Mr Naranjo Escobar was very accurate and concerns a task for the future. In view of the economic and financial crisis, we must also revise the Lisbon Strategy.

I would like to direct a comment to Mr Hughes: an employment summit would surely be a fine thing, but I say to you in all honesty, a troika meeting is also appropriate if it produces something rational. We do not need to have a summit for the sake of it. We need good and swift results!

José Albino Silva Penada, *rapporteur*. – (PT) At this stage of the debate, I want to make three comments. Firstly, I want to say that social policy is not the monopoly of any one political force in this House. The Group of the European People's Party (Christian Democrats) and European Democrats, the political force that I represent in this House, has contributed to social policy during this legislative term in what I regard as a very decisive way. I played a very active part in various reports, on various subjects, in particular the review of the European Social Fund, the European Globalisation Adjustment Fund, flexicurity, the report on the European Social Model, the Working Time Directive, and now the European Social Agenda.

From my experience of this legislative term, I am convinced that we can achieve broad consensus on questions of social policy. However, in addition to broad consensus on the design of policies – which I regard as having been achieved – we must also be more demanding in terms of achieving consensus on political action. In

this respect, the feeling that I have is that, in the Commission and in the European institutions, we should have developed many more incentives so that financial resources could be allocated at local and regional level, subject to there being convergence between the various bodies and actions so that social problems can actually be solved.

My third comment concerns the problem of trust. Trust cannot be decreed or legislated for; it depends to a large extent on the behaviour of the institutions. I believe that a culture of cooperation in the design of policies will help to restore trust. I believe that, during this legislative term, here in the European Parliament, we have set a good example of how to cooperate, and the result of this work on the Renewed Social Agenda is clearly based on this idea.

I agree with the Commissioner when he says that social dialogue has to be at the heart of the debate. However, more than just social dialogue, I believe that we are now at a stage where social policy must be at the heart of the political debate. I am therefore very much in favour of the words spoken here in this House regarding the summit on employment and social policies. I feel that it is now absolutely appropriate for this matter to be discussed.

Finally, this is my last speech in this Parliament and I want to thank – on behalf of the President – all the Members, and the Commissioner and the Commission, for the way in which they have cooperated with me over these five years of intense and exciting activity in this European Parliament. Thank you very much.

Jean Lambert, rapporteur. – Madam President, I very much regret that some of our dearest colleagues are leaving us at the end of this mandate.

A number of points came up in the debate, not least in relation to anti-discrimination and how important such measures are, even in times of economic downturn. The point was raised about the work we have done on this issue in the Committee on Women's Rights and Gender Equality. The issue of mutual support was also raised.

I want to stress at this point that one of the dimensions we raised in the inclusion report was that of the local level, and certain local economy dimensions. We talk a lot about national and international economies, but the local economy is crucially important: people's access to banking, even if they are not very well off, to microcredit and to credit unions. We need to beware of poorer people finding themselves being pushed more and more into debt at very high interest levels through loan sharks and the like. We need to make sure that this does not happen, as it really eats away at people.

However, in terms of the local authority dimension and the services dimension we talked about as well in connection with the report, another area that the committee particularly wanted to stress was the subject of housing, because, again, in times of economic downturn, there is more and more pressure on people who maybe find themselves unable to afford the housing they are in. There is therefore going to be a need to concentrate on that level; we could perhaps use the open method of coordination to look at best practice across Member States.

Finally, I would like to mention the Social Fund. We are very concerned that this does not get brought into a very narrow dimension about what constitutes employment and preparedness for employment, as we do not want to lose a lot of the imaginative and very productive and interesting schemes that have been helping people for so long find their way into employment from very difficult starting points.

President. – The debate is closed.

The vote will take place on Wednesday 6 May 2009.

Written statements (Rule 142)

Kelam, Tunne (PPE-DE), in writing. – In a few days, European leaders and stakeholders will meet at the Employment Summit. Rapidly rising unemployment has become the core problem of the current financial crisis. It is a deeply human problem: in fact, the biggest social injustice Europe has. What the Government leaders and politicians need is to address the situation with imagination and concrete measures.

2009 is the year of innovation and creativity. Europe has to take this opportunity to reduce unemployment. The best way is to stimulate the creation of new jobs. The key issue is supporting small and medium-sized businesses. One practical way is also to ease the bureaucratic rules for applying for European funds. SMEs

create jobs and will be a major instrument for reducing unemployment in the future, provided that we in the EU efficiently support them.

Moreover, Europe has to invest in education, especially in life-long learning. Unemployment is a big shock to everyone. First of all, the EU and Member States need to help people to overcome this shock and be prepared for alternative solutions, in order to re-enter the labour market again as soon as possible. Investing in innovation, research and development and life-long learning is the best way to achieve this.

Magda Kósáné Kovács (PSE), in writing. – (HU) In spite of every effort we have made since our accession in 2004, a situation of 'competitive' poverty has gradually evolved in the EU. The economic crisis has obviously exacerbated the situation both at Member State level and among ordinary citizens. The social conflicts arising from this are threatening existing European frameworks. After all, ordinary citizens rightly expect the European Union's institutions not only to help the banks, but also to provide them with social security.

Competition on the market, which is contracting due to the crisis, is intensifying both among companies and employees. The underlying social tensions in the EU are best illustrated by the excessive reactions provoked by the ECJ judgments in connection with the posted workers directive.

Familiarisation with the actual legal situation is crucial to dispelling the groundless fears. The next Commission should assess the transposition of the Posting Directive in Member States.

Apart from the measures contained in the social package, other legal instruments are required for handling the crisis and resolving tensions. It may be very difficult to guarantee social peace without a European minimum wage. The definition of decent work and a decent living and cross-border collective agreements are just some of the issues where the Commission has further work to do.

In the long term, naturally, in order to achieve the social objectives, the Lisbon Treaty and Charter of Fundamental Rights already ratified by 25 Member States may guarantee a wider European remit by establishing equality of economic and social rights but, at the same time, without replacing in any way the package of rapid short-term measures.

Iosif Matula (PPE-DE), in writing. – (RO) The European Globalisation Adjustment Fund (EGAF) is an important instrument used by the European Commission to alleviate the economic crisis and provide assistance to the people directly affected. There are industries or sectors of the economy, such as the financial sector, car industry and sales sector, which are feeling the impact of the crisis more severely as they have been obliged to curtail their activities and make staff redundant, something which we are also noticing in Romania. According to one survey, during the first quarter of 2009 there were three times as many redundancies recorded as new jobs created across the European Union.

By implementing actions to counter the effects of the global economic crisis, we can also achieve the objective of social, economic and territorial cohesion. I think that this may be better achieved if the EGAF is targeted at unemployed people who come from the same region or neighbouring regions and even from different Member States, if they share a common border. On the one hand, we must show solidarity to those who are losing their jobs, while on the other hand, we must help them return to the labour market. Professional retraining and specialisation according to the areas of development and the specific resources available in each region may help create new jobs.

Siiri Oviir (ALDE), in writing. – (ET) In the present era of global economic crisis (i.e. the economic recession and increasing unemployment), there is a reality in the EU labour market that an increasing number of people will be made redundant, which will further increase the total number of people suffering from poverty and alienation in Europe.

Today it is very important that social involvement and related labour market policies should also be sought through an integrated and united approach within the recovery plan for the European economy.

In addition, Member States should not sacrifice social affairs, health and education in cuts made while reviewing their budgets, because these are precisely the areas that contribute to bringing people at risk of poverty back into society.

It must be recognised that it is often very complicated to connect Member States' social assistance and active participation in the labour market, especially when the work that can be obtained is temporary, seasonal or parttime, and if the conditions for obtaining support and social assistance systems or minimum tax rates do

not motivate individuals to take such jobs. In these new conditions, we must make our social assistance system more flexible; the present situation demands that we do so.

I believe that social assistance must guarantee a sufficient minimum income to guarantee a humane life that surpasses the poverty line and is sufficient to help a person out of poverty, and must not further exacerbate that poverty due to its inflexibility.

Esko Seppänen (GUE/NGL), in writing. – (FI) It is amazing, in fact it is unforgivable, that the EU Social Summit and Dialogue with the Social Partners should be conducted at troika level, without the attendance of the Heads of State or Government. It shows there is little interest on the part of EU leaders in developing the social dimension. It shows that we are a long way from the objective of making the Union a Europe for Citizens. Of course, the banks get rescued using state funds by nationalising their debts, but no one cares about people's well-being.

IN THE CHAIR: Diana WALLIS

Vice-President

11. Question Time (Commission)

President. – The next item is Question Time (B6-0231/2009).

The following questions are addressed to the Commission.

Question No 23 by **Manuel Medina Ortega** (H-0206/09)

Subject: Competition and transparency of income taxation

Does the Commission consider the maintenance of non-transparent systems of income taxation within the European Union to be compatible with free competition and if not, what steps does it intend to take to put a stop to such systems in Member States or parts of Member States?

Andris Piebalgs, Member of the Commission. – Let me first recall that Member States are, under Community law, largely free to design their direct tax systems in a way that best meets their domestic policy objectives and requirements. But in recent years they have reached common agreement on several measures proposed by the Commission that are designed to tackle the erosion of tax bases and investment allocation distortions. In doing so, Member States have acknowledged that EU-wide cooperation and fair tax competition rules are vital to protect revenues.

On the question of transparency raised by an honourable Member of Parliament, I would like to recall that very recently, on 28 April 2009, the European Commission adopted a communication identifying actions in order to promote good governance in the tax area, which means transparency, exchange of information and fair tax competition.

Firstly the communication identifies how good governance in the tax area could be improved within the European Union so as to reinforce the argument for other jurisdictions to follow. It calls on Member States to swiftly adopt Commission proposals for directives on administrative cooperation and mutual assistance in the recovery of taxes and savings taxation. Member States should also continue to give appropriate priority to eliminating harmful business tax regimes. More specifically, the Commission's proposal on administrative cooperation contains a provision according to which bank secrecy could no longer be invoked to deny a request for information from another Member State relating to persons non-resident in the requested Member State. This is entirely in line with international consensus on tax information exchange.

Secondly, in order to enhance the promotion of good governance beyond the European Union, the communication suggests how to ensure better coherence between EU policies with a view to ensuring that the deepening of economic relations between the European Union and its partner jurisdictions would be accompanied by a commitment to good governance principles. Particular emphasis is placed on ensuring support for developing countries which have committed to the good governance principles.

The communication also proposes ways of ensuring more coherence between Member States' individual policy positions in the international tax area and agreed good governance principles. This would notably include, where appropriate, a coordinated response to jurisdictions that refuse to apply good governance principles. Today the Commission presented the communication to the EU ministers of finance at the Ecofin

meeting, with a view to seeking their support on the proposed approach for the last Ecofin meeting of the Czech Presidency in June 2009.

Manuel Medina Ortega (PSE). - (ES) Thank you very much for your answer, Commissioner. You have addressed a number of aspects, such as transparency; what I missed in your speech was a reference to recent agreements in the framework of the G20, concerning the fight against tax havens and so-called 'non-cooperative jurisdictions'. Is the Commission contributing to the G20 proposal or has it remained entirely on the fringes of this type of negotiation?

Andris Piebalgs, Member of the Commission. - The Commission is a full participant in the G20 and is participating fully in this process.

I have already mentioned some of the measures the Commission would like to encourage Member States to take. It is fully involved in the G20 process.

Hubert Pirker (PPE-DE). - (DE) Madam President, Commissioner, in principle I am against the introduction of new taxes. They affect, above all, the middle class. They affect wealth creation and do not stimulate investment.

However, we must consider taxes in conjunction with short-term stock profits. Do you envisage that taxes on short-term stock profits gained from naked short selling will be earmarked for the creation of new jobs?

Avril Doyle (PPE-DE). - Could the Commissioner please reassure the House that he is firmly committed to all direct taxation – income tax and corporation tax – being firmly left a Member State competence? Please confirm that is your view.

Andris Piebalgs, Member of the Commission. - Well, there is a Treaty and the Treaty is very clear. We know that there will be a new Irish referendum perhaps on the Lisbon Treaty, but these Articles are very clear on how the competences are divided in text, and the Commission has no intention of writing a new treaty with different responsibilities.

This is also partly the answer on using tax policy for creating jobs. As different countries are in different situations, a Europe-wide taxation instrument will not perhaps achieve the same goals as in a particular Member State.

Taxation instruments are sometimes good to really create incentives or develop the economy, but this is very much dependent on the situation in particular Member States.

President. - Question No 24 by **Nikolaos Vakalis** (H-0240/09)

Subject: EU earthquake policy: actions taken by the Commission 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.

Furthermore, in my letters to the Environment Commissioner (10.1.2008) and the Commission President (22.5.2008) I have drawn attention to the urgent need to draw up a communication devoted specially and exclusively to the effective management of responses to earthquakes.

In the wake of the recent deadly earthquake in Italy, does the Commission take the view that it is covered by its written answer of 22.7.2008 (P-3470/08) and the answers furnished by Mr Barroso and Mr Dimas or does it intend to take further initiatives to protect European citizens from earthquakes?

Stavros Dimas, Member of the Commission. - (EL) Madam President, the Commission is fully committed to helping to protect people from earthquakes. This protection must form part of an integrated approach to dealing with situations which may be caused by various dangers. The Commission recently adopted a communication entitled 'A Community approach on the prevention of natural and manmade disasters' which also covers earthquakes. This communication follows on from the actions taken by the Commission over recent years, which are in line with many of the recommendations formulated by the European Parliament in its resolution in 2007. This specific action relates in particular to the dissemination of best practices, the development of joint approaches to risk evaluation, mapping and education and awareness-raising, while

at the same time seeking to improve the cohesion of and synergies between financial and legislative means of prevention which already exist, thereby strengthening the added value of action by the European Union. The Commission will make every possible effort to moderate the impact of earthquakes by encouraging the Member States to fully integrate the common European planning codes for buildings and public works, especially Eurocode 8, into their national regulations. The Commission awaits the response of the European Parliament to the approach proposed in its communication with particular interest.

Nikolaos Vakalis (PPE-DE). – (EL) Madam President, I am sorry, but the question remains. I honestly do not understand: why does the Commission refuse to do for earthquakes what it did for floods? What is the difference? In fact, I am very surprised that this debate is being held after the recent disaster in Italy. As regards the last communication to which you referred, it mentions earthquakes in passing at three points, to which you referred. Do you honestly believe that a reference to earthquakes at three points in a communication suffices to counterbalance the huge need which we have in Europe for a communication specifically on earthquakes? I would honestly like to have an answer.

Stavros Dimas, Member of the Commission. – (EL) Madam President, the communication which we released in February 2009 takes an integrated approach to the overall question, regardless of the source of the danger. We consider that this approach is the best. As far as floods are concerned, we have a communication on water scarcity and drought. There are communications on specific dangers or specific problems which exist, but we consider that the integrated approach which we want to use is the most appropriate.

We await Parliament's response and, if there are important reasons why we should abandon this approach, then we shall consider them. However, I must say to you that the Commission communication will also help a little in preventing the consequences of earthquakes.

As such, it is addressed at the Member States, which jealously guard the principle of subsidiarity as regards competence for this matter, so that they will incorporate the provisions of the European Union on buildings into their national laws, be they the provisions of Eurocode 8 for new buildings, or the provisions on strengthening buildings for old buildings. Let them do so, let them take certain other actions which are needed, such as strict compliance with planning regulations, in order to prevent most of the disasters.

Hubert Pirker (PPE-DE). – (DE) Madam President, Commissioner, connected to the fault line through the Apennines, there is another fault line which crosses Slovenia. As you perhaps know, the Krško nuclear power plant is situated on this fault line. On our initiative several warning devices have been installed there. What measures do you plan to take, following this devastating earthquake in Italy, to guarantee the security of the Krško nuclear power plant, which stands on a fault line connected to this. Do you think that you might take precautionary measures, which might go so far as closing Krško?

Giorgos Dimitrakopoulos (PPE-DE). – (EL) Madam President, I too am surprised by the position expressed by the Commission here today because, of course, we respect the reply as regards the question of subsidiarity and I absolutely agree with the specific demands, but that does not resolve the question of a collective political proposal on the part of the European Commission which includes all aspects of disasters caused by earthquakes. Mr Pirker added yet another and, of course, we shall find others. The question therefore remains: why, over and beyond the principle of subsidiarity and the specific measures mentioned by the Commissioner, do we not have a global proposal on the part of the European Commission?

Stavros Dimas, Member of the Commission. – (EL) Madam President, as I said earlier, we await the response of the European Parliament to the communication we have issued on earthquake prevention. Once we have a response, we shall examine if this approach or the other approach is better. In particular, there are specific provisions for nuclear installations and there is the Seveso II directive for industry.

President. – Question No 25 by **Avril Doyle** (H-0211/09)

Subject: Solar thermal electricity and the Economic Recovery Plan

In a bid to tackle the serious energy and economic challenges facing the European Union, in its recovery package the Commission has proposed measures designed to contribute to both economic recovery and energy objectives. However, solar thermal electricity (STE) - one of the most promising renewable energy sources - is not included in the list of sectors which stand to benefit.

Moreover, European industry is currently the world leader in this area, but it can only maintain this position if the domestic market expands and if further R&D is promoted.

Can the Commission please comment on why the STE sector has been excluded from the strong financial boosts provided in the recovery plan? What other sources of funding are available to the sector?

Andris Piebalgs, Member of the Commission. – Solar-thermal electricity was never excluded from the European Economic Recovery Plan. It was not included for the reason that we addressed the most urgent energy needs. That means that we looked at the issues where the crisis has had the greatest impact and where projects could not materialise.

The first question was interconnection. Any power production, especially from new energy sources, cannot function if there are grid issues. So we addressed as a matter of urgency the electricity grids and interconnection between member countries.

On top of that we have had the gas crisis, which clearly showed that in some cases missing physical infrastructure has a huge impact as regards gas supply disruption. This is the easiest way to respond to the security of gas supplies.

And we addressed two other issues which I think would definitely be postponed if they did not have support from the Community: firstly, offshore wind energy, which is rather a large project that needs to be connected to the mainland grid, and, secondly, carbon capture and storage, where we really need to encourage industry to come with a full-scale project as soon as possible.

For this reason we have not considered other eligible areas. That is why it was not included, not because I do not believe in it. I believe in solar thermal energy but we addressed the most urgent needs.

What sources are available to support the further evolution of solar thermal electricity? First there is the seventh framework programme. We have EUR 2.35 billion for the years 2007-2013. Second, it is one area where you can provide the tool. From next year we have an opportunity to provide 300 million emission allowances for new entrants. Renewable energy projects, such as solar thermal electricity, are eligible. So if the projects are there they are very welcome.

We can also use funds from the European Regional Development Fund. We encourage more use of synergy energy sources; in particular we increased the limits of how much renewable energy could be used in relation to housing and energy efficiency. So overall eligibility for these measures has been increased.

On top of this, in the summer or early autumn, the Commission will table a new communication on financing low-carbon technologies. We will try to elaborate on it so that these technologies get support, not only from the Community budget but also from industry and the Member States, so that this support is targeted and so that we get the new technological development very quickly to achieve our goal of 20% renewable energy by 2020, but perhaps we can be even more ambitious in this respect.

So we have not excluded it. It is just that we have a lot of areas that we need to address and we have taken the most urgent areas where money needs to be invested now.

Avril Doyle (PPE-DE). – Thank you, Commissioner, for a very full reply. I have noted carefully what you have said.

In the event that any of the projects which have been nominated specifically under the Recovery Plan are not in a position to draw down the funding by the deadline of 30 June 2010, will you have what I will refer to as a reserve list of projects that are ready to go, so that the money will actually go into this sector, to energy efficiency and low energy?

In the solar thermal area, for example, they have major projects ready to start construction at the end of 2009 and early 2010; they have several projects ready to go. Could we have a reserve list so that all this money is used in the event of those who have been allocated at the moment not being in a position to draw it down?

Andris Piebalgs, Member of the Commission. – In establishing the list we looked at the majority of the projects and we also involved the Member States, so at this stage I have no reason to believe that we will be unable to disburse or commit all the money.

If there should be some delays, or if some projects are not sufficiently prepared, we will have a report in March 2010. So, if there is a possibility that part of the money is available, I promised at dialogues that the Commission will consider, if appropriate, making a necessary proposal. But it is premature to promise it

because it depends how well we can commit the money, as today there are a limited number of projects where we believe that they have advanced enough to use this money.

President. – Question No 26 by **Marie Panayotopoulos-Cassiotou** (H-0218/09)

Subject: Nuclear power stations

According to the Institute of Energy of South East Europe, many EU countries and other countries from southern and eastern regions and eastern Mediterranean countries engaged in accession negotiations are examining schemes to extend or construct nuclear power stations to generate electricity. Will the Commission say what actions and initiatives it intends to take to impose pre-conditions and restrictions in respect of these initiatives, bearing in mind the special geological characteristics, climatic conditions and the possibilities for funding these schemes and their viability?

Andris Piebalgs, Member of the Commission. – Well, my colleague Stavros Dimas has already replied to a supplementary question on this issue.

Basically, nuclear energy is established in a way that means that each country has a nuclear safety regulator who has full responsibility for implementing nuclear safety measures. At the same time, each Member State decides whether or not to use nuclear energy. This is subject to the Euratom Treaty, and very clearly there are additional requirements. The additional requirements are that each project that is submitted is also analysed by the Commission and we make a recommendation on the projects to be developed. We did that in the case of Belene and also of Mochovce.

There is also a clear obligation that the requirements of the environmental impact assessment should be fulfilled, as laid down in Community law, and the additional requirements of the UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context will also be applicable.

So whatever project is being proposed, we are not discriminating between Member States. There are clear requirements to be fulfilled and each project is analysed on its own merits, based on the Community acquis and on environmental legislation. I can assure you that this process is so watertight that no permission has ever been given to build a nuclear power installation unless all the safety requirements can be guaranteed.

Marie Panayotopoulos-Cassiotou (PPE-DE). – (EL) Madam President, I should like to ask, in connection with what the Commissioner said about the evaluation of every proposal, if an ex-ante study can be carried out for the area in question, including on the basis of EuroMediterranean cooperation and the particular character of the area, so that there are criteria which every country will have to take into account from the beginning and comply with in their planning.

Andris Piebalgs, Member of the Commission. – First of all, each and every country develops its own legislation that decides on the process of how the application should be made. Later, the process very much relates to, and is based on, the national legislation and Euratom legislation. As a result, we cannot take a regional approach. We need to look at the specific situation in each and every Member State and, at the same time, each and every project.

We cannot just consider an average situation in the region and say that this region is not suitable for using nuclear power. That would be untrue because you cannot develop a project that could be used in more or less every place. It is a question of the costs, conditions and time needed. So, we cannot go with a regional approach. We really need to look at each and every concrete project because only in this way can we guarantee full safety in this project.

Paul Rübzig (PPE-DE). – (DE) Madam President, Commissioner, ladies and gentlemen. Commissioner, I would like to congratulate you on the nuclear package which you have just tabled and which, in particular, concerns new nuclear power plants, as well as the proposal that, in future, International Atomic Energy Agency (IAEO) standards should be binding.

I would be interested to know whether you think you could prepare a proposal for an EU regulatory authority or the upgrading of WENRA to a body for issuing binding standards in the next legislative period, and whether we could also make IAEO standards compulsory for all Member States.

Andris Piebalgs, Member of the Commission. – On the second part, I believe that, with this high-level group of nuclear regulators, we can move forward with stronger standards. This is just the point of departure; it was the lowest common denominator we could have developed.

At the same time, because of the sensitivity of the issue – politically and also, sometimes, culturally – I strongly doubt that the European regulator could play the role required. I would not say the European regulator could not be trusted, but that regulator needs to keep a distance from nuclear power installations. I believe that full responsibility for safety should lie at all times with a national regulator, because that is the best way and that will always avoid the debate of whether the central regulator is pushing hard enough for nuclear energy etc.

It is good to establish a common framework, but responsibility must remain with all the regulators who, as is proposed in the nuclear safety directive, have full powers and all the necessary instruments to implement this policy. We have very good nuclear safety regulators in the Union, so an organisational shake-up is not necessary. We just need to increase the binding standards, starting from the level we have now, and working together, thus demonstrating to the world that standards can be increased in the nuclear industry.

President. – Question No 27 by **Brian Crowley** (H-0232/09)

Subject: Promoting sustainable energy in cities

In my own home city of Cork, local authorities and businesses are striving towards the creation of sustainable energy policies. What is the Commission doing to support cities like Cork in their efforts to promote sustainable energy?

Andris Piebalgs, Member of the Commission. – I am very glad that you put this question, because I am very proud of one of our achievements, and that is the Covenant of Mayors.

In 2008 we supported the initiative from cities to have a Covenant of Mayors. This means that cities make a binding obligation to reduce CO₂ by more than 20% by 2020. They develop sustainable energy action plans for this. They have also founded a Covenant of Mayors' Office for coordination and promotion. We support these actions through the Joint Research Centre, to provide scientific background and technical support for the preparation, implementation and evaluation of the sustainable energy action plans. For smaller municipalities, the Commission negotiates with other national, regional and local administrations to ensure their support for the smaller cities.

An advanced system of good practice, the Benchmarks of Excellence, is also intended to be implemented this year.

We have also created a financial support facility through the European Investment Bank (EIB), in which we place the grants, and also use the EIB to target sustainable development in the cities. The EIB has already been involved in specific projects, such as with Barcelona, on which negotiations are quite advanced.

I know that the City of Cork has not yet signed this Covenant, so it is still up to the City of Cork to use this opportunity. It is a good way to really mobilise citizens behind these initiatives.

At the same time there are also other instruments for sustainable development, and the cohesion policy provides significant support to cities to implement sustainable energy policies and actions. In total, for the period 2007-2013, EUR 9 billion from cohesion policy funds will be directly invested in sustainable energy initiatives in the EU. The Southern and Eastern Operational Programme, which includes the City of Cork, will invest EUR 669 million in the region and contribute to reaching Lisbon growth and jobs objectives.

These cohesion funds will directly support sustainable energy projects in the region, and will help to mobilise further national investment. Funding may be used to stimulate energy efficiency and renewable energy production, the development of efficient energy management systems and the promotion of clean and sustainable public transport, particularly in urban areas.

The Operational Programme includes the 'Gateway Challenge Fund', which is based on an integrated sustainable development strategy for Cork.

Finally, the Regional Development Fund was recently changed to give all Member States the possibility to use regional funds for energy efficiency improvements and the integration of renewable energy into existing housing. This can be as much as 4% of the total Regional Fund allocation.

So, to summarise, I believe that we have created a framework for cities that share an ambition to develop sustainable models for their citizens, and that is the Covenant of Mayors. The Covenant of Mayors includes sympathisers like New York and Rochester, and has participants from other non-EU countries, so it offers a lot of knowledge through the office we operate.

As concerns financial support, we do not at this stage have any programme dedicated to energy efficiency, but we have the Structural Funds, we have an Intelligent Energy Europe programme and we have also the European Investment Bank. We are using all those instruments to support these initiatives. The European Investment Bank is very active in this process. However, at this stage it is not so much an issue of finance, but more about good projects and really dedicated policy from the cities.

That is my answer to your very important question. I believe that cities have every opportunity to lead the way towards a sustainable energy future.

Brian Crowley (UEN). – Thank you to Commissioner Piebalgs for his response. Commissioner, you have already pointed out in your response that there is a saving in economic terms because of the efficiency in energy, but now we need to move on to the next step. Rather than just promoting sustainability and energy efficiency, we need to utilise the funds to create new ways of creating energy to make cities even more self-sufficient, rather than importing fuel or building nuclear power stations, as we were saying previously. We need to find cleverer and better ways, and maybe you might look in the future not just to the investment bank but to new ideas coming from the Commission as well.

Andris Piebalgs, Member of the Commission. – We are trying to respond to this request. We are planning, by the end of this year, to develop a new energy efficiency action plan that will address this. We are also drawing up a communication on the financing of low-carbon energy sources.

It is very important for stakeholders to take the initiative, and I expect cities to put forward proposals and put pressure on Members of the European Parliament and on Member States to create Europe-wide instruments in the areas concerned.

Without this bottom-up approach, we will fail to use the opportunities that exist. European cities are so diverse, and there are so many good ideas, that we should not just try to apply a top-down approach to each and every city.

I believe that the Covenant of Mayors will provide much-needed intellectual input and experience to the policies we need to formulate to achieve sustainable cities. It is not only about savings. There are many issues involved. It is also about smart grids, the integration of renewable energy and sustainable transport – hydrogen buses, electric vehicles. There are plenty of opportunities.

Each and every city could make its own programme, because what the Covenant of Mayors has done is make an obligation to reduce CO₂ by more than 20%. That does not necessarily mean through energy efficiency. It could be a completely different policy area. It very much depends on local circumstances.

President. – In view of the time I am afraid I will not take the further supplementary question. I am sorry, Mr Rübig, but you have had one question already and the Commissioner has given us some very full answers.

President. – Question No 28 by **Claude Moraes** (H-0216/09)

Subject: The economic crisis and avoiding protectionism

As our Trade Commissioner you have rightly said that we must avoid protectionism in our response to the current economic crisis, as it is widely acknowledged that we will not get out of this economic downturn through restricting trade.

In what ways is the Commission working to prevent the growth of protectionist tendencies in its international trade negotiations? Can any progress be reported with regards to completing the Doha Round?

Additionally, how will the Commission ensure that the promotion of open trade is balanced with the EU's development priorities, such as core labour standards and environmental sustainability?

Meglena Kuneva, Member of the Commission. – Since the outbreak of the economic crisis, the European Union has taken a firm stance against straight protectionism, consistent with its commitment to fair and open trade.

The Commission is intensively monitoring protectionist measures put in place by its major trading partners with a view to appropriate action. Furthermore, the EU has strongly supported the initiative of the World Trade Organisation to report on trade-related developments during the economic and financial crisis.

Since the beginning of the current crisis, more than ever the EU has been committed to multilateralism, to transparency and to open markets based on rules that benefit developed and developing countries alike. The EU has consistently argued that an ambitious and balanced Doha Round outcome is among the most important instruments in preventing trade protectionism and in boosting the economy.

This is also the message put forward by the WTO in the recent trade policy review of the EU trade policy, which praised the role played by the EU in strengthening the multilateral trading system. The key role the Doha Round could play in the current crisis was also recognised in the G20 global plan for recovery and reform issued on 2 April. The G20 leaders expressed their renewed commitment to reaching a swift conclusion of the Doha Round.

Finally, the EU's commitment to open trade goes hand in hand with its commitment to sustainable development, which is an overarching policy objective for the EU, including in the context of various trade policy initiatives.

Sustainable development and, in particular, environmental and social considerations are important components in our trade policy. This is witnessed by the inclusion of sustainable development provisions focusing on labour and environmental standards in our bilateral trade agreements.

Claude Moraes (PSE). – Thank you, Commissioner, and I am conscious that you are standing in for Commissioner Ashton. I want to congratulate the Commission, and indeed Members in this House who are on the Committee on International Trade, for pushing the line of discouraging protectionist tendencies.

I should like to ask about the issue relating to developing countries and how we can ensure that we increase or facilitate trade both with and between developing countries, for example via increased trade-related assistance. This is an important component that we should factor in. Overall, I have seen very encouraging activity from the Commission and Parliament in relation to protectionist tendencies, which would be a retrograde step.

Meglena Kuneva, Member of the Commission. – Reports by the WTO and the Commission's own monitoring show that there is no imminent risk of a generalised protectionist escalation. None of the large trading nations has yet resorted to across-the-board restrictions on trade and investment. Developments in certain countries – for instance, Russia, Indonesia and Argentina – need close monitoring as these countries have until now been the greatest users of border measures to restrict trade. Overall, the most targeted sectors are agriculture and food products, iron and steel, metal, automobiles, textiles and toys.

David Martin (PSE). – Does the Commission accept that as well as lecturing others and monitoring others to avoid the risk of protectionism we should be careful ourselves and make sure that when we use our trade defence instruments they are for the purposes for which they are intended and not as protectionist measures?

Meglena Kuneva, Member of the Commission. – The Commission is doing everything possible to ensure that this monitoring is strong in every aspect, especially on the issue that you raised. I could convey the message to Commissioner Ashton in order to have a more specific view and a more specific answer. But so far there are no disturbing signals.

President. – Question No 29 by **Seán Ó Neachtain** (H-0234/09)

Subject: Internet piracy Canada

Canada has one of the world's highest levels of Internet piracy. This is exacerbated by serious legislative and enforcement deficiencies. In fact, Canada's Copyright Act is in urgent need of revision in order to bring it into line with current international standards of protection in the on-line environment, such as those laid down in the WIPO Internet Treaties of 1996 and the EU Copyright Directive (2001/29/EC). The longer this situation lasts, the longer European rights holders – in particular the creative sector (authors, composers, performers, songwriters and phonogram producers) – will be deprived of the legal tools they need to stop the large-scale online infringement of their rights in Canada. Their losses to Internet piracy are huge. The situation is such that legislative action needs to be taken now rather than after the upcoming EU-Canada Trade Summit in May and subsequent bilateral trade negotiations.

Given the urgency of this issue, what is the Commission doing to ensure that Canada amends its relevant legislation without any further delay?

Meglana Kuneva, Member of the Commission. – The Commission is aware of the issues raised in relation to Canada's intellectual property rights protection and enforcement. We are extremely concerned that Canada's proposed reform of its Copyright Act appears to be being given so little priority.

Reasonable protection of intellectual property rights is essential for the future survival of the creative industries. While several Member States are now eagerly discussing how intellectual property rights can better be adapted to the online world, we must indeed still pay attention to the risks of internet piracy originating from third countries.

One of the key issues in play is how to strike a fair balance between the interests of rights holders and those of consumers, while respecting data protection rules. You will remember that this was a key debating point of the Commission Creative Content Online initiative launched by the Communication of 3 January 2008.

The Commission's concerns have been put forcefully to the Canadian authorities for quite some time now. The fact we will soon start negotiations for a free trade agreement with Canada will give us a new opportunity to bring about significant improvement of IPR protection in Canada. In the mean time, the Commission will be taking the matter up with the Canadian authorities at the highest level. It will also call for the revision of Canadian copyright law to be initiated as soon as possible and preferably during the Parliament's present session.

Seán Ó Neachtain (UEN). – (GA) Madam President, I would like to thank the Commissioner for that answer. But I would like to ask a question – how hopeful is the Commission that the effort they are making in relation to Canada will succeed and what are the direct plans the Commission has to stop piracy on the Internet and this practice? If we are unable to stop it with a country like Canada, what chance do we have in other cases?

Meglana Kuneva, Member of the Commission. – As I said before, a trade agreement will provide the legal framework with which to address some of the EU's trade irritants and issues with Canada, such as its IPR enforcement standards and certain anti-competitive practices. We are optimistic since we will have negotiations on an FTA.

President. – Question No 30 by **David Martin** (H-0245/09)

Subject: Korea FTA

Following the recent discussions between the Commission and the South Korean Trade Ministry, can the Commission outline the state of play of the EU-Korea FTA negotiations?

Meglana Kuneva, Member of the Commission. – The negotiations on a free trade agreement with Korea are the most advanced of the EU's ongoing trade negotiations. After two years of negotiations, we now have a comprehensive agreement within reach with the EU's fourth-largest trading partner outside Europe.

The free trade agreement with Korea would create new market access in many areas of interest to EU exporters. By way of illustration: the agreement would swiftly eliminate EUR 1.6 billion of customs duties to the benefit of EU exporters; it would offer solid disciplines on non-tariff barriers in priority sectors such as the automotive, pharmaceutical, or consumer electronics sectors; it would provide significant new market access in services of special interest to EU service providers; it would offer the most ambitious package yet on intellectual property rights, government procurement, sustainable development and other rules issues; and it would foresee novel ways of involving civil society in the monitoring of how the free trade agreement is implemented, and protect our sensitivities with appropriate arrangements.

The free trade agreement would also present a useful point of reference for other negotiations. Moreover, concluding that agreement now would demonstrate the commitment of both sides to open markets as one response to the current economic environment.

At the end of the eighth round of negotiations in March 2009, both sides made important technical progress at their level, but a certain number of difficult issues remained unresolved.

EU Trade Commissioner Ashton and Korean Trade Minister Kim subsequently met in London on 2 April 2009. Despite intensive discussions, it was not possible to bridge gaps on the remaining issues, such as duty drawback and rules of origin.

The Commission is currently consulting on the best way forward.

David Martin (PSE). – Thank you, Commissioner, for that response. Firstly, I entirely agree that a free trade agreement with Korea would bring enormous benefits both to the European Union and to Korea, and would send a positive signal in terms of our determination to keep markets open. However, failure to reach this agreement now looks like it lies more with the Member States than with our negotiating partner.

That being the case, if we cannot reach an agreement with Korea, would the Commission accept that DG Trade might as well pack up and go home as regards free trade agreements, because if we cannot agree with Korea we are not going to agree with India, ASEAN or on any other such agreements we are negotiating?

Meglana Kuneva, Member of the Commission. – In contrast, the Member States have recently confirmed their interest in concluding an ambitious and balanced agreement with Korea.

As usual, the Commission will defend the principles on the basis of which we negotiate with all countries.

Glyn Ford (PSE). – Thank you very much. Maybe the Commissioner would comment on the situation of the German Government on this matter.

Like Mr Martin, I am a supporter of this free trade agreement with the Republic of Korea. However, we do need to be careful about details and timing. It is estimated that 650 000 Korean cars would sell in Europe per annum. While there is already some production in eastern Europe, there will be a significant volume of new imports.

Most surveys indicate that these will substitute the sales of Japanese cars produced in Europe, like those produced by the Honda plant in my constituency in Swindon. This plant is currently mothballed and the workers are on standby. In order not to exacerbate the current situation here and elsewhere in Europe, will you ensure that there is a serious time lag before such imports are allowed?

Meglana Kuneva, Member of the Commission. – I understand your concerns about the situation in the car industry. From the start of negotiations with Korea, the Commission has invested considerable resources in obtaining a good result for the EU car industry. European car exporters will benefit from a combination of the elimination of Korean duties on cars and the effective removal of technical barriers. The most substantial barriers will be removed from day one of the agreement.

President. – Question No 31 by **Georgios Papastamkos (H-0257/09)**

Subject: US-EU trade dispute concerning hormone-treated beef

Will the Commission provide information concerning the outcome of the negotiations it is conducting with the US authorities with a view to definitively preventing - following the decision for a temporary suspension - the activation of the so-called *carousel* retaliatory measures as part of the transatlantic trade dispute on hormone-treated beef and revoking the retaliatory measures already in place?

Meglana Kuneva, Member of the Commission. – The Commission is currently still engaged in negotiations with the United States, and we are very optimistic that a mutually acceptable solution can emerge very soon. In the last few weeks we had intensive transatlantic contacts on this issue. The EU Trade Commissioner Catherine Ashton and US Trade Representative Ron Kirk agreed on 22 April to hold further talks in order to find a negotiated solution to the long-running dispute over hormone-treated beef.

They confirmed their wish to resolve this difficult issue that affects businesses and consumers in both the EU and the US and, in order to facilitate the negotiations for a solution, Commissioner Ashton and US Trade Representative Kirk agreed that the imposition of the so-called 'Carousel' sanctions by the US on certain EU products would be postponed by a further two weeks beyond the original 23 April deadline.

The Commission is committed to doing its best to find a positive and lasting solution to this issue, and talks are currently being held by senior officials from both sides. The Commission's final objectives in these negotiations are to definitively prevent activation of the 'Carousel' sanctions and to have the retaliatory measures currently in place revoked. We are confident that an agreement is within reach that would fully safeguard our public health and consumer protection objectives in this issue.

Georgios Papastamkos (PPE-DE). – (EL) Madam President, in the absence of the competent Commissioner, Mrs Ashton, I should like to thank Commissioner Kuneva for her reply and to ask the Commissioner to convey my thanks to Mrs Ashton for mediating and consulting with the American side on the lifting of the carousel retaliatory measures being taken by the United States of America. This is an action which, if nothing else, goes one step further, goes beyond the limits of the partnership between the United States of America

and the European Union, which are two principal commercial players which also play a leading role in the framework of negotiations under the Doha round under the aegis of the World Trade Organization.

Meglena Kuneva, *Member of the Commission*. – Mr Papastamkos, I shall gladly convey your message to Commissioner Ashton and, without going too far in what I am saying, I think the results will be really quite satisfactory.

President. – Question No 32 by **Giovanna Corda** (H-0209/09)

Subject: Non-compliance by airlines with Regulation No. 261/2004

The Court of Justice of the European Communities delivered a judgment on 22 December 2008 pursuant to which an airline may not refuse to compensate passengers following the cancellation of a flight because of technical problems affecting the aircraft. A Swedish court before which a case was brought by the ombudsman has just given a similar ruling.

Could the Commission indicate to what extent it will take account of these rulings which once again demonstrate the reluctance on the part of the airlines, the overly vague wording of Regulation No. 261/2004⁽¹⁾ concerning the 'extraordinary circumstances' justifying a cancellation and the passivity of the Commission in the face of numerous violations of this regulation to the detriment of passengers?

Antonio Tajani, *Vice-President of the Commission*. – (IT) Madam President, honourable Members, I believe that first of all we need to emphasise that it is not the Commission's job to interpret Court of Justice rulings. These rulings referred to questions referred for preliminary rulings by national courts with the aim of ensuring uniform application of Community law.

Under the terms of Article 16 of Regulation (EC) No 261/2004 on passenger rights in the event of denied boarding and of cancellation or long delay of flights, Member States are responsible for applying the regulation and are obliged to prosecute airlines that do not comply with the provisions. When processing passenger claims that are sent to them, the competent national authorities, appointed by Member States in accordance with the regulation, must evidently take into account the instructions provided by the Court of Justice. The Commission's role is that of monitoring the correct implementation of the regulation by the competent authorities, particularly in the light of relevant Court of Justice rulings.

The last meeting between the Commission and the competent national authorities was held at the beginning of December last year, in other words a few weeks before the Court of Justice's decision. The Commission has planned another meeting for the 14th of this month. During this meeting, the Court of Justice's recent decision over case C-549/07 will be examined.

National authorities will have an opportunity to comment on the ruling and describe how they assess the behaviour of airlines to passengers in the event of cancellation in the light of this precedent and also the practical consequences of the ruling.

Giovanna Corda (PSE). – (IT) Commissioner, thank you because I feel that due attention must be paid to this matter. As far as I have understood, Member States must handle these matters, but you can also see if anything can be done. Thank you, therefore, for your answer and we look forward to seeing what happens next.

Antonio Tajani, *Vice-President of the Commission*. – (FR) Thank you for having spoken in Italian. I know that you are of Italian origin, so once again, thank you. The Commission will of course monitor what is happening because I believe that passenger rights are very important to all of us. This is one of the aims of my work as Commissioner.

I said this at the time when my appointment was approved by Parliament. I will therefore continue to ensure that monitoring is carried out in order to check whether Member States are respecting passenger rights. We are all committed, even Mrs Kuneva, to trying to effectively defend the rights of citizens in all areas.

Glyn Ford (PSE). – I will be brief, as I realise there is very little time. Commissioner, I have to say that the implementation of the rights we have are, frankly, a joke at the moment. I was recently in Amsterdam and watched KLM dealing with delayed passengers by rebooking them on a self check-in. The staff systematically, without asking the passengers, declined the compensation and assistance which they were entitled to.

⁽¹⁾ OJ L 46, 17.2.2004, p. 1

Can we have some monitoring by the Commission? Can we have some people actually at airports looking at what the airlines do? Because, frankly, it seems to me that it has become a joke.

Antonio Tajani, Vice-President of the Commission. – (FR) Madam President, the Commission intends to report to Parliament and the Council on the functioning and results of Regulation (EC) No 261/2004 through a communication, which should be adopted in the second half of this year.

This document will analyse four years of the Regulation's functioning and will propose any other actions to be taken in order to reduce the number of incidents and improve the protection of air passengers' rights.

All airports will therefore be checked. I hope that the Commission's work will improve the situation and provide citizens with the answers they expect. I can therefore assure you of my commitment as Commissioner. I have started, and I will continue, and I can confirm my commitment.

President. – Question No 33 by **Emmanouil Angelakas** (H-0212/09)

Subject: Airline privatisations in the EU

Given the successful model used for privatising Olympic Airways and transferring it to a private investor, will the Commission say to what extent this model could be used for other airlines facing similar problems?

How does the Commission assess the prospects for future privatisations of airlines in the EU? How much do airline mergers contribute to addressing the crisis, without creating monopolies and reducing competition?

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, honourable Members, the Commission shares the opinion that you expressed in the text of your question, in other words that the Commission's decisions have obviously led to the ordered sale of some Olympic Airlines and Olympic Airways Services businesses. These have certainly been successful with regard to competition and transport policy.

Alitalia used the same model and it could be used by all airlines that find themselves in serious difficulties. This decision has therefore led to the creation of a new airline model, what ought to be the airline of the future: no more state companies but fully privatised companies. This is the work that the Commission has attempted to support. I believe this aim of privatisation is also shared by other airlines, I am thinking of Austrian Airlines, Malev and Czech Airlines.

In accordance with the treaty, the Commission must nevertheless remain neutral with regard to the public or private ownership of companies. The Commission is favourable to consolidation of the Community air sector, which it still considers to be too fragmented, particularly in view of the current crisis.

This consolidation should not, however, hinder competition to the extent of impairing the effective operation of the common market. The Commission or the competent national authority is responsible for monitoring concentrations carried out for this purpose under the terms of the relevant Community regulation, depending on the magnitude of the relevant concentration operation.

Emmanouil Angelakas (PPE-DE). – (EL) Madam President, I thank the Commissioner for his comments and reply. I should like to take advantage of the Commissioner's presence to ask him if there have been any evaluations on the part of the Commission on the loss of jobs in European aviation companies over the last eight months since the economic crisis broke and, if there are, what measures do you believe could be used to reverse the situation?

Antonio Tajani, Vice-President of the Commission. – (IT) Madam President, ladies and gentlemen, I do not have any definite data on job losses due to the crisis, but I am certainly well aware of what is happening in the air transport sector.

All my efforts as Commissioner for Transport have been directed towards supporting this form of transport and it comes as no surprise that we are again discussing a question, the matter of slots, that aims to prevent the airline situation from worsening in this time of crisis: this also means seeking to reduce job losses, in other words to contain employment levels within the European Union in the air transport sector.

President. – Question No 34 by **Bernd Posselt** (H-0214/09)

Subject: Rail artery for Europe and the Brenner base tunnel

Can the Commission provide detailed information on the precise timetable and financial plans concerning both the leg of the high speed rail link for Europe from Strasbourg to Vienna and the Brenner base tunnel as the centrepiece of the Berlin-Rome link? What further steps are planned and are any additional opportunities provided by the recovery plan?

Antonio Tajani, *Vice-President of the Commission.* – (IT) Madam President, Mr Posselt, as you know, the Berlin-Palermo rail axis is one of the 30 priority trans-European transport network projects and the Brenner base tunnel project is the centrepiece of this priority project.

The Commission supports this key element of the priority project that will make it possible to connect rail networks at both sides of the Alps by means of a high-capacity, high-speed line, mainly designed for goods transport. The project will therefore contribute both to the effective operation of the internal market and environmental targets and to economic recovery.

The Commission therefore wishes to meet citizens' expectations in practice. This is another reason why we accelerated the granting of finance at the end of last year once authorisation had been given for EUR 786 million of funding for priority project No 1. The coordinator Mrs van Miert has been monitoring the project since 2005, I believe with positive results.

We have currently started a consultation process with the EU Member States in order to renew the mandate of the European coordinators and thus cover the period 2009-2013. In this way, we will be able to allow them to carry on with their work, particularly that of monitoring the priority projects. On 22 March 2009, the Austrian authorities submitted their multiannual programme for infrastructures, which includes financing of the Brenner base tunnel. On 17 April 2009, following the completion of the environmental impact assessment, they issued a construction permit for the project.

The Italian authorities, for their part, submitted their base tunnel project to their Inter-ministerial Economic Programming Committee (CIPE) so that the funding could be approved in May. Minister Matteoli, with whom I have spoken, confirms the will of the Italian state to pursue the objective, in other words to finance the project, and I believe that the Austrian and Italian authorities are in absolute agreement on this matter.

Priority project 17 – the Strasbourg-Vienna high-speed link that forms part of the Paris-Strasbourg-Stuttgart-Vienna-Bratislava rail axis – is proceeding in a satisfactory manner in all the Member States involved: France, Germany, Austria and Slovakia. Most of the 831 km stretch between Strasbourg and Vienna – more specifically the Strasbourg-Stuttgart and Linz-Vienna sections – will be complete by 2015. The Stuttgart-Ulm section, which represents the most significant bottleneck, will be complete by 2020.

The relevant finance protocol will be signed on 2 April of this year. At the moment, the most complicated section seems to be the cross-border section in Bavaria between Munich and Salzburg. The German Government is currently conducting a review of its multiannual programming, and so we will have to wait until the end of this year before we can begin discussing this very important section. The Strasbourg-Vienna section will cost EUR 10 billion and the priority project will cost EUR 13.5 billion in total.

I believe that this information may be of use and covers all of the requests made in Mr Posselt's question.

Bernd Posselt (PPE-DE). – (DE) Commissioner, I would like to thank you for your very good and detailed answer and also for your excellent work on these two important projects which cross in Munich. I have just two brief supplementary questions:

Firstly, there is a rumour regarding the Brenner Base Tunnel, that it might be reduced to passenger transport. Can you rule this out?

Secondly, in Austria and in Stuttgart a great deal is being done for the main route from Strasbourg to Vienna and Budapest. However, we have the problem of the Munich bypass, the Munich airport link and the stretch from Munich to Mühldorf, Freilassing and Salzburg, so the Chemical Triangle and the stretch via Mühldorf. I would like to draw your attention to this in particular, as progress here is still very slow.

Antonio Tajani, *Vice-President of the Commission*. – (IT) Madam President, honourable Members, as far as the Berlin-Palermo link is concerned, I can reassure you that although there are bound to be concerns when rumours circulate, these rumours seem to be absolutely unfounded.

I wanted to give you some other news because you are particularly interested in the Strasbourg-Vienna section. On 31 March, the European Commission published two invitations to submit TEN-T proposals. Within the framework of these proposals, the Strasbourg-Vienna section could obtain backing under the 2009 annual programme – amounting to EUR 140 million for both studies and work projects – and the European Economic Recovery Plan, this provides EUR 500 million exclusively earmarked for work projects to be started by the end of 2010 at the latest.

It is naturally up to national governments to send in cofinancing proposals, which will be assessed competitively against proposals from other Member States. This means that if Germany intends to submit a plan concerning this section of greatest interest to you, it can go ahead and do this and the plan for obtaining funding will be carefully evaluated by the Commission.

As regards the progress of Project 17, the Commission has decided to grant significant funding to various projects along this axis, more specifically the three cross-border sections and the bottlenecks.

President. – Questions which have not been answered for lack of time will be answered in writing (see Annex).

That concludes Question Time.

(The sitting was suspended at 20.10 and resumed at 21.00.)

IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

Vice-President

12. Request for the defence of parliamentary immunity: see Minutes

13. Rosé wines and permitted oenological practices (debate)

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

- the oral question (O-0067/2009) by Astrid Lulling, Jean-Pierre Audy, Joseph Daul, Françoise Grossetête, Véronique Mathieu, Elisabeth Morin, Margie Sudre, Oldřich Vlasák and Dominique Vlasto, on behalf of the PPE-DE Group, Patrick Louis, on behalf of the IND/DEM Group, Jean Marie Beaupuy, Anne Laperrouze, Nathalie Griesbeck and Marielle De Sarnez, on behalf of the ALDE Group, Sergio Berlato, Cristiana Muscardini, Roberta Angelilli, Domenico Antonio Basile, Alessandro Foglietta, Antonio Mussa, Sebastiano (Nello) Musumeci, Giovanni Robusti, Umberto Pirilli and Salvatore Tatarella, on behalf of the UEN Group to the Commission: Rosé, wines and permitted oenological practices (B6-0228/2009) and

- the oral question (O-0068/2009) by Luis Manuel Capoulas Santos, Katerina Batzeli, Vincent Peillon, Vincenzo Lavarra, Stéphane Le Foll and Alessandro Battilocchio, on behalf of the PSE Group to the Commission: Rosé wines and permitted oenological practices (B6-0229/2009).

Astrid Lulling, *author*. – (FR) Madam President, Commissioner, producers of quality wines and informed consumers – the true connoisseurs of the products of our land – do not want to hear talk of blending.

It is understandable that wine-growers in numerous European regions fear the economic, social and environmental consequences of lifting the ban on the blending of red and white wine to produce rosé wine.

The inevitably unfair competition that will result from this risks penalising entire regions, which have specialised in the production of a quality rosé, tailored to a growing demand. The Commission has already taken action on the first request in our oral question by postponing the decision initially scheduled for the end of April, for which it has my warm thanks.

However, will it use this period to satisfy our second request, namely to undertake a broadly-based consultation of those working in the industry on the basis of a thorough study of the possible economic, social and environmental consequences of lifting the ban on blending?

Furthermore, what solutions does the Commission envisage, if it should not withdraw its proposal to lift the ban on blending, in order to prevent the collapse of this fragile market in rosé wine, which has a short shelf life, and the weakening of the economic fabric of a whole region, which offers a whole range of cultural and tourist activities based around the wine-growing industry?

Is the Commission aware that the recommended labelling solutions have already been rejected by the traditional producing regions, because the term 'rosé' will not be exclusively reserved for the wines which they produce from red grapes?

Patrick Louis, *author*. – (FR) Madam President, Commissioner, the reform of the common market organisation (CMO) imposed by the united forces of the lobbyists and Eurocrats will cause three serious problems. It aims to eliminate the market regulation mechanisms, liberalise planting rights from 2015 and allow the cohabitation, under virtually identical labels, of very different categories of wine. These three heresies will be fatal to European wine-growing, particularly in France. Consumers will be misled in their choices, wine-growers will see their incomes collapse, and the industrialisation of the sector will lead to the loss of specialist know-how.

This systematic dismantling of the fundamental principles which define the specific nature of European wine-growing responds to a peculiar logic. Trapped between its submission to the World Trade Organization (WTO) and the influence of the all-powerful European big business lobby, the CEEV, the Commission has since 2004 systematically devoted itself to opening the doors of the European henhouse to all the foxes roaming the planet. It increasingly seems to be acting as the shoehorn of globalisation. This incoherent logic becomes clearly apparent on examining two sets of figures.

In Europe, 170 000 hectares of vines have been uprooted, whereas in New Zealand the planted area has increased by 240%, in Australia by 169% and in China by 164%. In Europe, the reduction in supply to keep prices at a decent level is being undermined by the actions of large-scale wine manufacturers who are offloading their surplus products at low prices and thus grabbing the spare market. This sums up the racket in the rosé market. It reveals the contradictions that exist between the WTO principles and those needed to organise a sector in order to promote investment, quality and know-how. Yesterday we successfully discovered that quality would in the future turn to quantity. With the Commissioner's reforms, it is becoming clear that today's decisions will kill tomorrow's know-how.

Commissioner, it is vital to prohibit blending before 7 June. After that, the only weapon left to wine-growers in order to make their voices heard will be the vote.

Anne Laperrouze, *author*. – (FR) Madam President, what are they trying to make us swallow? A mixture of red and white wine in the guise of rosé? Our citizens are reacting very negatively to this Commission initiative, which has the agreement of the Member States, including France.

I have noticed two types of reaction: firstly, our citizens are wondering why the European Union is meddling with rosé, when there are so many other issues to worry about, particularly the serious issue of the economic crisis. Secondly, producers of traditional rosé wines, which are produced by rapid maceration and delicate pressing, see this as a serious attack against the 'rosé' designation and against the image of quality, developed over so many years, of wines such as these rosés from Provence, which still retain the aroma of the land and which have ensured the success of rosé wines in general.

During the last meeting of the 'wine' intergroup, we finally understood the motivation of the European Commission and Member States. Consumption of rosé table wines is increasing throughout the world and accounts for nearly 30% of wine consumption. Third countries are producing blends. The European Union market is starting to be targeted by these third-country blends.

The UK market is particularly dominated by wines from the United States. It is well-known that traditional rosé has a short shelf life. It is so much easier to produce rosé wine on demand by using stocks of red and white wines. For the Member States, it is therefore a question of adapting the production of rosé table wines to the international market.

Unless other oenological practices for making rosé wine can be discovered, we might for example be inspired by Pierre Dac, who said: 'Graft roses onto vines to get natural rosé wine!' This cannot be. Like many of my fellow Members, I think that the European Commission and the Member States must go back to the drawing board, work on the 'rosé wine' designation, and ensure that the name 'rosé' is exclusively reserved for wines produced using traditional methods, whether in the European Union or in third countries.

In the meantime, Commissioner, I invite you to discover one of these little rosés from Gaillac, with a thousand colours of the Tarn, to be enjoyed responsibly, of course.

Cristiana Muscardini, *author.* – (IT) Madam President, Commissioner, ladies and gentlemen, wine is not simply an agricultural product for us, but also represents culture and tradition.

We have often heard in this Chamber that we must guarantee the European wine market a certain future. We can only ensure this if we focus on quality and we cannot achieve quality if we do not respect traditional production methods. For this reason, Commissioner, we can only oppose the introduction of new wine production practices that have been dreamed up and have nothing to do with the science of winemaking, because we believe that they can lead to a deterioration in the image of wine and detract from the relationship of trust between consumer and products, with severe consequences for quality and perhaps even for health.

European quality products enjoy their status because they are based on a respect for ingredients, small-scale production methods, tradition and characteristic flavours achieved using specific products and production methods. I am afraid that by making all these concessions, overturning our traditional winemaking practices, the Union will allow pieces of the wooden casks to be added to speed up the flavouring process, and this will lead to artificial flavouring, and before we know it, we will be adding water and making wine without grapes.

I do not think this is the right way, Commissioner, to relaunch and develop the internal and international market sector. International demand for rosé wine is not falling but rising, and in this case the right approach is not to produce more using winemaking practices that owe more to a chemistry set than anything else, but to invest in quality, in specialisation and in the characterisation of European wines, in the marketing and promotion of real wine in general in order to extend the market and finally make it easier for young people to enter the winemaking business.

Gilles Savary, *author.* – (FR) Madam President, Commissioner, as it happens, I am not in the middle of an election campaign because I will not be here in the next Parliament. Commissioner, you can therefore do me the honour of not exaggerating. However, I am from Bordeaux. You have visited my region, which produces very little rosé wine, but which very much likes the rosé wine that it produces.

I wanted to say to you that I was particularly shocked when I learnt that the European Commission was intending to legalise the production of rosé by blending red and white. In my opinion, this is a counterfeit product, at a time when we are being invited to fight counterfeiting in industry. It would mean authorising or inventing a wine derivative, at a time when we are fighting financial derivatives.

In fact, all this stems from exactly the same aim, namely to find new products generating ever more profit. As long as the profit and competitiveness of the European Union are assured, then that is OK. Let me amuse myself by making a suggestion. Here we have a rosé wine. I have just produced this rosé wine, here in the European Parliament, by getting white wine and putting beetroot in it. I can promise you that it has exactly the same colour and, what is more, you can have the whole chromatic range, if you want, and probably a certain taste range. This would also allow us to solve the problems of the sugar industry and chaptalisation using a natural food product. What this quite simply means is that, if we allow this first step, then there will be no end. Other Members have said as much, that food counterfeiting will reign ever more. We therefore say to you: 'look at what is already happening in some countries'.

Today, one-fifth of rosé production involves blending. I would maintain that the Commission does not have to systematically bleed the other four-fifths. There are people who have strived to ensure that rosé exists, that it becomes a genuine wine, produced using genuine oenological methods. We are now pulling the rug from under them on the pretext that it might be more lucrative to surf the rosé market using red and white. I believe that this is profoundly amoral. Personally, I feel that labelling will not suffice or, if labelling is used, this type of blended wine must not be called 'rosé'. Call it 'dishwater' if you like, Commissioner, as that much better suits the quality of the product.

Mariann Fischer Boel, *Member of the Commission.* – Madam President, the world of rosé wine has a long, long history, but there is no definition of rosé wine within EU legislation or within the International Organisation of Vine and Wine (OIV). They all remain silent.

In certain regions, wine-makers have invested a lot of effort to develop a high-quality rosé wine based on a precise product specification, and have limited the wine-making practices for rosé wine to traditional methods. However, other protected designations of origin (PDOs) do not impose restrictions on making rosé wine.

The product specification of Champagne allows the blending of red and white to produce rosé Champagne. At EU level, the ban on blending red and white wine is today limited to the production of table wine.

The discussion on wine-making practices, including on blending, started back in 2006 during the negotiations on the wine reform. With the reform, the Commission gained competence to authorise new oenological practices and shall base itself on the OIV's recommendations.

Following wide-ranging discussions which took place last autumn with stakeholders and with all Member States, the Commission proposed the abolition of the ban on blending red and white wine. This was subject to an indicative vote in the Wine Regulatory Committee in January when a majority of Member States, including France, voted in favour.

The draft regulation has been notified to the World Trade Organisation under the procedure in the Agreement on Technical Barriers to Trade, and we have recently accepted further time for third countries to examine our proposal. Therefore, the regulation will be formally voted by the Wine Regulatory Committee later in June, most probably on 19 June, because further delay would prevent us from implementing the new oenological practices from 1 August this year, as foreseen by the Council Regulation.

You also asked for a specific impact assessment before the removal of the blending prohibition. In-depth impact assessments were carried out by the Commission's services when drafting the wine reform and we do not therefore intend to restart the work undertaken in 2006 and 2007 to prepare the wine reform, nor to make an in-depth impact assessment of all different individual wine-making practices, so we base ourselves on the work that is taking place in the OIV.

Already now, economists in the wine sector stress that this reform will not weaken traditional rosés as these rosés with an *appellation* are not in competition with table wines. It is clear that the traditional rosé is a quality product that is highly appreciated by consumers and associated with the place of origin of this product.

Allowing the blending of table wine will lead to fair competition between European countries and third countries since we have allowed third countries – as already mentioned here today – to do this blending. I completely agree with Mrs Laperrouze. Why should we put our wine producers in a worse competitive situation than those that can sell wine within the European Union?

Some weeks ago, I had a meeting here in Strasbourg with rosé wine producers from Provence in France and we had a very open and frank discussion on the state of play. Of course I understand their attempt to try to safeguard the traditional rosé and that is the reason why the Commission has been looking at various solutions on the labelling issue. We actually proposed two different labelling options: 'traditional rosé' and 'rosé by blending'. Member States can then decide whether they want to make either one or both of those labelling options compulsory for rosé wine produced in their territory. In this way, we provide the possibility for producers to get a more exact idea of what they are buying.

I heard the argument from those wine producers that 'traditional rosé' was a bit dusty and they consider rosé wine to be a modern way of producing wine. I clearly indicated that if other ideas came up, I would of course be prepared to listen to them, but I have not yet heard any suggestions on an alternative to rosé wine. As the Commissioner for agricultural products, I do care that we find the right solutions and give our wine producers a level playing field.

Agnes Schierhuber, *on behalf of the PPE-DE Group*. – (DE) Madam President, Commissioner, I am delighted to see you here again today. In all my years of political activity – both in Austria and in almost 15 years in the European Parliament – debates on wine have always been very emotional ones. We can see that again here today.

In my opinion, wine is one of the most elegant products that agriculture can produce. It is in the interests of quality production by European – and especially Austrian – wine-growers, that priority be given to the quality and the distinctiveness of wine from different regions.

We believe that mixing wines is not an oenological procedure. Rosé wine is produced through a special, very traditional oenological procedure. Therefore, Commissioner, I support all my fellow Members who, like I, reject this mixing or blending of white with red wine. It is time there was a clear definition for the production of traditional rosé wines.

Commissioner, it must also be possible, as you have mentioned, for Member States to gain knowledge, so that they then see some decisions differently or amend them. I urge you to do this for the sake of the quality of European wine production.

Alessandro Battilocchio, *on behalf of the PSE Group*. – (IT) Madam President, ladies and gentlemen, once again we meet in this Chamber to defend a food, cultural and rural heritage handed down to us from an age-old tradition; an estimable heritage that is the envy of the world, that represents incredible wealth for the economy and also for the identity of our Union.

Nowadays this heritage risks ending up in serious difficulty due to the intention of the Commission and the Council to overturn the ban on the production of rosé wine by blending. This intention came about as a result of strong pressure and will be ratified without the possibility of intervention by Parliament, the body that officially represents millions of citizens, including manufacturers and consumers, who will be affected by this initiative.

The Commission proposes to allow the production of rosé wines by simply mixing red wines and white wines as is done by countries who do not possess our skill and professionalism, and under the simple pretext of responding to international competition.

As cosignatory of this question, I emphasise that lowering the quality of production – which is the outcome of centuries of tradition and research, huge investments, passion and attention to detail – is not the answer we need, particularly at this time of economic crisis, when the average consumer is certainly paying more attention to price than to what is written on the label.

This decision could be offset by simply finding a name for the new product and informing consumers of the existence of two different types of rosé wine, with different product qualities, and of the importance of recognising the work and efforts of sector professionals. Who is going to pay for all this? Has the Commission allowed for some kind of support programme or will it be the manufacturers who pay for it, after asking them to fight the low-cost competition with unequal weapons in times that are already extremely tough?

I hope that the Commission and the Council will be able to make the right choice and, if necessary, review this entire procedure.

Jean-Claude Martinez (NI). – (FR) Madam President, Commissioner, we have chocolate without cocoa and a ban on cheese made with milk straight from the cow. Our Roquefort was subject to 300% customs duties and we nearly had chickens washed in bleach and even a lactation hormone, somatotropin.

Now we are considering the idea of colouring white wine with red wine to make rosé wine. If you will permit me, as we say in France, this has been the drop of water that has made the vase overflow, with this water having also been authorised for blending wine, just like the ‘woodwork’ wines made with wood chips rather than in barrels were previously authorised, and the wines made with imported musts were nearly authorised. Wine could even be made in Thailand.

The problem is the psychoanalytic reaction that this idea produces, as this is an attack on culture. What is the definition of wine? If it is an industrial product, then it can be blended, like a wine Coca-Cola. However, if it is an agricultural food product, then you cannot touch it, otherwise you cause a cultural shock. ‘This is my blood; drink it in remembrance of me’. If you blend blood, then you make contaminated blood.

Can you understand this disproportionate reaction? With this rosé idea, you have questioned 2 500 years of heritage dating from the Roman empire, which had to tackle the barbarians. Madam President, this is what I wanted to say: ‘It is a Freudian matter, not a wine-growing matter’.

Françoise Grossetête (PPE-DE). – (FR) Madam President, Commissioner, when I arrived here I was extremely annoyed. Having heard what you had to say, I am now angry. It is not acceptable for you to authorise, in this election period moreover, the blending of white wine and red wine.

Very recently I went to Provence and Corsica to speak to the wine growers of my constituency, who had chosen the quality path, but who now feel abandoned. I remember a speech by Mr Barroso, two years ago, when he said that wine growing is important and part of the economy. He said we need to export more, and in order to export more, we need quality. I remember that speech very clearly.

The European Commission therefore imposed grubbing up to achieve greater quality and less quantity. The wine growers in the south of France went along with this, but look where it has got them today. They have grubbed up to such an extent that soon they will have to import wine in order to satisfy local consumption.

With your policy, you have signed the death warrant of our wine growers. Now you are authorising the blending of white wine and red wine with the designation of rosé wine. This is an insult to our wine growers. You are now going to ask them to include an additional phrase: 'traditional wine', for wine made in the conventional way, because our Spanish friends need to sell their surplus of white wine, since they have not been grubbing up. Our wine growers, who opted for quality, should not have to justify the value of their wine. That would be the last straw, in any case.

Blended wine is not rosé; it is a mixed white. Let us call a spade a spade. We should no longer allow consumers to have the wool pulled over their eyes by wine merchants who have chosen to put profit before quality, a choice that you are supporting, Mrs Fischer Boel. I call on my fellow Members, those of you who will be back in the next term of office: we are going to have to redouble our efforts to ensure that this Commission measure is ruled out once and for all and not just provisionally. Watch out on 19 June.

Ioannis Gklavakis (PPE-DE). - (EL) Madam President, Commissioner, ladies and gentlemen, wine has been produced in my country for three thousand years. I express my opposition, my regret and my concern about what we are going to do. Rosé wine is an artificial product. Wine is a fermented product, not a mixed product. If this is applied, the result will be unfair competition for our producers who produce these wonderful wines.

Secondly and importantly, the reputation of European wine will be damaged yet again. However, I can see that, if we take this slippery slope, there will be no end to it. Some time ago we debated and adopted the addition of bits of wood to wine. We cited as our grounds ageing and the economic cost. We also adopted the addition of sugar to wine. For reasons of economy, we said, and we did not have the courage to demand that these techniques be written on the label. Nor shall we have the courage to do so now.

Europe can only assert itself with the very high quality wines which it has. God help us if we believe that we can compete with cheap Australian or American wines – we must insist on this point. I said as much when we adopted the practice of adding sugar to wine. We, who take these decisions, shall go down in the history of European oenology as the people who undermined the foundations of excellent European wines. I therefore implore that we get off the slippery slope of these decisions.

Elisabetta Gardini (PPE-DE). - (IT) Madam President, Commissioner, ladies and gentlemen, I must say that I agree with what has been said by Mrs Grossetête because I came here driven by the intention of bringing with me the pain, regret and discontent of the wine producing world in Italy and I found myself faced with indifference, like talking to a brick wall. I had hoped it was a by-product of the impersonal translation process but from what I have heard, it seems that there are no openings, that there are no hopes, that there is a gulf.

Not long ago, very recently, in my region – I am from the Veneto – an event was held known as Vinitaly, which is one of the most important events in the world of wine and a hugely successful petition was drawn up there in defence of rosé wines. It was signed by great Italian wineries, great wine producers, but signatures also came from other parts of Europe – signatures came from the public in Holland, France, Spain, Belgium, Luxembourg, Slovenia, Poland, Lithuania and Ukraine. Passion for rosé wine, as you can see, is authentic and knows no borders except, so it seems, within the European Commission, even though we may talk about culture, local values and tradition.

Speaking as a woman, I would also like to give you something to think about: when we fight against the misuse of alcohol, do you think that we are giving new generations a good service by handing them a low quality drink that I will not even call wine, a cut-price alcoholic drink that has nothing whatsoever to do with any area, culture or quality? Will we succeed in educating them about the use of wine and alcohol as part of a general set of good habits and good practice?

I wanted to leave you with my thoughts, because you are taking on big responsibilities in many senses.

Christa Kläß (PPE-DE). - (DE) Madam President, Commissioner, in recent years you have seen how sensitive a product wine is. Here today we are mainly putting the case for the liberalisation of the wine market regulations. You talk about opening up to the world market. I sometimes wonder, who is guiding whom here?

Traditionally our wine-making has evolved in Europe. Our traditions and our regional identity are what characterises our wine, and that should also guide us in the deliberations we are now having on the wine

market regulations. I was struck by the fact that here things have been incorporated into the wine market regulations through Committee, things which we have not debated at all in Parliament!

The question, Commissioner, is what national and regional regulation options still exist? What restrictions or bans can Member States impose for their regions involved in making the lowest grade of wine? That is what this is about, we are not talking about wines of origin and home wines, but about the lowest grade of wines. For example, would the ban on blending red and white wine be a regional or national ban? Would that be possible in future for these low-grade wines?

Or a ban on the indication of grape variety and vintage: this also causes us problems, as we want to be able to differentiate our wines, the lower wines from those described as home wines or wines of origin. So French Rosé or German Riesling, those are names which need a clear, unambiguous regulation. They are linked to our traditional producers and we set great store by this for the future. Therefore, we ask for your support.

Astrid Lulling, *author.* – (FR) Madam President, Mrs Fischer Boel, you gave a negative response to our second question, claiming that at the time of the wine CMO reform, you already carried out the assessment which we are asking for. I am surprised at this: during this reform, there was never a question of permitting an oenological practice consisting of blending white and red wine to make rosé.

I ask you, why do you not follow up our request, which, incidentally, is perfectly reasonable, for consultation with the industry? You wish to take a decision on 19 June, but there is no rush. Moreover, no one has ever asked you to authorise this oenological practice. I do not know what put the idea to table this proposal into your head, when no one in Europe is asking for it.

I would add, with regard to labelling, that you should recognise that producers of traditional rosé wine will never agree to calling this concoction – including the one which Mr Savary prepared – ‘rosé’. You therefore need to make an effort in this respect. Commissioner, I truly urge you to give a positive response to our two requests.

Françoise Grossetête, *author.* – (FR) Commissioner, earlier you said that you had not received any suggestions and that you were waiting for proposals, and so on.

On the contrary, suggestions have been put to you. You met our wine growers. They told you that they did not want this. They told you that they personally did not want to be forced to specify the designation ‘traditional rosé wine’ in order to distinguish it from the rosé wine which naturally will not state ‘blended’. Therefore you cannot say that no one has suggested anything to you.

Above all, with regard to rosé Champagne, we are well aware that it is an oenological product which has nothing to do with the blending as proposed here: white wine and red wine. We are asking you to find the courage, Mrs Fischer Boel, not to call blended white and red wine ‘rosé wine’. This is what we are asking you. This is our suggestion to you. Do not penalise real wine growers.

How do you expect our fellow citizens to understand such a stance on the part of the European Commission? You turn a deaf ear to all our arguments: this is absolutely incomprehensible.

Gilles Savary, *author.* – (FR) Commissioner, allow me to take the floor once more to tell you that I have heard your arguments and I am sure that you did not come up with this idea yourself: it must have come from a number of lobbyists.

However, I do not think that it is in Europe’s interest to constantly aim low, particularly when it comes to food. Countries which did not aim low on an industrial level are now among the global leaders when it comes to trade. The Germans, in particular, have always fought the temptation to level down. Well I believe that, with regard to the food sector, Europe should fight this constant temptation to level down, because this will take it far.

Therefore, what we are proposing is to avoid at all costs having two forms of designation for ‘rosé’: traditional or blended. There is rosé wine, and there is something else. Organise a European competition to name this something else if you think it should be legalised. Personally, I think that Europe would do well to fight the WTO on this type of product. You are always telling us that we ‘capitulate’ with respect to everything that comes from elsewhere.

Patrick Louis, *author.* – (FR) Commissioner, indicating ‘rosé wine’ on the bottle is pointless, since good rosé wines, such as the Bandol that I have brought you, do not specify the word ‘rosé’.

Moreover, indicating 'traditional rosé' on the label is stupid. Rosé is a wine which the young drink; it is a modern wine, even if its production requires traditional know-how. Therefore, there is too much ambiguity. There are not 36 different solutions, there is only one, since, as was explained very well earlier, rosé is a cultural wine, it is a product made by experts. We are not dealing with any old business here. What we need is a pure and simple ban on all blending and mixing in Europe, and in France in particular.

Mariann Fischer Boel, *Member of the Commission*. – Madam President, it has been great to listen to you here tonight, because I still feel that you have got all the passion, you have got all the energy and you have got all the emotion that I experienced about the wine sector when we had our discussions on the wine reform. The cultural heritage and the traditions that are linked to wine are still alive here in the European Parliament.

However, some of the questions raised here tonight totally reopen the political compromise that we made on the wine reform, so I am not going into these issues but will just concentrate on the main problem discussed here tonight.

I completely agree with those of you who have said that quality must be the future for our European agricultural products. That was precisely the reason why during the wine reform – as I am sure you still remember – we reserved a huge amount of money for promoting our European wine on the Third World market: EUR 125 million every year was the figure mentioned when we had these discussions. This was because we know that we have a high-quality product that will be in demand in the new emerging developing countries. So we are on exactly the same wavelength here.

However, I have a certain sympathy as well for wine producers in Europe who have to compete with wine produced by other oenological practices that are allowed in Third World countries. An example is the blending of red and white wine to make a rosé. It is allowed, it is part of the OIV oenological practices, so the European Union today imports rosé wine produced in exactly this way. Why should we prevent our own wine producers from competing with imported wine within the European Union? I therefore think we have taken a balanced approach on this issue.

It was important that we found a way to label our wines to make sure that consumers knew what they bought, and with the PDOs you have the possibility today of putting information on the label to inform the consumer that this is a wine produced by the traditional method. I said in my first speech that I met some wine producers from Provence. They did not like 'traditional rosé' exactly for the reason you said – that it was a bit old fashioned. I then asked for new ideas on another way of labelling that it was the traditional method, but I have had no suggestions on this issue. The idea is to make it optional for Member States whether they make it compulsory within their territory for producers to put on the label whether it is a *coupage* or a traditional product.

We will have this discussion again in the Regulatory Committee. As I said, a vote will probably take place on 19 June 2009 and then we will look into the outcome of this vote, in which Member States will represent the opinions of their governments. That will be interesting, but I am still quite convinced that what we have proposed, which is in compliance with the OIV oenological practices, will be the way forward for our wine producers to stay competitive on the global market.

President. - The debate is closed.

Written statements (Rule 142)

Stéphane Le Foll (PSE), *in writing*. – (FR) European rosé wine producers are today worried by the Commission's application project regarding lifting the ban on blending white and red table wine in order to make rosé wine.

This new practice undermines quality production and ignores the hard work that producers have put in over many years to create a rosé product which, having been discredited for a long time, has now found its true place on the market and on the tables of countless consumers. This is all the more true given that this practice could mislead consumers.

If the Commission's plan for blending is confirmed by the Member States over the coming weeks, we, together with my colleague Mr Savary, hope that compulsory labelling will be introduced, enabling true rosé wine to be distinguished from a new product made by blending, which consequently could not be called rosé.

Véronique Mathieu (PPE-DE), in writing. – (FR) Faced with the angry reaction of European wine growers, the European Commission has decided to postpone until 19 June its hasty decision to authorise the production of rosé wine by blending red and white wine.

For all that, this postponement cannot be considered satisfactory by any means. Nor can the decision to propose a distinction between 'traditional rosé' and 'blended rosé' on the label of marketed products, which would not go far enough to effectively counter the unfair competition which the producers will face should this decision be taken.

While for countless years the wine growers of the European Union have put in considerable effort and investment to produce high-quality rosé wine, the Commission's decision will undo these enormous efforts, which have nevertheless had a very positive effect on the economy and the regional development of our territories.

The question which my fellow Members and I asked the Commission today calls for the Commission to clarify its intentions and to ensure that the decision it takes will be based on full consultation with European producers of rosé wine.

Vincent Peillon (PSE), in writing. – (FR) Commissioner,

I will not hide from you my deep dissatisfaction faced with your attempts to explain away the blending of 'rosé' wine.

You offer no answers whatsoever to the wine producers with whom I have had the opportunity to talk at length in Provence, and who have depended upon the quality of their products. They dread seeing 30 years of efforts to establish a reputation for rosé – efforts crowned with real commercial success – completely undone today.

You offer no answers whatsoever to all those who regard the authorisation of blending as a major contradiction of the painful mass grubbing-up policies. It is not by seeking to lower our production costs to any old amount that we will emerge the victors of international competition. Rather, we will achieve this by further improving the reputation of our wines.

You offer no answers whatsoever to all those who tell you that labelling will not suffice, since it will have no effect on bottles of wine referred to as 'rosé by blending'.

By postponing the decision on authorisation until after the elections of 7 June, you are ultimately playing the Euroscepticism card.

That is why I solemnly ask you to withdraw this harmful draft, which threatens an economy and a culture alike.

Dominique Vlasto (PPE-DE), in writing. – (FR) Under the pretext of revising authorised oenological practices, the European Commission may be about to authorise the blending of red and white wine under the designation of 'rosé wine'.

I question calling a blend of different wines 'rosé wine'. It is not just the colour of the wine which should give it its name: it is the variety of grape, the soil and the wine growers' expertise which create a wine, not the final colour of this or that liquid.

In order to produce a blended rosé, the base – more than 95% – must be a white wine, which is tinted with red wine. The fact is, rosé wine is produced from the fermentation of predominantly red grapes or must. Therefore, by authorising the blending of wines, the European Commission would be authorising the out-and-out counterfeiting of rosé wine: it would amount to consumer deception.

Besides the insult to wine growers who are pursuing a policy of quality, in particular in Provence, it would be unacceptable to legitimise a by-product resulting from the mixing of finished products and to permit misleading references to the rosé colour.

If another solution is not found, these drinks' labels should be required at least to reflect their true content: 'blended wine' or 'mixture of wines'.

14. Democratic process in Turkey (debate)

President. - The next item is the Commission statement on democratic process in Turkey.

Olli Rehn, Member of the Commission. – Madam President, I am afraid we may have the same passion in this discussion on democracy in Turkey as we had on the wine reform during the second half of Arsenal v Manchester United, which is a snapshot of Europe in 2009.

This is more serious, because this is a very serious matter and indeed a very substantive issue concerning democratic development in Turkey. First of all I am deeply saddened and shocked by the massacre that took place in Bilge in Turkey last night, killing 44 people. I offer my sincere condolences to the families and friends of the victims and I trust that the murderers will be brought to justice as soon as possible. There is no moral or ethical justification of this kind of horrible attack.

Let me also express my personal, and the Commission's, sorrow on the death of nine Turkish soldiers and a gendarme as a consequence of the terrorist attacks last week. Our thoughts are with the families of those who lost their lives.

We condemn terrorism and support Turkey in its fight against terrorism. The PKK is on the EU list of terrorist organisations. Between 14 and 18 April more than 200 officials and members of the Democratic Society Party have been arrested in a police operation throughout Turkey, and in particular in its south-eastern region.

We understand that charges brought against them include being a member of a terrorist organisation, although a formal indictment is still pending. We expect to see the indictment finalised as part of a transparent and objective judicial process.

The Commission cannot interfere in ongoing legal cases. However, our approach is clear: while we support the fight against terrorism, we have consistently stressed that it must be conducted by respecting human rights and fundamental freedoms, in particular as regards the freedom of expression and association.

Political pluralism is an integral part of any democracy. The Turkish Grand National Assembly is today largely representative of the country's political diversity. The Democratic Society Party has been contributing to pluralism in Turkey, and its political legitimacy was confirmed by the results of the recent local elections in March.

At the same time, the people of south-east Turkey need peace, they need stability and prosperity rather than further violence or confrontation. Condemning the use of force and violence is a duty for all parties involved. All must exercise restraint and be committed to peaceful means and peaceful means only. This is also an integral part of any democracy.

We will continue to follow up closely the developments of this case. It is essential that the principles of democracy and the rule of law, including the rights of defendants, will prevail.

The Commission also continues to follow closely the closure case against the DTP currently pending in the Constitutional Court. In this context, the current rules governing the closure of political parties in Turkey are not in line with the European Convention of Human Rights and with European practices, as was recently stated in an opinion of the Venice Commission. We have requested Turkey to take such an opinion fully into account and to reflect it in the Turkish constitutional and legislative framework in the form of revisions to this effect.

To conclude, we continue to encourage the Turkish authorities to address the problems of the south-east of the country and its people, in order to enhance the economic, social and cultural opportunities of all Turkish citizens irrespective of their ethnic, religious or linguistic origins.

Under the Copenhagen political criteria, Turkey is expected to ensure cultural diversity and promote cultural rights of all its citizens, as set out in our Accession Partnership. In this context, the establishment of a new TRT channel broadcasting in the Kurdish language is a step forward. It shows a change of mentality and I want to encourage the Turkish authorities to take further steps in this direction.

We will continue to monitor the situation in the south-east and will report in our upcoming progress report. That is an essential part of the process of democratisation of Turkey.

Frieda Brepoels, *on behalf of the PPE-DE Group*. – (NL) Madam President, Commissioner, following the local elections on 29 March, in which the Kurdish Democratic Society Party (DTP) achieved a sensational victory – almost doubling their number of mayors from 52 to 98 – it is clear that the Kurdish question can no longer be reduced to a socioeconomic issue, as Mr Erdoğan and his Justice and Development Party (AKP) have been doing up to now. There is a clear need for a political solution, and the DTP must also be accepted as a full partner in discussions.

In this situation, one would think that a repressive approach was outmoded, yet the Turkish authorities have once again embarked on a widespread wave of arrests. More than 400 leading DTP personnel have been arrested for requesting a solution to the Kurdish question. My question to the Commission is as follows, therefore. This is now the fifth or sixth party set up by the Kurds – currently bearing the name DTP. It has 21 members of parliament and 98 mayors, and still the Kurds continue to be sidelined.

Commissioner, has not the time come for the European Union to initiate mediation between the Turkish Government and the DTP? If it does not, this situation will remain at a complete standstill. In other words, the causes of a number of supposed terrorist activities must be tackled. I think that the election victory a few weeks ago also proves that the Kurdish sense of nationality is alive and well, and that structural reforms promoting increased autonomy for the Kurds must also be carried out quickly.

I should also like to call attention to another urgent problem on the fringe of this debate, which is that more than 1 500 minors have been locked up in prison and are being tried by the same court as adults, totally contrary to the International Convention on the Rights of the Child. What does the Commission intend to do about this?

Vural Öger, *on behalf of the PSE Group*. – (DE) Madam President, ladies and gentlemen, Mr Rehn, during this sixth legislative period Turkey has been a priority on our EU agenda. Before the start of accession negotiations, Turkey had made huge steps towards reform and the EU recognised this accordingly.

Today the mood has changed somewhat. We are growing increasingly concerned about the progress of the democratisation process in Turkey. Freedom of the press, the protection of minorities, but also reform of the judiciary must be monitored constantly. As for the Ergenekon trial which is taking place in Turkey, I would like to say that this must not become politicised. The fact is that arrests and searches are taking place. Hasty comments should be avoided. Careful reporting has an important role to play here.

Important progress has been made on the Kurdish question. The solution of the Kurdish problem is central to the process of democratisation and the protection of minorities. However, I also have concerns about the current position of some EU heads of government. Ambiguous signals from the EU also mean that from time to time the democratic process in Turkey faces a bumpy ride. In this respect I would like to recall that a clear commitment on behalf of the EU to Turkey's full membership would give the reform process a huge boost. Otherwise, there will always be new breeding grounds for fundamentalism and nationalism, and the Kurdish problem will get worse.

After all, the common goal is to turn Turkey into a more modern, stable and prosperous democracy, based on a secular state and a pluralistic society. This is not only in Turkey's interest, it is also an important strategic interest of the European Union.

Alexander Graf Lambsdorff, *on behalf of the ALDE Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, this is the last plenary sitting of this legislative period. My fellow Member Mr Öger has just said that Turkey is a priority. In recent years, as rapporteur for my group, I have been able to deal with this issue and I must say I am very happy that in this last session we are once more getting to the heart of the matter, namely the question of democracy in Turkey.

It is the first Copenhagen criterion that is in question. There are varying opinions as to how Turkey has developed. However, I believe that in one respect there is consensus: the pace of reform in Turkey seems to have slackened; the impression at the end of this legislative period is that Turkey now has further to go before it will be ready for accession than it had at the beginning both of the mandate of the Commission and of the legislature of this Parliament.

For the Group of the Alliance of Liberals and Democrats for Europe the problems of freedom of the press and of opinion are particularly important in this context. You know that you cannot watch YouTube in Turkey. The rights of journalists, publishers, publicists, columnists and authors are restricted by certain legal regulations. The Commission has thankfully indicated in its progress report that this is a problem. In the

opinion of many observers, these problems have increased. I would be grateful if the Commission would say something about this – whether it believes the problems have got worse or whether things have got better. That would be really surprising.

In addition, there are important subjects like the protection of religious minorities and the safeguarding of women's rights. However, the key issue at the moment is the question of freedom of the press, the revoking of the press accreditations of critical journalists by the Prime Minister, the largely unjustified arrests of critical journalists and publishers in the course of investigations into the clearly criminal Ergenekon network, the takeover of the ATV-Sabah media group by the Scharlach-Holding, which is owned or controlled by the Prime Minister's son-in-law, the Prime Minister's public calls to boycott media and the judgement against the Doğan media group and fine of EUR 380 million with the aim of forcing it out of business because it reported the lighthouse donation scandal, and his preferential treatment of the AKP. This is not only a question of press freedom, it also scares off investors, who doubt the certainty of the law in Turkey.

Turkey is an important neighbour, an important, respected NATO partner. We want to continue supporting Turkey; that is the opinion of my group. However, we believe that a great deal has to be done here, that the Turkish Government must demonstrate its will to no longer ride roughshod over fundamental European rights, as it is doing at the moment. We would be grateful if this could be documented persuasively in the next legislative period.

Moreover, I believe that we should have this debate not in Strasbourg, but in Brussels.

Joost Lagendijk, *on behalf of the Verts/ALE Group*. – (NL) Madam President, ladies and gentlemen, where democratisation in Turkey is concerned, the picture is mixed, in my opinion, with progress on some points and stagnation and deterioration on others.

It is progress that there were no riots on 1 May on Taksim Square in Istanbul, only trade union leaders commemorating the 1977 tragedy. It is progress that Turkey and Armenia have agreed to improve mutual relations. My call to the Turkish Government would be to continue on this path and not let itself be stopped or sidetracked by nationalists in Ankara or Baku. It is progress that there have been arrests of people suspected of planning a coup or of involvement in political assassinations: the Ergenekon affair.

My warning to the Turkish authorities would be to continue to keep their actions within the law, as any contravention will be used to draw attention away from the substance and will be seized on by those who do not want to see a solution to this matter, do not want to get to the bottom of things.

Then there are the negative developments, however. It is a bad thing that the prime minister has called on the population to stop buying certain newspapers. It is a very bad thing that many of the leading members of a party that was democratically elected to the Turkish Parliament have been arrested. The mass arrest of prominent members of the Kurdish Democratic Society Party (DTP) is just as unacceptable as a formal ban on the party, as the result is the same. The scope for finding a political solution to the Kurdish issue has been drastically curtailed. This is very good news for the extremists on both sides, but very bad news for the majority of Turks and Kurds, who have been longing for a peaceful solution to this problem for so long.

The situation of progress on the one hand and stagnation on the other will only be ended, in my opinion, if the government unambiguously opts for deeper reforms, if the opposition supports these in both word and deed and also, ladies and gentlemen, if the EU keeps its promise that Turkey can become a full member of the European Union provided it meets our democratic standards.

This brings me to my final comment, Madam President. Whilst I am very pleased about the party-wide anxiety about Turkey's democratisation, I have no sympathy at all with MEPs who are critical of Turkey but who are not prepared to allow it to become a full member if these problems are solved. Even after my term of office has come to an end, I shall continue to argue for the reforms that are needed for Turkey to become a full member of the European Union.

IN THE CHAIR: MR COCILOVO

Vice-President

Feleknas Uca, *on behalf of the GUE/NGL Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, a 14-year-old boy in Hakkari was beaten into a coma by a SWAT team policeman. Another 14 year old, who was fleeing a police gas attack, drowned after falling into a river. On 4 April two people died at a demonstration near Urfa as a consequence of a police operation. At present in Diyarbakir there are more than 185 minors

in prison. Hundreds of democratically elected politicians and activists of the DTP have been imprisoned, including three party leaders. There are more than 207 proceedings against DTP MPs.

Such is my reading of the present democratic process in Turkey. The list goes on. This repression began shortly after 29 March, when the DTP enjoyed major successes in local government elections in the south-east of the country and the number of their mayoral appointments almost doubled, while by contrast the ruling AKP experienced bitter losses in its much sought after Kurdish region. In my opinion there is a link between the election success of the DTP and the wave of repression against it.

It was then heard from government circles that the extension of the DTP's election success right up to the border with Armenia was regarded as a security risk. Instead of trying to understand this clear vote for what it is, namely an unambiguous message by the Kurds that a solution must be found within the system, an attempt is being made to repress this political success, and with police brutality, if necessary.

Unfortunately, I do not think that even the highly praised AKP has either the will or the determination to develop and push through a comprehensive strategy for the resolution of this conflict, which has lasted for decades. As you all know, since the last progress report there has been no significant progress in the area of freedom of the press and of expression, recognition of the Kurdish reality, rights for religious minorities or civilising the military. The ruling AKP must finally implement genuine constitutional reform and bring a new dynamism, which can regenerate the country constitutionally and democratically and accept its pluralistic, multi-ethnic and multi-cultural social reality. Otherwise there can be no real democratisation in Turkey. That should be clear to all of us here.

Bastiaan Belder, *on behalf of the IND/DEM Group*. – (NL) Mr President, the European Union has made two cardinal errors in its relations with Turkey. In 1999, it press-ganged Turkey into becoming a candidate country, and continued on this wrong track by opening accession negotiations with Ankara in 2005. The Council and the Commission think that, in doing so, they can disregard the historical legacy of the Republic of Turkey.

Nowadays, this historical legacy – or rather burden – manifests itself in a veritable cultural battle between the secular Kemalist camp and the conservative/religious front surrounding the governing Justice and Development Party (AKP) as to the direction the Republic of Turkey should be taking. A noxious consequence of this is the sensational Ergenekon trial of numerous prominent Kemalists. When it comes to nationalistic attitudes towards the country's religious and ethnic minorities, there is now precious little to choose between the Kemalists and Prime Minister Erdoğan. The constant disenfranchisement of these minorities – which is part of the history of the Republic of Turkey – is, of course, at variance with the EU's political conditions for accession.

I would refer the Council and the Commission to a wellknown Dutch saying: it is better to stop half way than to persevere in an error. The European institutions and the Turkish authorities should learn from this wisdom at long last. This is the only way to pave the way towards better, more realistic relations in the interests of both parties.

Roberto Fiore (NI). – (IT) Mr President, ladies and gentlemen, from what I have heard, it is clear that Turkey is a country with very big problems when it comes to democracy.

We have seen and we have heard of 15 000 minors in prisons, we have heard of hundreds of arrests on dubious charges, we are aware that the Kurdish problem is still continuing and above all the Armenian problem, the ageold problem that is absolutely still alive to this day. We have seen the murders of priests or missionaries in the past two years, we have infinite problems. If we compare this situation to that of another country, let us say Belarus, which is still considered a pariah country in Europe, a country that apparently actually forms part of an axis of evil, it is hard to understand how we can continue to talk about Turkey joining Europe.

There are evidently strong lobbies that promote and desire at all costs Turkey's entry to form part of Europe. Apart from anything else, we cannot overlook the fact that there is a problem, Cyprus, that is actually unique in its essence: in other words a country that is a candidate for EU accession that occupies the land of another country and continues to occupy it by extending its domain over this island and exercising absolute nonliberal power over the people of the island.

I believe that Europeans are looking into their consciences and increasingly realising the inevitability of a decision against Turkey's admission into Europe. I will remind you of some facts: Turkey has 90 million

inhabitants, strong demographic growth and above all we must not forget the fact that the Turkish speaking countries of Central Asia are demanding Turkish citizenship and the Turkish State seems intent on giving it to them. This means that the entrance of Turkey would not mean simply Turkey joining Europe but also other peoples, other states in Europe. Let us also not forget that, in historical terms, Turkey was against Europe and now it acts as a significant look-out for two powers that are certainly not European, in other words the United States and Israel.

Lastly, we must not overlook the factor of religion: millions of Turks entering Europe would mean the opening of thousands and thousands of mosques and therefore certainly a reduction in Christian identity and civil identity in Europe. We must also not forget that mosques are often willing accomplices in allowing in ideas that are strongly anti-libertarian, anti-women and anti the European public.

Richard Seeber (PPE-DE). – (DE) Mr President, Commissioner, like the Commissioner, I would also like to send my condolences to the families of the victims of this savage attack. I would also like to say in advance that I support all of Turkey's efforts and endeavours in the direction of democratisation. They are certainly intended to bring Turkey closer to the European Union – not 'into', but 'closer' to the European Union.

I also believe that we must proceed with a policy of zero tolerance in the area of human rights and democratisation and must expect extremely high standards. The examples which our colleagues have given speak for themselves and we can see that Turkey still has a very, very long road ahead of it before it reaches EU standards. They also prove that so far Turkey has neglected to address and implement these fundamental constitutional reforms.

The system in Turkey is still characterised by the fact that there is no clear cut division of power between the various state authorities, and this is the root of many of the problems we find in Turkey's political life today. Unfortunately, it must also be said that the list of unsolved problems is getting longer rather than shorter.

For example, I will pinpoint parliamentary rights: there are particularly large deficits in the area of parliamentary budgetary control of military spending. The parliament has hardly any say in this and, what is more, there are special funds over which the parliament has no control whatsoever.

In addition, the immunity of individual members of parliament is regulated in an extremely ambiguous way. In this respect, there is a massive need for reform in Turkey. Unfortunately, Turkey has also failed to sign various European and international agreements – the Convention against Torture, for example. I believe it is really up to Turkey to set a good example here and meet European and international standards.

I could recite even more points, but I will leave it there and call upon the Commission to pay strict attention to progress in these areas.

Metin Kazak (ALDE). – (BG) I share the concern for the democratic process in Turkey in light of the recent arrests which were made after the local elections. Regardless of this, I do not think that politicians who have close links to organisations resorting to violent methods to achieve their aims should be supported. Violence has never been an acceptable and justified means of protecting rights and freedoms.

I believe that Kurds must enjoy more cultural and educational rights and I greatly respect the continuing reforms, including the launch of a 24-hour Kurdish language TV channel. However, rights and freedoms, fellow Members, are not won through violence, but by using peaceful, political means, through dialogue and mutual respect.

This is why our sincere support for the reforms in Turkey will also encourage the EU's fundamental values to be upheld, with one of the most important of these being respect for ethnic and religious differences and diversity. I am sure that the bright prospect of accession to the European Union will speed up the respect for human rights and the reforms in Turkey.

Vittorio Agnoletto (GUE/NGL). – (IT) Mr President, ladies and gentlemen, President, first of all I would like to greet the president of the DTP Party, Mr Ahmet Türk, who is a VIP guest here to follow the debate. Dear Ahmet, you know that we are with you, that we support the democratic struggle your party is conducting in Turkey for the recognition of the fundamental rights of the Kurdish people.

We acknowledge that the DTP is an essential tool for fostering democracy in Turkey, and for this reason we firmly condemn the police operations that Prime Minister Erdoğan has ordered against you, imprisoning all three vice presidents of the DTP together with more than 300 militants and sympathisers. The DTP's victory in the last administrative elections shows that the DTP is a party that enjoys strong popular democratic

support. The European Parliament resolved to ask Prime Minister Erdoğan to table direct discussions with the DTP and instead his response was more oppression, more police, more authoritarianism and more imprisonment.

Everybody knows that my parliamentary group and the European Left have up to now supported Turkey's application for membership of the European Union, at the same time supporting the process of reform in that country. I believe, however, that over the last two years, and particularly during the last few months, Mr Erdoğan has showed his other side, that of a leader who is hand in glove with the worst part of the Turkish army that simply wishes to massacre the Kurds.

The process of reform is practically dead in the water, the prisons are filling with Kurds; Mr Erdoğan himself is cutting off any prospect of Turkey's membership. The responsibility for what is happening in Euro-Turkish relations and the growing bewilderment of European public opinion with regard to Turkey lies with him and him alone.

I would like to send a very strong political message to Mr Erdoğan: either seek a negotiated political solution to the Kurdish question which, let us be very clear about this, is a process that will involve direct negotiations with the DTP, or we will ask you to suspend your negotiations for membership of the European Union. The road to Turkey's membership of the Union is via Diyarbakir and the DTP, otherwise it will be us, in other words the people who most supported your accession process, who ask for a pause for reflection, which could well become permanent.

Patrick Louis (IND/DEM). – (FR) Mr President, ladies and gentlemen, today Turkey seems to function as a democracy, but it is not for the European Union to give endless lessons on good conduct, when the EU itself cheerfully and unscrupulously bypasses the sovereign will of its constituent peoples when they vote in referenda.

Basically, Turkey is still a long way from respecting the values of the European nations, as demonstrated by the situation of the countless ethnic and religious minorities which make up the country. The situation of millions of Kurds is slow to improve. Relations with the Armenians or even their Greek neighbours are under constant diplomatic or military pressure. Cyprus is still under Turkish military occupation, in defiance of international law. This has gone on for 35 years. Religious minorities scarcely fare better. The rights of the communities not listed in the treaties are regularly trampled on, under the blind eye of the European Commission, which continues, as does Parliament, to support the accession of this country to the European Union.

Therefore, let us be consistent. While cooperation with Turkey is essential, any accession plans for Turkey must be made in accordance with the European democracies, namely through referenda.

Marios Matsakis (ALDE). - Mr President, we have founded a lot of our efforts and based many of our policies on the hope that by being nice to Turkey this country will change its Kemalic fascism into democratic-like behaviour that is just about acceptable. We were absolutely wrong and have rapidly become desperately disappointed and frustrated. The democratic reform process in Turkey has been moving with the pace of a three-legged turtle.

Commissioner, we and the vast majority of the European citizens we represent have run out of patience. We have had enough. The governing regime in Turkey has proven itself totally incapable and unwilling to get its country into the state of a 21st-century civilisation. Commissioner, the carrot technique has failed gloriously and you have to admit it. The time has now come to use the stick.

Andrew Duff (ALDE). - Mr President, Parliament, I am afraid, is proving itself again to be rather fickle on the issue of Turkey. I would be grateful if the Commissioner could give us his frank appraisal of the Ergenekon affair. Does he agree that it is a welcome sign of the cleansing of the stables and a signal that the judicial process is finally starting to attack deep corruption inside parts of the Turkish State?

Alexander Graf Lambsdorff (ALDE). – (DE) Mr President, I would like to respond to what Mr Lagendijk has said. We too of course see the positive diplomatic role Turkey can play in relation to Armenia and in relation to the Middle East. However, diplomacy and democracy are two different things. We are particularly concerned by Prime Minister Erdoğan's action against Ahmed Doğan's publishing group. Even *Der Spiegel*, which has nothing to do with either Doğan or Springer, writes of Erdoğan's private vendetta against Doğan.

I have already mentioned the Commission's progress report. Once again I would like to ask the Commission a specific question. Is the Commission more or less concerned about freedom of opinion and of the press in

Turkey than it was at the time the progress report was published? If no, why is it no longer concerned? If yes, what specific measures does the Commission intend to take? How important is the subject of freedom of the press and of opinion in relation to the ongoing accession negotiations? As I said, this is after all about the first Copenhagen criterion, the political criterion.

Olli Rehn, *Member of the Commission*. – Mr President, I want to thank honourable Members, first of all, for a very serious and substantive debate on the democratic process in Turkey, and I also want this evening to thank the European Parliament for its contribution to the EU's policy in relation to Turkey. There has been critical but constructive support for our engagement with Turkey in a very critical period. I think Parliament's approach – like, I trust, the Commission's approach – can be described as fair and firm in relation to Turkey and its EU accession process.

Indeed, in my view, we have to be fair and firm and only by being both at the same time can we achieve results. What I mean is that we have to be fair in the sense of maintaining the EU perspective as the critical driver of reforms in the country, keeping our word concerning Turkey's chance to show that it will be able to meet EU accession criteria. At the same time, we have to be firm by applying rigorous conditionality, especially as regards fundamental freedoms and democratic principles. These two key elements – fairness and firmness – only work together and they cannot be separated from each other. I think that is clearly the best way of supporting a democratic transformation in Turkey, which is our objective, because it makes Turkey a better partner and a prospective possible Member State of the European Union, in line with the negotiating framework adopted in the early hours of 4 October 2005.

The current state of affairs is pretty much a mixed picture, as Joost Lagendijk, the chair of the European Parliament Delegation to the EU-Turkey Joint Parliamentary Committee, described it. Sometimes it feels like two steps forward and one step backward, but better that way than vice versa.

As Mr Duff raised the issue, I think that the Ergenekon investigation is a case in point. In view of the investigation so far, it seems that it was essential that this network behind potential political or other attacks against democracy in Turkey was revealed and will continue to be revealed in the spirit of the rule of law and democratic secularism.

On the other hand, in the recent stages of the Ergenekon investigation, one may question whether all the principles of the rule of law have been truly applied or whether there are some other political purposes behind these arrests. The jury is still out. We are following this very closely and we shall certainly report on this in our forthcoming progress report in the coming autumn.

In my view, three principles are particularly important. First of all, the democratic principles: pursuing constitutional reform, where reform of the rules governing political parties is essential in view of the experiences of last year, this year and previous years, when we have seen the pitfalls of the constitutional framework of Turkey in this regard, as pointed out by the Venice Commission of the Council of Europe.

Second, freedom of expression, which Graf Lambsdorff referred to, is the bedrock of democracy. This was discussed quite recently at the meeting of Parliament's Joint Parliamentary Committee with the Turkish Grand National Assembly. I am concerned about media freedom and its development in Turkey and we will certainly come back to this as a special section in our progress report in the coming autumn.

Yes, there has been positive progress concerning the consequences of the reform of the infamous Article 301 some one or two years ago. On the other hand, relative progress concerning Article 301 does not justify attacks on media freedom elsewhere, as has been referred to in several statements this evening.

Finally, the rule of law, which is underpinning the functioning of all society and the economy and which is the key value of the European Union: that is illustrated in the fight against terrorism, which we support, as long as it is conducted in line with the rule of law and principles of justice in the best European tradition.

So, the pace of negotiations with Turkey will essentially depend on the progress and intensity of the reforms enhancing fundamental freedoms and the rule of law in the country, in all walks of life and all corners of the country. That is the foundation of the negotiation process. Progress in the technical negotiations will depend on whether there is serious progress in, and intensity and implementation of, these reforms enhancing fundamental freedoms and human rights and democratic secularism. These are enshrined in the Treaty on European Union and in our common European values. That is the critical yardstick of Turkish progress towards the European Union.

President. – The debate is closed.

15. Protection of animals at the time of killing (debate)

President. – The next item is the report (A6-0185/2009) by Mr Wojciechowski, on behalf of the Committee on Agriculture and Rural Development, on the proposal for a Council directive on the protection of animals at the time of killing (COM(2008)0553 – C6-0451/2008 – 2008/0180(CNS)).

Janusz Wojciechowski, rapporteur. – (PL) Mr President, our civilisation is a civilisation which uses animals. We kill billions of animals for meat, for skins and for a variety of economic needs. Sometimes we also kill them where there is no economic reason — for sport, such as hunting, or for entertainment, such as in bullfighting. For me killing animals is neither sport, nor entertainment, nor culture, but we will not go into that here, because the subject of our debate is the killing of animals for economic reasons.

Protection of animals at the time of killing. Is it possible? Is it possible to protect an animal which we are going to kill? Yes, it is possible, mainly by sparing it unnecessary suffering. By protecting animals from inhuman treatment we protect our own humanity. The proposed regulation improves standards of protecting animals at the time of killing, and introduces higher, better technical norms and fosters better monitoring of their use. It introduces greater personal responsibility for the proper handling of animals, and also introduces a requirement to appoint a special officer responsible for animal protection in facilities which carry out slaughter. The new regulation, in place of the old 1993 directive, means obvious progress in realisation of the idea of animal protection, and therefore as rapporteur I endorse the regulation.

There were several areas of controversy. A conspicuous example is the question of ritual slaughter. The basic principle is to kill animals after they have been stunned and rendered unconscious, but an exception is allowed for religious reasons — killing without prior stunning, if this is required for religious reasons. This concerns adherents of Islam and Judaism, who kill animals without stunning them first. Amendments which were aimed at introducing a comprehensive ban on ritual slaughter in the European Union have been rejected by the Committee on Agriculture and Rural Development. The Committee members were of the opinion that such a ban would be unworkable.

The Committee has also rejected a proposal that would have given each Member State the right to ban ritual slaughter through its own legislation. This is contained in Amendment 28. I would like to point out that a vote in favour of this amendment means that Member States will not be able to ban ritual slaughter on their territory. A vote against the amendment means a return to the position of the European Commission, which allows imposition of a ban on ritual slaughter under domestic law.

Another controversial matter is the appointment of national reference centres, which were to be appointed by each Member State. The Committee on Agriculture and Rural Development rejected this idea in Amendment 64. Personally, I think that such reference centres should be established, and that they could also play a role in monitoring the handling of animals at the time of killing.

I would like to draw attention to the suggestions of the Committee on Agriculture and Rural Development which are contained in my report. Firstly, measures to introduce higher standards of animal protection at the time of killing should obtain financial support from the European Union. The noble ends of animal protection cannot be achieved without financial layout and without creating material incentives to introduce increased standards.

Secondly, the report proposes that the improved standards should apply not only to producers within the European Union, but also to importers of meat products to Europe. We want to be sure that the EU market will be supplied only with animal products which come from animals killed in the way required by EU law.

Ladies and gentlemen, the last sitting of the European Parliament is largely devoted to the protection of animals. Today we have resolved to ban the import of products from seals which have been killed with cruelty, we have resolved to impose higher standards for the protection of experimental animals, and now we are debating higher standards of animal protection at the time of killing. I am glad that Parliament is doing so much for animal protection, and I am glad that I can be part of it. The spirit of Saint Francis of Assisi is present in this Chamber. May he also be present in the next parliamentary term.

Androulla Vassiliou, Member of the Commission. – Mr President, I would like to thank the European Parliament and in particular the rapporteur, Mr Wojciechowski, for having supported the main elements of the Commission proposal on the protection of animals at the time of killing.

In particular, I am pleased that the European Parliament accepted the general approach of the proposal, which is to ensure the animal welfare legislation applicable to slaughterhouses is in line with the hygiene package which was adopted back in 2004.

The current legislation on the protection of animals at slaughter dates back to 1993 and is clearly not in line with the latest developments in the areas of food safety, animal health and animal welfare. Under the current proposal, slaughterhouse operators will have to establish standard operating procedures, rely on welfare indicators for stunning, and personnel will have to receive training on animal welfare.

On the issue of religious slaughter, I would like to stress that the Commission fully shares the attachment of the European Parliament to freedom of religion and to underline that the Commission's intention is to maintain the status quo on this sensitive matter. The Treaty clearly states the need to take into account practices related to religion in the formulation of Community policy. It is clear that there are many different practices regarding religious slaughter across the Member States of the Union.

The Commission suggests that subsidiarity should be maintained in this area. It has worked well for the past 15 years and should continue to work well in the future. In this respect, we can accept in principle, subject to rewording, amendments that reflect the approach of the current legislation, which preserves the right of freedom of religion while allowing Member States to adopt or maintain stricter rules. In this regard, I would note that there seems to be agreement in Council along these lines.

I would now like to say a few words on the practice of backyard slaughter. Today, the slaughter of animals for private consumption is permitted outside slaughterhouses (except cattle), but pigs, sheep and goats must have previously been stunned. Some citizens in the Member States traditionally slaughter pigs for Christmas and lambs for Easter. The preservation of these traditions is important to the Commission but there is no need to derogate from the stunning of animals, thereby undermining the welfare of the animals. Therefore the Commission believes that prior stunning should always be performed when pigs or lambs are slaughtered outside slaughterhouses.

Another point of the proposal is related to the establishment of a national centre of reference. We believe that this element is essential to guarantee proper enforcement of the proposed measures. In slaughterhouses, official inspectors perform food safety controls, mainly on carcasses. They have little time and limited competences to assess animal welfare parameters. These days, stunning equipment is complex and difficult to evaluate in relation to their welfare efficiency. National reference centres would meet the need for technical and scientific information on the welfare of animals at slaughter and the Commission considers that this requirement should be maintained in the proposal.

The Commission also believes that certificates of competence required for the personnel in slaughterhouses should be issued following an independent examination. This system has been developed in other areas of animal welfare, both in the public and the private sector. Where this has been properly implemented, it has provided good results. This should therefore be extended to all EU slaughterhouses.

Animals are also killed in huge numbers outside slaughterhouses in order to control the spread of disease. It is true that requirements already exist for animal health purposes, but today's requirements do not relate to animal welfare. People consider that mass culling for disease-control purposes should be performed in the most humane way possible. Transparency, which means proper reporting, is therefore essential. Furthermore, previous experience in these emergency situations has shown that it is crucial to collect information on good practices and on mistakes that might have occurred. Proper monitoring and reporting on animal welfare should therefore be required in cases of mass culling.

I would very much welcome your support of the Commission proposal. If successfully adopted, the European Union would have the potential to lead and innovate globally on animal welfare.

Jens Holm, *draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety*. – (SV) Every year hundreds of millions of animals – pigs, cows, sheep, hens, horses and other animals – are slaughtered and transported throughout Europe. In addition to that, 25 million fur-bearing animals are slaughtered. This involves an enormous amount of suffering for the animals. Of course, the best solution would be for us not to eat them at all and for us not to wear animals in the form of furs.

However, this regulation is not really about that, but about how we can reduce the suffering of animals at slaughterhouses. The Commission's proposal is a step forward, but it must be made more stringent on a number of points. In the Committee on the Environment, Public Health and Food Safety we voted through my opinion, in which we demand, among other things, shorter transport times and waiting times at

slaughterhouses, investments in mobile slaughterhouses, that fur-bearing animals be included under this regulation, that Member States be able to go further and have more stringent provisions and that animal welfare inspectors and the proposed national reference centres for animal welfare be independent and be given greater powers.

It is gratifying that the Committee on Agriculture and Rural Development supports our proposal on mobile slaughterhouses and to include fur-bearing animals. However, I am deeply concerned about several other amendments put forward by this committee and by individual Members. It is unfortunate that the Committee on Agriculture and Rural Development has completely deleted the proposed time limits for transport to the slaughterhouse and the waiting time inside the slaughterhouse. Please vote in favour of Amendment 125 put forward by the Confederal Group of the European United Left/Nordic Green Left so that we regain these requirements. I also do not understand why the Committee on Agriculture and Rural Development wants to delete the proposal on national reference centres for animal welfare. It is also incredibly important to allow Member States to go further and have more ambitious provisions than those laid down here. I urge you to vote in favour of Amendment 124. Finally, I am deeply concerned about the fact that the Committee on Agriculture and Rural Development does not want to allow the Member States which currently have a complete ban on slaughter without stunning to retain that ban. This is the case, for example, in my country, Sweden. We have found a balance between religious tradition and animal welfare that most people are happy with. Please vote against Amendment 28, as proposed by the rapporteur.

Sebastiano Sanzarello, *on behalf of the PPE-DE Group.* – (IT) Mr President, ladies and gentlemen, by happy coincidence it falls on me to speak this evening for the last time, at least during this term, under your presidency, which I believe is your final presidency, because you have decided not to stand for re-election. I am delighted to express my satisfaction, Mr Cocilovo, for what you have done in this Parliament and for the esteem in which you are held by all the MEPs and not merely by the Italian delegation. I was elected to the same constituency as you; we are political opponents, but I feel as if I owe it to you to wish you a profitable political future acting in the interests of our country, but also of Europe.

Now I will get to the point. I believe that we in the Committee on Agriculture and Rural Development have done an excellent job. After listening to consultants and after listening to different professional groups, we have tried to improve on the text that was given to us by the Council and the Commission, making it more applicable and more consistent, safeguarding what amounts to the expression of and the right to religious practices, in all their facets. There were some contradictions, because the Commission and the Council stated and asserted that they would safeguard ritual butchery, but certain obligations made it impossible in practice – I refer to hanging upside down and the much debated topic of stunning.

From a dialectical viewpoint, this seems like cruelty, but what does it actually involve: a decisive cut is associated with the same pain level as stunning, which is effected by means of a captive bolt to the forehead, after which there is no more pain, after which it would be further cruelty to stun the animals once their throats have been cut. I do not therefore believe that animals are being treated cruelly if they are not stunned after their throats are cut.

The Charter of Human Rights states that whenever there is a conflict with animal rights, human rights take precedence, in other words the right to religious practices, and not only Muslim, not only Jewish but also Christian practices – as we have discussed at length in the committee – should be protected and protected to the full. Not least because, since we have reciprocal relations with non-member countries, people who practice certain types of religions could otherwise not eat meat in Europe because it cannot be produced in Europe and cannot be imported. I do not believe this is fair.

Rosa Miguélez Ramos, *on behalf of the PSE Group.* – (ES) Mr President, ladies and gentlemen, as we have already heard, the proposal we are debating today replaces a directive which has become obsolete due to technological advances, and brings in a new regulation that is going to allow for Community requirements on animal welfare to be applied uniformly across the European Union.

In the context of the internal market, and given that observing regulations can damage competition, it is going to enable similar competition standards for all Community operators. In fact, the Committee on Agriculture and Rural Development, which has opted to make small-scale operators exempt from some requirements, has increased responsibility for the remaining large operators – that is the text we are debating today – and, in addition, has created the post of animal welfare officer in large companies.

The report we are debating improves the Commission proposal on fundamental issues. One example is that it no longer attempts to amend through this proposal current animal transport provisions relating to total

transport times – something we considered absolutely outrageous – and it maintains the current ban on transporting animals whose particular characteristics mean they are not fit for transportation.

In addition, it corrects and clarifies companies' responsibilities as regards complying with welfare regulations: operators, rather than workers, are responsible for ensuring the rules are applied.

Finally, Commissioner, I would like you to bear in mind that in the European Union no two legal systems in the different regions and countries are the same; each one is different. The national reference centres you are proposing and to which you have just referred in your speech, were they to be implemented as the Commission suggests in its proposal, would entail the creation of 17 national reference centres in Spain, and not just one national reference centre. In Spain central government powers are decentralised to the autonomous communities and we would therefore be forced to establish 17 of these national centres you believe to be possible. That would be ridiculous: one centre for every region. That is why we propose that the relevant authority be responsible for ensuring the rules are correctly applied.

Zdzisław Zbigniew Podkański, *on behalf of the UEN Group*. – (PL) Mr President, the Wojciechowski report on the proposal for a Council regulation on the protection of animals at the time of killing raises the very important subject of animal welfare. It indirectly poses the question as to whether contemporary humanity is able to break with cruelty and create a new world of values, where there is sensitivity to pain, suffering, fear and anxiety about losing life, and not only in relation to people, but also to animals.

Unfortunately, despite the development of civilisation and technology, every year billions of animals and birds are still killed, often with cruelty and even without stunning. This gives rise to further questions, as to why the behaviour of intelligent and educated people towards animals is often like that of primitive tribes, condemned to fight for their existence. What should we do to change this?

These questions are in large measure answered by the report, which still does not resolve many fundamental problems connected, for example, with legislation, ritual slaughter and forming the conscience of society. These problems, therefore, remain to be resolved by the Council, the Commission and by the new Parliament. I hope that further work on improving the welfare of animals will be accompanied by the realisation that animals are living beings, which can feel pain and suffering; that they are not things, and that people owe them respect, protection and care.

Alyn Smith, *on behalf of the Verts/ALE Group*. – Mr President, I would like to add my own congratulations to our rapporteur, Janusz Wojciechowski, for tackling a very complex and emotional dossier with some aplomb and dealing with a lot of conflicting viewpoints. In this speech, which is probably my last speech in this mandate, it is worth remarking to colleagues that this is what I call a classic European Parliament European dossier. It is technical, it is complex, it is a little bit distant from our citizens, but it is worth remembering that animal welfare is of crucial importance to our citizens, and fairness is of crucial importance to our producers, to our consumers and to our market.

I am particularly drawn to Amendments 45 and 46 on ensuring that third countries seeking to export to our territory match our standards. That is a crucial element of fairness for our producers and for consumer confidence in our markets, so it is very much to be welcomed.

Likewise, the proportionality of the measure in Amendments 65 to 67 allowing for on-the-job training is particularly to be welcomed for smaller slaughterhouses and smaller operations across the European Union. Also, the derogations allowing small abattoirs to be exempted from having the animal welfare officer present are very much to be welcomed.

On religious slaughter, I think the Commissioner is absolutely right. I do not think we need to regulate that in this package, so this is good news for consumers. This is good news for confidence in the EU meat market and it is a good job all round. My congratulations.

Maria Petre (PPE-DE). – (RO) I would first of all like to congratulate the rapporteur and thank him for the approachability he has shown.

I agree with the Commission's proposals stipulating that animals must be killed only using a method which ensures immediate death or after stunning, while accepting however as an exception slaughter as part of religious rituals. I also support this regulation not being applied either in the case of animals being slaughtered for personal consumption, in keeping with the traditions of major religious festivities, such as Easter and Christmas, and only for a period of 10 days prior to when these festivities take place.

Staff involved in slaughter and other related activities must attend suitable training courses which are carried out in the normal way, with a certificate of competence being awarded.

The European regulations introduced in the area of animal protection are among the most stringent in the world. They result in higher production costs and may also distort competition with states whose legislation is less strict in this respect. This is why I call on the Commission to ensure that meat products or other products of animal origin imported from nonEU countries meet European standards. What we would like to see is for the Commission to be able to carry out inspections in abattoirs authorised to export their products to the European Union, confirming that, in addition to the health certificates already awarded, regulations on animal protection are also being respected.

Neil Parish (PPE-DE). - Mr President, can I thank Ms Vassiliou very much for her work here in Parliament. She picked up the dossier only for the last couple of years and has done an extremely good job, so I congratulate her. Can I also congratulate Janusz Wojciechowski for doing a very good report and being a very good vice-chair of the Agriculture Committee.

I believe that animal welfare standards in Europe are absolutely paramount to the fact that we produce high-quality meat. We want to make sure that it is slaughtered carefully and to high standards, both for hygiene and for animal welfare. I do actually welcome the idea of mobile slaughterhouses, because I think this will be extremely good. I also think we have to be careful, because many small slaughterhouses in Europe have been closed down in the past – and in my own Member State that has happened – so we want to make sure we have got proper regulation, but not too much regulation that will actually close them down.

I am going to be quite controversial now. I believe that animals are born into this world and we, as man, decide exactly how they are going to be slaughtered. I think the Commission must make up its mind. Either you accept religious slaughter and the fact that the animals are not stunned, so those animals in other countries which we want to be killed at Christmas can have the same process, or you actually stand up for what I believe to be right, and that is that we, as man, decide how an animal is to be slaughtered and that animals should be stunned before slaughter. I think it is absolutely clear that this should happen. In some Member States there is pre-stunning and post-stunning of animals under both halal slaughter and under Jewish slaughter. I wonder why it cannot happen in the whole of Europe, because we have to be absolutely certain that we treat all animals the same. While I accept subsidiarity, I also want to see the Commission put pressure on Member States to make sure that we have proper slaughtering and stunning in the future.

Also, when it comes to labelling, I see no problem. Why should we not label animals as to how they have been slaughtered? If there is no problem with the halal and Jewish slaughter, then why worry about labelling it? So let us have proper labelling so people know exactly what they are buying in the future, because it is very important for European agriculture to have very high standards.

Marios Matsakis (ALDE). - Mr President, the right of freedom of religion cannot, in my view, disregard the rules and regulations of our countries and cannot violate so profoundly our standards of respect for slaughter hygiene and animal welfare. Therefore, I fail to see why, in the name of religion, we should tolerate anachronistic, unhygienic and even sadistic killings of animals, sometimes done in pompous ceremonial circumstances, carried out in front of both adults and children.

I therefore believe that animals should only be killed under the controlled circumstances of an authorised and inspectable slaughterhouse and no animal should be slaughtered without prior stunning. Freedom of religion is one thing, causing unnecessary pain to animals and violating hygiene rules is another. The rules and laws in the EU should be the same for all, irrespective of religion.

Friedrich-Wilhelm Graefe zu Baringdorf (Verts/ALE). – (DE) Mr President, Commissioner, in this debate I think the issue of animal welfare has been narrowed down too much to the question of whether or not we should use stunning. It is not that I am against stunning, it is just that we must realise that stunning was originally introduced, not out of concern for animal welfare, but for economic reasons, to be able to slaughter animals in factory farming, which involves mass killing in slaughterhouses, without affecting and lessening the quality of the meat through the anxiety caused by slaughter.

Thus with religious slaughter it is about the high art of slaughtering without the animals experiencing additional suffering, and with the issue of stunning in slaughterhouses, it is not only about whether or not stunning should be used, but also about the handling of animals during transportation and during the waiting time in the slaughterhouses. I agree with Mr Parish's point that religious slaughter should be labelled accordingly, so that consumers know what they are buying and what they are supporting.

Androulla Vassiliou, *Member of the Commission*. – Mr President, today's debate on the Wojciechowski report reflects the concerns of Parliament, the Commission and indeed of the public over the welfare of animals at the time of slaughter. The Commission proposal introduces important innovations which I hope you can support.

Today, EU legislation requires that operators from third countries exporting to the EU apply equivalent standards. In addition, meat import certificates must confirm that EU standards have been respected in the exporting establishments. Therefore, as regards the Commission proposal, we are of the opinion that the principle of equivalence should continue to apply.

I have listened carefully to all your comments, and I think this input is very useful in our efforts to arrive at a truly effective production of animal welfare. With the adoption of this report, we are sending the right signals to the public that we are addressing their concerns while, at the same time, we are setting modern standards for global welfare practices at the time of slaughter of animals. I thank Parliament and its rapporteur for their support.

Finally, as this is my last address to this House, I would like to say how much I have enjoyed working with all of you, and let me wish all of you success in your future endeavours and every happiness.

Janusz Wojciechowski, *rapporteur*. – (PL) Mr President, Commissioner, I, too, would like to add my voice to those wishes, and I am glad the Commissioner's last speech in Parliament concerns the presentation of what is truly a good draft and a good regulation, and indeed the majority of those who have spoken in this discussion are in full agreement here. I very much wish that the final result of this work, this joint work of Parliament, the Commission and the Council, will not significantly impair what the Commission has proposed, because the Commission has indeed made very good proposals. However, in the approach to animal protection, in those measures which aim to improve the welfare of animals, there are two important things.

The first of these is money. Unfortunately, we will not gain the acceptance of society for raising these standards if we do not ensure that they are properly financed. Community means are essential here in order to achieve the objectives that have been set. It is not possible to introduce higher standards such as these without money, passing all the costs on to the bodies that have to introduce the standards.

The second matter concerns equivalence, so that the improved standards do not reduce the competitiveness of producers within the European Union. I think we are on the right road to achieving this. I am glad that there is approval for these proposals in this Chamber.

Once again I would like to thank the Commissioner. I would also like to thank all the fellow Members who have spoken in this discussion, and I am glad that the idea of raising the standards of animal welfare is universally accepted in this Chamber.

President. – The debate is closed.

The vote will take place on Wednesday 6 May 2009.

16. General revision of the Rules of Procedure (debate)

President. – The next item is the report (A6-0273/2009) by Mr Corbett, on behalf of the Committee on Constitutional Affairs, on the general revision of _Parliament's Rules of Procedure (2007/2124(REG)).

Richard Corbett, *rapporteur*. – Mr President, I intend to use somewhat less than my four minutes now in introducing it and maybe a little longer when I reply at the end, if there are questions that need clarification.

This report is the fruit of a lot of work. The sources of the reforms that we would hope to introduce to our Rules of Procedure come in part from the work of the Reform Working Group established by the Conference of Presidents, ably chaired by my colleague, Dagmar Roth-Behrendt, who made a number of proposals that were approved by the Conference of Presidents and have been forwarded to us to translate as best we can into the Rules of Procedure.

The second source is a lot of smaller changes that, in many ways, have been in the pipeline for a long time but, rather than have a string of reports changing the rules on minor points, we have grouped them together. Some of these are technical; some are clarifying and make our rules more readable, such as the one that puts together Rules 141, 142 and 143 into a single codified text governing how we actually organise our debates

in plenary. Related to that is the innovative amendment to say that we should have this blue card procedure to be able to interrupt each other. Mr Duff for instance, right now, may want to put a question to me about what I said, and I would let him do so for 30 seconds under this rule, if it is adopted. I am sure, Mr President, you would already let him do so now if he wanted, but, fortunately, he does not want to.

So there are some innovative features that should make our debates a little more lively. I remember when I first proposed the catch-the-eye period at the end of ordinary debates, everyone said: oh, no, we cannot do that, it will mess up the speaking time of the groups, and so on. Yet we now do it, and it is an accepted part of our procedures and very much welcomed, I think, by most Members. I would suggest that maybe the blue card procedure will be the same: there are some hesitations now, but let us try it out, let us see how it works, and I am confident we can make it work.

There have also been some amendments which arose as we discussed this, either at committee stage or now in plenary. For instance, there was a suggestion that all final votes on legislation should automatically be by roll-call vote – I think that came from Ms Dahl. I welcome that amendment, and we have put it in my report. There have been suggestions from many Members that we put something in the rule about intergroups, if only actually to delimit very clearly what they are and what they are not, to show that they are informal and that they may not take over the responsibilities of parliamentary bodies.

So there are a lot of interesting things in here. There is also the amendment to deal with the odd system we have that our opening session is chaired by the oldest Member instead of, for instance, the outgoing President, which happens in some parliaments – or an outgoing Vice-President, even, if the President were not re-elected, perhaps. That is a rather sensible improvement to our procedures.

I will wind up there. I have not used all my time, but, if I need to, I am happy to come back at the end and answer questions or queries.

József Szájer, *on behalf of the PPE-DE Group*. – Mr President, I would like to welcome this proposal and also to thank Richard Corbett for his hard, and not always rewarding, work.

Very often when we change the Rules of Procedure our colleagues get worried about what is happening. Most of them only realise what has happened and what changes we have made once it has come into effect, by which time it can no longer be changed. I firmly support most of the proposals which have been tabled, especially because they reflect not just your hard work, but also – as you mentioned – that of the parliamentary reform group chaired by Dagmar Roth-Behrendt, which prepared this proposal very well.

However, during the parliamentary reform process, I also made it clear for our group when we had our discussions that this report on parliamentary reform has to be approved by changes to the Rules of Procedure. This is a democratic procedure ending in a vote. Nothing could be changed just by discussions in that group and we worked very much along these lines.

I would also like to mention that I was somewhat critical about what has just been mentioned, namely that some of the informal procedures which we have in the Parliament are institutionalised. I am somewhat afraid because if we have a custom, then it is better to keep it as a custom and not necessarily change the rules.

For our group, the most important point is, however, proportionality. In our Parliament, the committees have very strong roles. In preparing the votes here in Parliament they take a lot of the burden from this House by voting in committee. It is not just a simple question of procedure, but a question of democracy, that the committees reflect the proportions which exist in plenary when important issues are decided. I think this is a basic question of democracy and, on behalf of the PPE-DE, support the report.

Costas Botopoulos, *on behalf of the PSE Group*. – Mr President, I am one of those curious constitutional animals who think that the Rules of Procedure mirror our own work here in our own Parliament. So I think this is an important piece of work by Richard Corbett, who is the eminent specialist in this field. To his credit I must say that this is the second modification of the Rules of Procedure. There are things that have changed very recently and that we are changing again, because we have seen that the practice of our Parliament demands that those changes be made.

I have one general remark and three specific ones to put before you tonight. The general remark is that I think it is also very important to talk about the second aspect of Mr Corbett's report: the impact of the Lisbon Treaty upon our Rules of Procedure. It is very important to talk about that too, because a change to the Rules of Procedure without that second part would be imperfect.

My three specific remarks: the first one concerns a modification in which I played a small part myself. It is the fact that we are trying to put into the Rules of Procedure this idea of an *agora*, of the possibility for citizens, too, to address the European Parliament and to participate in discussions before the European Parliament. I think this is a symbolically important initiative that we took together with my friend and colleague Gérard Onesta, and I think it would be a good thing if that were to be enshrined in the Rules of Procedure.

The second thing that is, I think, of importance is the change we have made to the own-initiative reports: the fact that, having seen how the own-initiative reports have been in practice, we are reintroducing the possibility for amendments, albeit by one 10th of parliamentarians. The third aspect is this blue card procedure. I am in favour of everything that will enliven our parliamentary discussions here, so this possibility for parliamentarians to interrupt one another in a civilised way and to speak like that is a good idea.

Andrew Duff, *on behalf of the ALDE Group*. – Mr President, first I would like to thank Mr Corbett for his work. The ALDE Group will support the package. It is a modernising reform of the House, which we appreciate: it will make us more efficient and more pluralistic, and I hope in the end it will make us more attractive to public opinion and, indeed, the press.

I have two or three quibbles, however. The first is on the point that Mr Szájer spoke about: the attempt to force committees to be rigidly proportionate to the disposition of parties in Parliament. I think it is actually perfectly proper for a political group to express a preference to put more of its members on a committee that it regards as especially important. I think that, if we pass Amendment 42, then the groups and Members will find it frustrating, and it will require, in the end, greater flexibility.

I would also like to defend strongly the changes agreed in the Committee on Constitutional Affairs to Rule 45(2) that Costas Botopoulos has just spoken about. I think we need to have a fall-back position to improve the own-initiative reports if they require it, and our experience since July, when that previous change was brought in, has exposed the fact that they frequently require improvement in the plenary.

I would also like to commend Amendment 68 concerning the recasting procedure. I think Parliament has constrained itself too tightly, and we should more properly reflect the interinstitutional agreement of 2001 in our procedures to permit committees to talk about substantive changes to parts of directives or regulations that the Commission is seeking to recast, but in a very restricted form.

Finally, I am seeking to take out the addition of split and separate votes to the procedure that will permit the President to refer back to a committee a report which has attracted more than 50 substantive amendments.

Monica Frassoni, *on behalf of the Verts/ALE Group*. – (IT) Mr President, ladies and gentlemen, the Group of the Greens/European Free Alliance have never had much time for the great parliamentary reforms carried out by Mr Corbett – he is a friend of mine and we have worked together for many years, he is aware of this and he will not hold it against me – because they tend to turn our Parliament into a bureaucratic machine where the role of individual MEPs and minority groups and even the committees must be subject to the growing, partly arbitrary, decisionmaking power of the Conference of Presidents and the administration. In addition, they make the relationship between the primary committee and committees asked for an opinion in the legislative procedure confused and basically conflictual.

I must say I am staggered that this evening, in this debate, we are not talking about the things that we consider to be the fundamental problems in this procedural reform. The first thing is the confusion that will inevitably be created between the primary committee and the committee asked for an opinion, because when the primary committee rejects the amendments of the committee asked for an opinion, these amendments might end up directly in the Chamber, obviously creating an extremely risky potential for legal confusion – as we also incidentally saw in the case of REACH.

No committee asked for an opinion is, furthermore, actually free to carry out its work, due to the confused and absolutely unacceptable mechanism represented by the possibility of making joint votes and having joint rapporteurs on topics particularly important to our legislative power.

Lastly, Mr President, there is another element that concerns us very much. One of the outcomes to emerge from the working group on internal reform, of which I was a part, and that we originally considered positive, was the proposal to strengthen the powers and the role of the Committee on Petitions in a truly significant manner. In this reform, however, the role of the Committee on Petitions has been killed off, in the sense that it will no longer be possible for the Committee on Petitions to find its way directly to the Chamber except after unspeakable complications and possible conflicts with the competent committee.

For all these reasons, our group considers that this reform is not ready and we believe that it would be an error by a majority of our Parliament to adopt it.

President. – Thank you, Mrs Frassoni. Mr Corbett will naturally have the right of reply, but I cannot fail to note that Mrs Frassoni used a red card while waiting to try out the blue card.

Hanne Dahl, on behalf of the IND/DEM Group. – (DA) Mr President, rules of procedure form the basis of all work in a democratically elected House. Clear rules ensure that everyone participating in the political process is treated equally. You cannot change the requirements in order to keep certain groups, persons or attitudes from having influence. You cannot bend the rules just because it suits you to do so.

In the past week, for example, the Conference of Presidents discussed an application to circumvent the vote on the Staes report. Fortunately, the Legal Service rejected this. The result of a vote must stand. Consequently, my group, too, has tabled amendments that would make all voting electronic. This would enable us to avoid mistakes and at the same time ensure that we have a quorum. I call upon the Members to vote in favour of these amendments.

Jo Leinen (PSE). – (DE) Mr President, to reform the European Union is difficult, but to reform the European Parliament is even more difficult, as we have seen in the debate on the revision of the Rules of Procedure and the work of our fellow Member Richard Corbett. I would like to thank Mr Corbett for the truly enormous commitment he has shown, to bring the many different interests under one umbrella and to carry this revision of our Rules of Procedure through to the plenum. The Socialist Group in the European Parliament will support this report.

We are waiting for the Treaty of Lisbon; then Parliament will have more legislative powers and we must get ready to place legislating at the heart of our work. Initiative reports will have to take second place; legislation needs to come first.

We must also be more robust in our work around the world. Journeys by parliamentary delegations to different countries, to different parts of the world must be linked to Parliament's technical committees. If a delegation is dealing with a subject like climate change or social protection, experts from the relevant technical committee should be on board as well.

I welcome the fact that we are making our debates more attractive: in future it is not the red card, but the blue card that will bring more dynamism. This is excellent. Cooperation between committees, these joint committees, that is a test run, because the previous practice was unsatisfactory. Let us be honest, the advising committee had almost no chance. In this respect, the trial with joint sittings by two committees is a new attempt to devise something better.

This reform is essential. It is also good that we are doing it before the elections and not postponing it until the next legislative period. I would once more like to thank Mr Corbett and all those who participated.

Andrzej Wielowieyski (ALDE). – (FR) Mr President, although excellent, Mr Corbett's report unfortunately includes a serious error. Our aim is to provide high-quality parliamentary services. We must therefore avoid mistakes and be able to improve the texts.

Only Amendment 8, which concerns Rule 45, will enable us, with the support of 75 Members – which will not be easy to obtain – to table amendments in the Chamber. The rapporteur and the Committee on Constitutional Affairs have decided to reject this procedure, for fear of being swamped with amendments.

The changes we proposed, on behalf of the Group of the Alliance of Liberals and Democrats for Europe and the Group of the Greens/European Free Alliance, sought to grant this right to two or three political groups. We have coordinators and shadow rapporteurs who are competent and follow the legislative process.

Rejecting the change proposed by the Committee on Constitutional Affairs amounts to denying the power to improve a text within the framework of a normal procedure, which is a serious error.

Nils Lundgren (IND/DEM). – (SV) Thank you, Mr President. Schadenfreude is the only true joy, says the cynic. However, even those of us who are not cynical naturally admit that Schadenfreude is a form of joy, and it is this sort of joy that I am feeling now. Why? Well, last year we in the June List and the Independence and Democracy Group started to request roll-call votes in all final votes. I remember how President Pöttering scolded us, derided us and claimed that it cost the earth. Now the committee is proposing that all final votes on legislative proposals be conducted as roll-call votes. And quite rightly, too! In order to be able to demand

political responsibility from their MEPs, voters must be able to check how they voted. How did Mr Hannan, Mrs Wallis or Mrs Svensson vote, to name just a few of my favourite Members? This proposal constitutes an important step towards a democratic process and it strengthens voters' control of the 'yes-men' in this House. I would like to thank Mr Corbett for this and to thank the President for allowing me to speak.

Bruno Gollnisch (NI). – (FR) Mr President, in reality, if a quorum were to apply to our deliberations, imagine what would happen. There are only 11 of us present today taking part in debates on extremely important issues, which concern the next Parliament. This is why I believe that the very principle underlying these changes is highly questionable.

What is even more questionable – irrespective of the work carried out by Mr Corbett – is an amendment which has been rejected by the Committee on Constitutional Affairs being referred back to us by the two main groups in this House in order to modify – in circumstances we know full well concern a specific individual – the traditional provision common to all parliaments of the world according to which the inaugural session is chaired by the oldest Member.

This provision is particularly valid, and wanting to change it simply because the next oldest Member might not be agreeable to the majority groups is clearly an especially underhand measure. For that matter, this sums up Parliament's problem. I will have been a Member for 20 years soon. I have noticed that each time the minority exercises a right, the Rules of Procedure are changed. It would be better to repeal the Rules of Procedure and then just accept the will of the majority groups.

Richard Corbett, rapporteur. – Mr President, may I first begin by thanking my shadow rapporteurs, who have got to grips with the detail of this issue: Mr Szájer, Mr Duff, Mrs Frassoni and Mrs Dahl. Without their help and work we would not have been able to bring this work to fruition.

May I secondly confirm what has been mentioned already. This report was actually split into two. There is another report which we have not brought to plenary yet – which we will have to revisit in the next Parliament – concerning how we adapt our procedures to the Lisbon Treaty if it comes into force. We were, of course, looking at this as preparation, without prejudice to the ratification that will, hopefully, take place tomorrow in the Czech Senate and later in the year in Ireland, but we will return to that with the preparatory work having been done if the Treaty is ratified.

Secondly, may I confirm that, indeed, there are rules here which revisit, as Mr Szájer pointed out, recent reforms that flowed from the first report of Dagmar Roth-Behrendt's reform working group. It concerns this question of initiative reports, where we have a procedure which many Members feel is a little bit too inflexible now. We have made it slightly more flexible. For a start, the debate will not just be a short presentation by the rapporteur, a reply from the Commission and that is it. There will be up to 10 minutes of catch-the-eye possible for such occasions.

Secondly, when it comes to amendments, these are now prohibited for own-initiative reports. Instead, groups can table an alternative motion for resolution. That right would continue, but in addition we would allow amendments if they are tabled by a 10th of the Members of the House. Mr Wielowieyski, who has just left us, has criticised that point, but at the moment there is no right to amend initiative reports whatsoever. This enables a restricted right.

We do not want to open the floodgates and have hundreds of amendments rewriting lengthy resolutions by a committee of 700-and-something Members, but on the other hand a limited right of amendment where there is a strong wish for it, we felt, was a reasonable compromise and a right balance.

Another way in which a previous reform from a number of years ago is being revisited is the amendment by the ALDE Group concerning recasting. I think that is also a welcome adjustment to the procedures that we have at the moment.

May I also confirm that lots of new ideas have come from other Members. I mentioned some earlier. I forgot to mention the article on the *agora*, which Mr Botopoulos and Mr Onesta can claim the paternity for. There are other ideas on the roll-call voting for legislative reports – not for all final votes but final votes on legislative reports, which I think I did mention earlier.

Finally, the points where I disagree with some Members. Mr Duff, the rule on when there are a large number of amendments in plenary and the President can ask a committee to look at it: it is not a referral back to committee of the report. The committee simply acts as a filter for the amendments in plenary so that we do

not have to spend several hours voting, but only on those amendments which have a certain degree of support. It is not a referral back.

Second, the point raised by Ms Frassoni about opinion-giving committees having the right to table amendments in plenary. I myself have grave doubts about whether that is a good idea or not, but it came from the reform working group on which you sat. It was endorsed by the Conference of Presidents. That was something that had a degree of consensus behind it, and therefore we are submitting it to the House for approval or, indeed, rejection. We will see how the House votes tomorrow.

Finally, I will not address the Committee on Petitions issues, because we are about to have a specific debate on that and I will come back to that point then. I will just finally say, in response to Mr Gollnisch, that he is wrong on two counts. This is not the same amendment that was rejected in committee. It is a different one, a different approach to the subject. I had grave reservations about the amendment that was submitted in the committee. I am happy to support the one that has been submitted to plenary.

Secondly, the oldest member is not common to all parliaments of the world, as he suggested. It is to many, but it is by no means the only system that exists, and it is quite legitimate for us, as a European Parliament, to look at the various systems that exist and choose one which is suitable for our circumstances. It will be up to the House to decide.

President. – The debate is closed.

The vote will take place on Wednesday 6 May 2009.

17. The petitions process (amendment of Title VIII of the Rules of Procedure) (debate)

President. – The next item is the report (A6-0027/2009) by Mr Onesta, on behalf of the Committee on Constitutional Affairs, on revision of the Rules of Procedure with regard to the petitions process (2006/2209(REG)).

Gérard Onesta, rapporteur. – (FR) Mr President, after the large cake that was the Corbett report, I do not know whether this is the cherry; it is more like the little cake you get with your coffee, just as they slip you the bill.

I am going to talk about petitions. We have seen in the past that the Rules of Procedure, as they stand, have caused us a few problems, as sometimes certain rules were difficult to interpret or even led to political deadlock as to the admissibility of this or that text. We have therefore tried to do some tidying up, to clarify and to consolidate, but that does not make it a revolution.

First of all we want to better identify the petitioner, since, at the moment, when we receive half a tonne of petitions, it is not that clear who the contact person is. We will therefore ask the petitioners to specify who is, as it were, their leader; otherwise, we will decide to use the first name on the first page.

We have established the right to withdraw from a petition. We are saying to the citizens, 'you can submit a petition but you can also waive this right and request that your name be withdrawn from the list of signatories'.

You are aware that Parliament can receive correspondence in minority languages, such as Galician, Basque, Catalan and so on, when they are recognised by the Member States. We have decided to extend this right to petitions, too. If we receive correspondence in certain languages which the Bureau recognises as languages for written communication with citizens, we shall also reply in those languages.

The true reform, however, lies with admissibility. Until now, the members of the Committee on Petitions at times had to battle quite hard to find out whether a certain document really was a matter of European law or not. After all, since Europe extends to all areas, people were getting in through the back door. We have therefore tried to simplify things by giving a kind of admissibility incentive.

If a quarter of the members of the Committee on Petitions regards a text as admissible, it will be considered, as there is no question of our restricting a vital right, a right which is, in any case, based on primary law. In the event of a declaration of inadmissibility, we shall even try to recommend possible means of redress.

There must always be transparency, since the petitioner's name and the content of the petition will always be published on our registers, but if, in order to protect privacy, the petitioner asks for anonymity, we will be able to provide this. The same holds true if confidentiality is requested during discussions.

Naturally the petitioners' right to speak, at the discretion of the committee chairman, has been retained.

As for the right to take follow-up action, we have extended it – or rather clarified it – to a degree, as in the past the Committee on Petitions could practically issue an own-initiative report on more or less anything and everything. We do not see why this committee should have more rights than the other committees. It will of course retain this right provided that there is no objection by the Conference of Presidents.

The electronic register has been retained. If necessary there will be fact-finding visits in situ to establish facts or indeed to seek a solution. This role is one of mediator; it is something slightly original which we have decided to introduce, and which will be to Parliament's credit.

If need be, we will ask for the assistance of the Commission, represented this evening at the highest level, to clarify the application of Community law and, possibly, to supply information to us. The information collected will naturally be supplied to the Commission, the Council and the petitioner.

However, what about the Treaty of Lisbon should it be ratified? You will be aware that a new type of petition is provided for by this Treaty – alongside the petitions submitted to the European Parliament which have existed for a very long time – namely petitions submitted to the European Commission, bearing at least one million signatures.

We have simply decided that, in the event that the Lisbon Treaty is ratified, if a related issue is ever raised in a petition submitted by a million citizens to the Commission, we in Parliament would check whether we were dealing with an identical issue and whether or not the petition submitted to the Commission could affect our work, in which case we would simply inform the petitioners.

Well, Mr President, ladies and gentlemen, I think I have more or less summed up the situation. There is no revolution then, just some clarifications and the prevention of any possible deadlock.

Richard Corbett, *on behalf of the PSE Group*. – Mr President, it is with great pleasure that my group can announce its support for the report by Mr Onesta, who has done a fine job in looking at this, and did it some time ago. It is a somewhat curious fact that the Conference of Presidents waited so long to put this report on our plenary agenda.

However, the fact that it has waited so long and has put it on the agenda at the same time as my report means there is a slight interface on one point between our two reports, which Ms Frassoni alluded to in our previous debate. That is the matter of cooperation between the Committee on Petitions and the committee responsible for the subject matter. Everyone agrees that they both have to cooperate and they need to work together, but there is an argument about what you could call the bottom line: if they disagree, who has the final say?

You can understand both sides. The members of the Petitions Committee feel that they have received petitions, they have looked into the matter, they may have had hearings, they may have had a visit, they have sometimes found something that is perhaps wrong in the legislation that the subject committee has dealt with, and they feel they have got to grips with that and should have the final say if the subject committee disagrees. On the other hand, you can understand the subject committee. Why should it suddenly find another committee responsible for the subject matter just because somebody sent a petition to that other committee? You can understand both sides.

What I have tried to do to reconcile the two is to say that yes, of course, they should work closely together and, at the end of the day, the Petitions Committee must listen to the views of the subject committee. It can, if it so chooses, depart from the views of the subject committee – it is allowed to do so – but if it does, the price to pay is that the subject committee has the right to table amendments in plenary.

I think that is a reasonable *quid pro quo*. I do not understand why Ms Frassoni said earlier that would destroy the Petitions Committee. I really have no understanding of how she could reach such a conclusion. Certainly, the members of the Petitions Committee in my group have told me that they are happy with that compromise and I think it is a workable compromise. It is a compromise. If you are an extremist on one side or the other of this argument you will not be happy, but I think it is a workable compromise. It blends in very nicely with the excellent report by Mr Onesta, and I think altogether this package will work.

Jo Leinen (PSE). – (DE) Mr President, Mr Onesta said that his report is not revolutionary, but it is however an important reform, which strengthens the rights of citizens as well as the Committee on Petitions. The right to petition is a right accorded to citizens and a few improvements will be made, which will also encourage citizens to address questions to Parliament. I also think it is right that when it comes to the admissibility of a petition, it is not the chairman of the committee who should decide. Although I myself am chairman of a committee, I agree that if a quarter of the members think a subject should be discussed, then it must be discussed.

I would like to correct something Mr Onesta said: the European citizens' initiative is not a petition – that is an alium. It is actually a European popular petition, a different sort of right. It is not addressed to Parliament but to the Commission and we should not confuse them. The representatives of civil society have set great store by this.

This will probably be the last report that Mr Onesta will make here in Parliament. I would like to thank him most sincerely for his work, which in many respects has been excellent, both as Vice-President and as a member of our committee. I should also mention Agora, Parliament's forum with civil society, which is making history and is a really important instrument. We therefore support the Onesta report and would like to thank you once more for your constructive cooperation.

(Applause)

President. – I must correct Mr Leinen because, since he has been concerned with property policy, Mr Onesta will leave many permanent works in addition to those connected with political initiative.

Costas Botopoulos (PSE). – (FR) Mr President, ladies and gentlemen, I would also like to thank Mr Onesta for his work and presence in Parliament. I would like to make a few remarks about his last report. I am convinced, as is Mrs Frassoni, that the right to petition is an important right, but I must say that the Committee on Petitions is a rather odd committee; it is important, interesting, but also odd. This mini court where everything and nothing is discussed is quite important but also interesting, and different from what we do.

I would like to come back to three points very briefly. Firstly, minority languages. I am in agreement, but this must not open the door to languages which are not fully legal being used in Parliament. Secondly, admissibility. I am in full agreement, and it is a good thing that the aim is to admit rather than reject petitions. Lastly, I would like to say that I agree with our chairman, Mr Leinen. The right of citizens' initiative indeed has nothing to do with the right of petition, which is a democratic, constitutional right regarding Parliament, and the two should not be confused.

Finally, I took the floor above all in order to thank Mr Onesta for his work.

President. – I apologise to the honourable Member because I was immediately told off for pronouncing his surname incorrectly, which is Botòpoulos and not Botopòulos, I apologise again.

Monica Frassoni (Verts/ALE). – (IT) Mr President, ladies and gentlemen, I too would like to thank Mr Onesta, also on behalf of the Group of the Greens/European Free Alliance. Incidentally we were both at a party earlier and we will soon be going back to finish the thank-yous and celebrations.

In this respect, I naturally wanted to say that we support this report, but that we also feel that the subject of the relationship with the primary committee remains a thorny topic in the Corbett reform and at this point I also would like to say something to Mr Botopoulos: it is not that the Committee on Petitions is a strange committee, it is a committee that has a very specific role and on most occasions petitions are concerned with the application of Community law, they are concerned with breaches of directives and laws that do not evidently always have a very clear relationship with the primary committee.

I would go further, and say that anybody who has had anything to do, however little, with the work of the Committee on Petitions can see that it is a sort of 'Cinderella' in our Parliament. They will also see that the primary committee does not respond to the requests of the Committee on Petitions, it absolutely cannot be bothered to respond to anything that the Committee on Petitions says, does or proposes.

This is my fear: my fear is the fact that the Committee on Petitions, which not always, but often, is concerned with the application of Community directives, must somehow wait for permission from the committees responsible for making the laws, which therefore have a different part to play, and must also ask the permission of the Conference of Presidents when it is a simple case of checking the application, which has nothing to do, I repeat, with the legislative function of the parliamentary committees.

This is why I am expressing my concern about the reform proposed by Mr Corbett on petitions even though I agree strongly with what Mr Onesta said, and I thank you again, Vice-President, for being flexible about the time.

President. – It was actually a gallantry due to the fact that it was the last speech of the evening, except for the reply by our rapporteur, Mr Onesta, whose turn it is to speak now.

Gérard Onesta, rapporteur. – (FR) Mr President, I will try to answer my fellow Members. Mr Leinen, you are absolutely right: it was a slip of the tongue. The procedures are completely different when it comes to appealing to the Commission under the provisions of the possible future Treaty, and appealing to Parliament via the petitions procedure.

However, in the hypothetical event that these two types of appeal – which are very different in terms of place and format – should concern an identical issue, we decided that the petitioners should be notified in order to ascertain whether or not it is appropriate to continue our investigations. We simply opted to strengthen coordination in this scenario. I do spell things out, but you were right to ask me for this linguistic clarification.

I will continue my linguistic explanations with Mr Botopoulos's question. Obviously, there is no question of adding to this Tower of Babel, which is already extremely complex: just look at the number of interpreters still here this evening. We are quite clear that it is Parliament's Bureau which decides that petitions and correspondence with petitioners will be drawn up in other languages used in a Member State. These languages must therefore be recognised in the State, and the State must ask for this. This is currently the case for only four languages. If tomorrow I wanted to write in Volapük – an imaginary language – clearly it would not be recognised by any State, and neither Parliament nor the Bureau would reply in that language; all that is clearly specified.

Regarding issues of conflict between the committees to which Mr Corbett drew our attention, I would point out that my report states, in accordance with Rule 46 and Annex VI, that the Committee on Petitions can already seek the opinion of another committee which has 'specific responsibility for the issue under examination'. You say that, in this case, conflict could still arise. Well, we have put in place an arbiter, since the Committee on Petitions will not be able to issue own-opinion reports or go against an own-initiative report of a responsible committee unless the Conference of Presidents allows it. We have a referral system, namely the Conference of Presidents, which will decide whether it is down to the Committee on Petitions or the responsible committee to take action, in the event that both committees are unable to reach an agreement. We have therefore made provision for a safeguard in any case.

I think that, with those clarifications made, we can conclude, Mr President. I have waited almost 20 years for the right to speak for six minutes in the Chamber, but to do so before an audience such as this was a real pleasure.

President. – The debate is closed.

The vote will take place on Wednesday 6 May 2009.

18. Agenda for next sitting: see Minutes

19. Closure of the sitting

(The sitting was closed at 11.50 p.m.)