

WEDNESDAY, 3 SEPTEMBER 2008

IN THE CHAIR: **Diana WALLIS**

Vice-President

1. Opening of the sitting

(The sitting opened at 09.00.)

2. Situation in Georgia (motions for resolutions tabled): see Minutes

3. Classification, labelling and packaging of substances and mixtures - Classification, labelling and packaging of substances and mixtures (amendment of Directives 76/768/EEC, 88/378/EEC, 1999/13/EC, 2000/53/EC, 2002/96/EC and 2004/42/EC) - Classification, labelling and packaging of substances and mixtures (amendment of Regulation (EC) No 648/2004) (debate)

President. – The first item is the joint debate on

– the report by Amalia Sartori, on behalf of the Committee on the Environment, Public Health and Food Safety, on a proposal for a regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006 (COM(2007)0355 - C6-0197/2007 - 2007/0121(COD)) (A6-0140/2008),

– the report by Amalia Sartori, on behalf of the Committee on the Environment, Public Health and Food Safety, on a proposal for a decision of the European Parliament and of the Council amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC in order to adapt them to Regulation (EC) ... on Classification, Labelling and Packaging of Substances and Mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006 (COM(2007)0611 - C6-0347/2007 - 2007/0212(COD)) (A6-0142/2008), and

– the report by Amalia Sartori, on behalf of the Committee on the Environment, Public Health and Food Safety, on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 in order to adapt it to Regulation (EC) No ... on Classification, Labelling and Packaging of Substances and Mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006 (COM(2007)0613 - C6-0349/2007 - 2007/0213(COD)) (A6-0141/2008).

Günter Verheugen, *Vice-President of the Commission.* – (DE) Madam President, ladies and gentlemen, on behalf of my colleague Commissioner Dimas, I would first like to thank the rapporteur, Mrs Sartori, for her thorough work on this difficult proposal. Her hard work made agreement with the Council possible at first reading, which the Commission is delighted about. Once again, we are dealing with chemicals and the protection of people and the environment from their potentially dangerous effects.

Chemicals are not purely a European problem, or a European monopoly. They are produced, traded and used throughout the world, and the risks associated with the use of chemicals are the same irrespective of location. Therefore, it stands to reason that we have endeavoured to achieve a worldwide system to describe and label these hazards. The legislation we are going to adopt today creates the basis for globally uniform environmental, health and safety information relating to potentially dangerous chemicals.

Health and environmental protection will become transparent and comparable worldwide only when harmonised standards of measurement are used to determine and label the dangers posed by chemicals. We must not underestimate the economic advantages either. European enterprises will save money because they will not need to evaluate chemical hazard procedures that apply in different countries according to different criteria and different systems. Professional users of chemicals and consumers throughout the world will also benefit from this harmonisation. People who use chemicals will no longer have to become familiar with several different systems in order to know what level of threat a chemical may pose.

The compromise presented by the rapporteur is balanced and takes particular account of issues such as workability and the clarity of the provisions. Although the amendments proposed by co-legislators are numerous, they do not alter the underlying principles or the basic structure of the original proposal by the Commission in any significant way. Therefore, the Commission is able to go along with these proposals. Even when we were preparing the proposal, the Commission was concerned to leave the current very high level of protection of human health and the environment untouched. I am very pleased that Parliament and the Council share our basic view on this. The close, constructive cooperation between Parliament, the Council and the Commission greatly benefitted the negotiation process and, as I have already said, this means that we can accept all the compromises that Mrs Sartori has suggested.

Amalia Sartori, *rapporteur*. – (IT) Mr President, ladies and gentlemen, as I have already reminded the Commissioner, in recent months we have repeatedly addressed the issue of the classification, labelling and packaging of chemical substances and mixtures, a system better known by its abbreviation 'GHS', for which I am rapporteur.

For this reason, instead of discussing the technical details of the dossier again, I would like to begin by thanking my colleagues and the shadow rapporteurs whom I worked with to create a constructive and extremely satisfying dialogue based on extensive collaboration and transparency. I would particularly like to thank everyone for the support and faith shown in me. This gave me enough backing for a successful outcome to the negotiations with the Council and the Commission.

I would also like to thank the draftsmen of the opinions of the relevant committees – Mrs Laperrouze, for the Committee on Industry, Research and Energy, and Mr Schwab, for the Committee on Internal Market and Consumer Protection – who were involved on the basis of an enhanced cooperation procedure. The opinions adopted by these two committees in fact supplemented and enhanced the proposal, making it more efficient and easier for end users: by these I mean consumers, businesses, trade associations, supervisory authorities and Member States. I would like to mention the excellent work carried out by parliamentary officials and members of the groups who assisted us, as well as representatives from the Commission and the Council.

Over the last few months we have all worked towards trying to minimise the number of amendments and to reach a consensus on particular compromises. After two months of tripartite technical discussions with the other institutions, we have achieved a satisfying compromise package with the Council, approved by COREPER on 27 June and which, if today's vote is successful, will allow us to conclude at first reading.

With this new legislation, we need, on the one hand, to maintain the commitments we have assumed at international level – and thus ensure that the UN GHS is consistent with our own legislation in terms of content – and on the other, we must meet the existing deadlines imposed by our own legislation in REACH.

With this new regulation, we will at the same time succeed in both offering better protection to users of these substances and in making our firms more competitive and efficient. Under these new rules, which are identical all over the world, countries will not be allowed to consider the same product more harmful or less harmful than in other countries. So far this has not been the case. Not only is this illogical, given that the same substance presents the same risks no matter where it is, but it is also extremely risky when these products are exported by one country to another and end up being used by people who have no notion of the dangers of the product they are using.

I believe, therefore, that for users and workers in this sector, particularly in the extremely high number of small and medium-sized enterprises, our proposal can be an effective response not only for all of our citizens and all Europeans, but for people all around the world.

Anne Laperrouze, *draftsman of the opinion of the Committee on Industry, Research and Energy*. – (FR) Madam President, Commissioner, ladies and gentlemen, I would first like to congratulate Mrs Sartori, our rapporteur, and the shadow rapporteurs from the other groups. I think the work we have done, though not easy with a text of 2 000 pages, has brought real progress.

I will speak first of all on behalf of the Committee on Industry, Research and Energy, for which I was draftsman of the opinion, and then I will speak on behalf of my political group.

The Committee on Industry has adopted various amendments, and I am briefly going to mention the main ones.

The situation of SMEs had to be taken into account: they expressed their interest in this matter during the preparatory consultation by the Commission. Out of 360 companies, 45%, employing fewer than 250 employees, responded to this online consultation held by the Commission between 21 August and 21 October 2006.

Our Committee was keen to highlight the fact that apart from providing necessary information, the purpose of the GHS is also the protection of consumers and the environment. Our Committee called upon the Member States to introduce a procedure that helps all suppliers, particularly SMEs, in certain sectors of production, to determine the correct classification, labelling and packaging of these substances and mixtures.

Our Committee was also keen on consistency with REACH and therefore tabled amendments concerning tonnage.

Lastly, out of more than just a desire to avoid the duplication of legislation on packaging, our Committee wanted to anticipate the possibility of disputes over the interpretation of the Regulation's requirements, in this case between the supplier and a Member State and the need for a procedure to ensure classification is harmonised.

I now come to my role as shadow rapporteur for the ALDE, and will outline some of the guiding principles of our approach.

Of course we welcome this initiative. A global approach is totally consistent with the objective of protecting health and the environment more effectively while allowing for trade in products.

Since it is a global system, it is important that the future regulation does not introduce constraints on European firms that do not apply to their international competitors. It would be desirable for the proposal to be consistent with REACH as regards both timeframes and a tonnage-based approach, and where the annexes are concerned, not least Annex VI.

As regards the information affixed to finished products, given that the European Commission has chosen to include post-manufacturing, the guiding principle has to be the quality and relevance of information and not the quantity. Our group felt it was important to recognise the existence and value of other sources of information, particularly NGOs and industry, but also the importance of tools for communication such as the internet. The confidentiality of some information must also be protected. Lastly, this legislation must not generate an increase in animal testing.

Because of the tight schedule, but also the complexity of the annexes, I recall that MEPs decided not to amend them. The aim of this was also to facilitate the negotiations. This was a major concession by Parliament. However, we have noticed in this case that one of these annexes raises a serious problem of immediate conformity and implementation for the industries concerned.

Annex VI is a list of substances with harmonised classifications at European level. A similar list already exists, however, and the industry uses this existing list to classify and label mixtures. But when the transfer took place, modifications were made to this list and it will have to be applied as soon as the GHS comes into force, though in the case of technical adaptations, the timeframe for this is at least 18 months.

Many SMEs are concerned about this change. It is essential that we reach agreement in the first reading with the Council, and stop publishing provisions as soon as possible to give the industry and users time to adapt to the new system and make it operational by the end of 2008.

Consequently, I am asking the Commission to put forward a solution that gives the industry sufficient time to bring itself into conformity with the regulation's requirements, without having a disproportionate impact.

Following the trialogue, apart from the problem with the Annex, the text being put to the vote seems like a good one to me. I would just like to highlight a few salient points. We have talked a great deal about PBTs. They are not covered by the United Nations GHS. Parliament has secured agreement from the European Commission to push for their classification at United Nations level. Parliament has also secured the removal of the division of the 'eye irritation' category into sub-categories, which would undoubtedly have led to an increase in the number of tests on animals without adding any real value. We can also report that tests on humans for the sole purpose of this regulation are banned, and that the UN's GHS is a dynamic process; a mechanism has been found to enable changes to the UN GHS to be taken into account by the European GHS. Confidentiality is protected in a balanced way.

Consistency with REACH is guaranteed and Parliament has accepted a zero threshold for inventory and notification, though originally we wanted a threshold of one tonne for certain categories of products. This zero threshold was accepted because substances and mixtures exclusively for R&D purposes are excluded from the scope of application.

I think we have done a good job and I am hoping for a good vote and for the GHS to be applied properly.

Andreas Schwab, *draftsman of the opinion of the Committee on the Internal Market and Consumer Protection*. – (DE) Madam President, Commissioner, ladies and gentlemen, I would first like to say that it gave the Committee on the Internal Market and Consumer Protection great satisfaction to see the compromise presented by Mrs Sartori on behalf of the Committee on the Environment, Public Health and Food Safety. We believe that, with this solution, we have found a very good compromise and a very good solution, both for the chemical companies in the European internal market – most of which operate globally – and for consumers, and that we have also achieved a very good compromise for consumers with sensitivities.

This was possible only because of the amicable, unwavering cooperation between the rapporteurs. I would particularly like to thank Mrs Sartori for the way she led the negotiations – including in trialogue – as in the end, there is no doubt that this was critical to achieving a solution that met everyone's expectations.

I am happy with the result because I believe, from the point of view of the internal market, and of enterprises – particularly chemicals enterprises, whose experience of the European level in terms of REACH has not been 100% positive – that the Globally Harmonised System of Classification and Labelling of Chemicals (GHS), as a universal guideline set up by the United Nations, can be implemented on the European internal market in a very non-bureaucratic way and with a practical orientation. This will bring direct competitive advantages on the internal European market for enterprises that are active on this market, because harmonised labelling is a significant step forward compared to the existing regulation, which still varies in some peripheral areas.

Commissioner, in the trialogue discussions, we also briefly discussed the fact that legislation on the transport of these consumer goods has still not been harmonised and that it would therefore be worth considering whether we should shift our focus to legislation on the transport of chemicals in the coming months.

Secondly, not opening the annexes was the right thing to do – and here I would like to support Mrs Laperrouze of the Group of the Alliance of Liberals and Democrats for Europe, with whom we also enjoyed excellent cooperation – because this move enabled us to prevent the discussion becoming like the one regarding REACH. Even though it meant that certain individual points that we would have liked to improve were missed out, with the wisdom of hindsight, it was indeed the right path to take.

Nevertheless, I would like to lend my express support to Mrs Laperrouze's desire to create a transitional deadline in Annex 6 for the substances that were amended in that annex, because when we started the consultation, we could not predict that they would not be covered by the solution we decided on. Commissioner, I would very much appreciate it if you would comment briefly on this in your answer.

Users of chemical consumer goods are not, as a rule, conversant with the composition of these goods. When discussing the GHS, we therefore placed particular importance on implementing it in a way that would be practical for consumers. Although it was not possible to consider each individual case in detail, we found a solution – at least for the most common consumer goods, such as washing powder and detergents – that makes consumers aware of the quantities of chemicals these products contain, while also enabling people to use them in the future in the same way as they have done in the past.

Perhaps I can give you an example: it used to be possible to use washing-up liquid only in large bottles containing several litres. Increasingly environmentally friendly technology in the manufacture and use of these products has enabled the quantity of washing-up liquid required to be reduced further and further, so that now, the largest containers found in kitchens are just 300 ml or 500 ml.

No doubt the concentration of the chemicals in these products has increased but for consumers, this is compatible with the present GHS solution because we know that people use these products every day, so we did not need to overclassify them.

That covers all the points relevant to the internal market. Thank you for your attention.

Guido Sacconi, *on behalf of the PSE Group*. – (IT) Madam President, ladies and gentlemen, in a situation such as this one, where we are all in agreement, our debate risks becoming repetitive. For my part, I would just like to make three very brief political points, since I fully agree with what my fellow Members have said.

The first point naturally is recognition for the perseverance that our rapporteur has shown since the start. From the very first meetings, she has demonstrated a political determination to close the dossier at first reading, and in fact she has almost forced us to do so, by twisting our arms. However, we were all convinced that this was necessary if we were to introduce legislation swiftly to obtain an immediate classification of all substances and make a real step towards tougher standards to protect consumer health and – I agree on this point – the health of workers who use these substances in many different sectors, particularly in the more difficult context of a small business.

Secondly, we have avoided the increasing danger of reopening old discussions that had been shelved with the adoption of REACH, something that I was particularly keen to see. At an international level, I believe that even the fact that REACH is increasingly being used as a benchmark at international level by other countries, which are using it as a model to adapt their own legislation, is extremely satisfying.

In any case, the provisions relating to the classification of substances that we are about to vote on must be adapted and integrated so that they correspond to the principal regulation on the classification, labelling, and packaging of substances and mixtures without adding any new elements.

Ultimately this means, as all my fellow Members will know, that the GHS is not the last word on the subject of the classification and labelling of substances. There has been much discussion of PDT. We must not forget that this is an ongoing process. For now we are implementing what we already have, and classifying substances on which the UN has already carried out a risk analysis. As soon as we have new risk categories and the results of new studies, the GHS will be updated accordingly, so this is an ongoing process.

Liam Aylward, *on behalf of the UEN Group*. – (GA) Mr President, the environment and public health affect every citizen and this legislation is directly connected with both. The Parliament voted in favour of the REACH system which is now in place and which protects people's health and the environment from the danger of chemicals. The aim of REACH is to ensure that manufacturers and importers register, classify and authorize chemicals. An essential part of the system is providing the public with information by labelling these chemicals.

I can only praise this legislation and the Commissioner for giving the EU system equal ranking with the UNGHS (UN Globally Harmonised System of Classification and Labelling). The public will be informed about the dangers of chemicals through pictograms which shall indicate the risks concerning explosions, fire, cancer and poison. There will be advantages for industry as countries all over the world accept the GHS system. And the public will have more confidence in chemicals which have signs and clear and definite labelling.

Carl Schlyter, *on behalf of the Verts/ALE Group*. – (SV) We talk a great deal about taking the initiative on climate change but, if we really had a holistic approach to the environment, we would have directly copied UN legislation here too. Now we are removing acute toxicity category five. Why are we doing this? Well, for the bizarre reason that otherwise there would be an increase in the number of substances which would have to be classified and labelled. Thus the reason has nothing to do with any kind of environmental logic or health logic. No, we do not want to copy category five because it would mean increasing the number of substances, despite the fact that the point of the whole thing is to have a common global standard which would make things easier for trade and, in this case, also for the environment and information to consumers. I fought for reintroducing acute toxicity category five, but unfortunately I did not succeed.

Another thing which we were behind and actually succeeded in getting through together with the Council was preventing the proposal for a reduced classification threshold of 10 kg. I would like to thank the Council for standing their ground. The Commission also had a positive input. If the proposal had gone through, REACH would have been undermined. REACH was about evaluating chemicals, finding out whether they are dangerous and registering them. However, REACH evaluates and registers only the 30 000 most commonly used chemicals, those with the highest volume. The other 70 000 chemicals we use would be dealt with under this legislation. For this reason it is very good that we retained it and that no lower limit was imposed for when chemicals are to be classified. If the proposal had gone through, REACH would not have had a complement in the GHS. I am very glad that this was not the case and therefore I can support this.

I am also pleased that we succeeded in preventing an unnecessary division into categories for animal testing, e.g. eye irritation tests.

With these two victories under our belt, I can vote in favour of this report. However, I would really like to emphasise that, although we have not succeeded in including the very hazardous PBT chemicals or a priority list for evaluation here and now, at least we have gained a text that says we will promote this at UN level and that it will be included in the UN system. Now I would really like to see the Commission working hard to achieve this aim, because it is very important. Otherwise our chemicals policy will have failed completely. It is very important that these substances are now quickly incorporated in the UN system, as we did not manage to take the first step here.

So what happens for consumers? They won't be as well informed as they could have been about the danger of chemicals, and that is disappointing. But they will at least get a decent standard and basic protection to protect themselves from hazardous chemicals. So in the end it was a compromise which no one is satisfied with, and maybe that is what usually happens.

Avril Doyle, on behalf of the PPE-DE Group. – Madam President, chemicals are a natural and important part of our environment. Even though we often do not think about it, we use chemicals every day. The modern world could not function without them. They keep our food fresh, our bodies clean, they help our plants to grow, they fuel our cars. Properly used and properly handled, chemicals make it possible for us to live longer, healthier lives.

This proposed regulation, which complements REACH and aligns the EU system for classification, labelling and packaging of substances and mixtures with the UN Globally Harmonised System, is a reasonable and balanced proposal.

If we want to utilise the benefits of chemicals at a reasonable cost then we have to accept that there will be risks. We need therefore to strike a balance between risks and benefits and control the risks of chemicals through careful labelling, science-based regulation and innovative technologies. We also need to strike a balance between properly implementing the European Union's international obligations signed up to at the United Nations Economic and Social Council at the World Summit on Sustainable Development which was held in Johannesburg in September 2002, while at the same time avoiding unnecessary burdens on business through impractical and over-demanding labelling.

To this effect, I tabled several amendments to the proposal. I feel it is particularly important to ensure that classification of products does not lead to confusion among consumers or health care providers. Too much information is equal to no information. This is why I tabled an amendment on the packaging of products, for example, with awkward shapes or that are so small that it is technically impossible to attach a label. In these cases, hazard labelling information should be supplied in some other appropriate manner such as tie-on tags.

I would like to thank particularly the rapporteur, Mrs Sartori, for supporting my amendments and for the excellent work she has done on this report.

While existing regulations on identifying and communicating the hazardous properties of chemicals are similar in many respects, some differences are significant enough to result in different classification, different labelling and safety data sheets (SDS). The Globally Harmonised System (GHS) will hopefully merge these different classifications in an effective way. The benefits of chemical use far outweigh the risks and this is especially so since the introduction of the registration, evaluation and authorisation of chemicals legislation known as REACH.

We must all be aware that chemicals, through the different steps from their production to their handling, transport and use can pose potential risks to human health and the environment. In this context, the UN-EU GHS agreement is expected to be an improvement in human health and environmental protection and will also offer greater clarity to enterprises, particularly those involved in international trade.

The potential but manageable risks involved with chemicals underline the need for our legislation on a globally harmonised approach to packaging and labelling of chemicals, and it is in this respect I am pleased that the Council and Parliament agreed to a text on 27 June, and I congratulate again our rapporteur on the work done on this complex but very important file.

Jens Holm, on behalf of the GUE/NGL Group. – (SV) Those who work in chemicals manufacturing will be particularly severely affected. According to a Finnish study, around 32 million EU citizens are exposed to carcinogenic chemicals in their workplace every day.

It is our duty to ban the most dangerous chemicals and exercise control over all chemicals in general. This was the very purpose of the chemicals legislation REACH which we decided on last year. The result of REACH can be debated. I myself thought that the final result was watered down and lobbied to pieces by industry, but at least it is there, the world's most wide-ranging chemicals legislation.

The GHS, the Globally Harmonised System of Classification and Labelling of Chemicals, continues and complements REACH. The GHS aims to pass information about chemicals on to workers and consumers. The aim is to classify and label the thousands of substances and mixtures which surround us. The GHS is in fact a UN Convention which we must now implement at EU level. Once the GHS has been passed – unfortunately not until 2010 for substances and as late as 2015 for mixtures – all chemicals will be easy to identify. It is about better information for the millions of workers who come into contact with chemicals every day, for consumers who must be able to know what they are buying. Labelling will also help to improve public health in general and the environment.

Industry will be able to enjoy more consistent legislation which will facilitate international trade. This is a major step forward and that is why we in the Confederal Group of the European United Left/Nordic Green Left support this compromise.

However, it is a pity that we did not go as far as we could have done. Chemicals which are persistent, bioaccumulative and toxic, PBTs, will not be labelled. Instead this compromise means that the question of PBTs will be dealt with at UN level. This is a serious flaw in the agreement. Why not decide that PBT chemicals are to have the same status as all the others and also be labelled. Now we have to hope that other countries exert pressure on the question of PBTs. I also believe that this will be the case in the long term.

Despite this, this is a decent compromise which will lead to millions of Europeans, workers and consumers, receiving more information about the tens of thousands of chemicals around us. This is a major and important decision for everyone suffering from cancer, allergies or skin diseases as a result of chemicals.

Graham Booth, *on behalf of the IND/DEM Group*. – Madam President, with the REACH Regulation now beginning to take its terrible toll on productive industry, especially on smaller businesses, and the numbers of animal experiments rising sharply, here in the form of A6-0140/2008 come some more instructions from the world-government zealots of UNESCO on how to classify, label and package the results of its previous idea.

Being equally thirsty for anti-democratic global domination, the commercial and political elite which constitutes the European Union hastens to implement these instructions, just as they did to implement REACH. They made a barrage of assurances of their good intentions which may for the moment protect or delude their so-called stakeholders, but which will not satisfy the great number of the unemployed which these measures are already beginning to produce.

A crumb of recognition for public opinion falls from the master's table in the form of Amendments 10, 12, 39 and 42, to place reducing animal experimentation in certain circumstances before adherence to the letter of the legislation. I understand that this is due to pressure from the influential environmental groups upon which the EU depends for so much of its support, and placing the welfare of non-human primates above that of humans, as expressed in Amendment 40, is surely going too far to placate them, but finding anything deserving of a positive vote in the oppressive and obsessive process of EU legislation is a rarity worthy of note.

For the rest, there is no reason why sensible standards of safety should not be adopted voluntarily by democratic nation states with independent judiciaries and free public access to judicial systems. Supranational edicts may appear to be an easy option, but the centralised unaccountable power they contribute, directive by unmandated directive, is not just their sting in the tail but their principal awful effect.

The claim put forward in recital 7 to the effect that this legislation will provide a competitive advantage to industry and, as Amendment 1 adds, in particular to small and medium-sized enterprises, is simply ludicrous. As always, the EU's big business overlords will benefit from the failure of their smaller competitors. They will become even larger fish in a smaller pond or flee abroad, and far from kowtowing to the EU and its ridiculous restrictions, traders overseas will trade much more profitably with each other than they will with us. The boom is over. The recession has begun and under the burden of EU regulation such as A6-0140/2008, our economies are sinking like stones.

Each traveller on this gravy train can tell his electorate whatever he likes in their own language without fear that they will overhear what his colleagues in other states are telling their electors. There is no general EU

electorate and there cannot be one until perhaps in a century or two everyone speaks one language, and until that time comes EU democracy will be a joke, and a dark and dangerous joke at that. But your privileges are enormous. Why should you care about this or the crazy counterproductive laws you continually rubber stamp? And why should I care, because I am retiring at the end of this month? When I read Amendment 28 it made me realise why I have had enough of all this nonsense. It says: 'Preparation means a mixture or solution composed of two or more substances. Mixture and preparation are synonyms'. Well, however would we survive without this supernanny state explaining such things to us, and how on earth have I survived to the ripe old age of 68 when I spent my infant years chewing the leaded paint off the wooden frame of my cot? I suppose it gave my antibodies something to do in the days when we actually had antibodies.

Each leaden edict brings the collapse of the EU closer. I rejoice in that, but I deplore the damage which you are inflicting on 27 former democracies, year by disastrous year.

Jim Allister (NI). - Madam President, it makes clear sense to me that, since chemicals are manufactured and traded globally, the description of hazards on their packaging should not differ between countries, as that is both prejudicial to consumers and a disadvantage to those who accurately describe the hazard.

However, I note that at present the 'globally-harmonised' system is not very global. It is more sporadic than global. I wonder whether other countries will follow the EU's example in embracing this UN system, and what the impact might be for businesses in Europe if they do not.

In implementing these measures we need to strike a balance. Firstly, it is crucial for there to be no over-classification of products, which would confuse consumers and health-care providers.

Secondly, we need to implement these international obligations without placing unnecessary burdens on our businesses. A number of companies have raised concerns over the cost of implementation. There will be high IT and training outlays and repackaging costs, which we must not underestimate, especially in the case of small business. I would echo the concern that SMEs could fall victim, especially if they trade overseas, in which case these costs may well be more than they can bear.

Eija-Riitta Korhola (PPE-DE). - (FI) Madam President, the debate on the very recent European Chemicals Regulation, REACH, is still in our memories. It was one of the toughest legislative packages this term. The regulation on the classification, labelling and packaging of substances and mixtures we are now dealing with is partly based on, and complements, the REACH Regulation that has just entered into force. That is why it gave rise to a lot of questions beforehand.

The Commission's desire for an agreement at first reading initially seemed a bit too ambitious, given that Parliament had previously indicated its interest in legislation on chemicals. I can therefore only admire the creditable work and leadership of my colleague, Mrs Sartori, with respect to this technical report, and how she managed to avoid the temptation of revising the regulation too much and, for example, incorporating new paragraphs and classifications of substances in the annexes, which would have slowed down and even prevented the regulation's entry into force.

The report which we worked through on the committees is likely to achieve the targets set for the regulation, especially regarding the harmonisation and simplification of legislation. GHS and REACH complement one another and do not just facilitate the work of the producers and distributors of chemicals. Instead, clear and safe labelling will mean a return to consumer confidence in them.

When the work of the Committee began, people were worried that the GHS Regulation would mean that a large number of detergents, for example, would have to be classified as corrosive in the same way. This way, for example, agents for unblocking pipes and washing-up liquids would have the same classification and package labelling, with the result that consumers would not be able to distinguish between hazardous products and milder detergents. Now, however, the classifications of substances reflect their actual potential danger as well as can be expected.

The aim of this system, based as it is on a UN agreement, is that the same criteria should apply to the classification and labelling of chemicals and the regulations on the transportation, sales and use of chemicals all over the world. Under the agreement it would be fully operative by 2008. We still have a few months left to go.

Gyula Hegyi (PSE). - Madam President, the global harmonisation of the classification, labelling and packaging of substances and mixtures is to be welcomed, and the European Union should play a leading role in protecting our citizens against dangerous chemicals. The whole initiative comes from the United Nations, and is therefore

a global project. The globally harmonised system is a promising sign of global cooperation in environmental issues. That is why I support the adoption of the compromise on the Sartori report.

I have tabled more than 20 amendments in order to ensure the appropriate labelling and safe use of chemicals. Seventeen of those amendments were approved by the ENVI Committee. However, the same Environmental Committee also adopted several amendments from the rapporteur which would weaken consumers' rights regarding information on the hazards of the chemicals in products.

The Socialist Group and I voted against those proposals because the interests of consumers are vital to us. I am satisfied that the new compromise does not include these anti-consumer amendments, and I therefore propose to accept it. I am not totally happy with the compromise, but we cannot delay putting the GHS into our legislation.

Let us accept, as a basic principle, that companies should not invoke business confidentiality when they place hazardous chemicals on the market. Concerning hazards, consumers must have the right to have all necessary information.

Of course, the devil is in the details, so we will see how the GHS will work in practice, how hazard signs will be indicated on the products by industry, and whether consumers understand the signs and warnings. The information should be clear and easily understandable. Altogether, I hope that GHS will be a good tool to present the outcome of REACH to the public, so that chemicals are trusted much more by consumers, which will help our industry as well.

My assistant Gergely Simon, who has done much work on this and other dossiers, will leave Parliament in the near future. I would like to thank him for his contribution to our common goal, which is a chemically safer Europe.

Hiltrud Breyer (Verts/ALE). – (DE) Madam President, we all know that chemicals are produced and traded throughout the world, and the dangers and risks are global too. Therefore, we need guidelines in the form of clear classifications and labels, which apply globally. I would have liked the European Union to be the engine driving very clear labelling and strong consumer protection, but I have heard many speakers here that say that, rather than being the engine, the EU should be sitting in the brake van.

I can live with this political agreement, but I am not very happy with it. Yes, we managed an important step towards greater safety for people and the environment. I am also pleased that, despite the report by the Committee on the Environment, Public Health and Food Safety in connection with threshold values for labelling, which was all too industry-friendly – the volumes of data used for the classification should have been included on the label – we managed to limit the damage in the negotiations with the Council and the Commission. I am glad that there are no longer any tonnage-based threshold values for the requirement to label and also no more accepted loopholes for industry, and that the proposed classification system redirects the focus towards alternatives to experiments on animals.

However, I would have liked to see the labelling of persistent, bioaccumulative and toxic substances improved, and a new 'acute toxicity' category created, because that is extremely topical and a matter on which we ought to have shown willingness to take action. I believe that we have sent out an important signal for greater safety for people and the environment today, but we cannot rest on our laurels. Obviously this topic is going to keep us busy in the future, as there is plenty of room for improvement.

Jean-Claude Martinez (NI). – (FR) Madam President, there are already global accounting regulations, global food standards in the Codex Alimentarius, global tax standards and UN model double taxation conventions. Now we are going to get global standards for the labelling, classification, packaging and tonnage of chemical substances.

The 2002 global legislation of the UN Social and Economic Council, the general harmonised system, is being transposed into Community law.

There is certainly some value for everyone in global harmonisation – for consumers, users, SMEs – but beyond these 2 000 pages and procedures, annexes and lists, the regulation shows that European standardisation is not enough to deal with globalised problems. Global problems need global solutions, which means that the British Prime Minister, Gordon Brown, is right: between UN level and global level, the European level is increasingly out of date, obsolete and, ultimately, useless.

Zuzana Roithová (PPE-DE). – (CS) Ladies and gentlemen, it is no longer tolerable for differing national legislation on trade, in particular in hazardous substances, to be in force within the single European market. Unification of the classification and labelling of hazardous chemicals and mixtures is good news for consumers, since the proposed harmonisation improves the protection of their health and the environment. It is also good news for the competitiveness of European industry that this complex regulation relating to the transportation, supply and use of hazardous substances will apply not only in the European Union, but also in other countries around the world thanks to UN recommendations.

The regulation ties in with REACH, but it also introduces hazard classes and categories. Labels will contain instructions for handling and compulsory graphic symbols and pictograms which will be intelligible to people anywhere in the world. New requirements for packaging and fastenings will provide protection against vessels being opened by children and also provide for markings for the blind. Critics warn of the high costs of re-labelling, the creation of 'safety data sheets' and the introduction of new packaging technologies. I am, however, convinced that these short-term expenses will be lower than the long-term savings in costs associated with the repeal of the present differing labelling of products depending on the destination. The implementation time, which is staggered over the period 2010 to 2015, is also sufficiently considerate for industry.

I greatly appreciate that Amalia Sartori has managed to reach an excellent compromise within Parliament and also with the Council. After many months of discussions on the provisions of the Commission's proposal, she has managed to achieve a great improvement and balance and therefore I urge that we adopt the proposal tomorrow at first reading. It is an example of the splendid work carried out by the parliamentary rapporteurs with the Council and Commission teams.

Genowefa Grabowska (PSE). – (PL) Madam President, today we are discussing a very important regulation that arose from a debate, and later a UN decision. In this debate, which was crowned by the adoption by the Economic and Social Council of a globally harmonised system of chemical classification and labelling, all Member States, and not just the UN, played a very active and significant part, particularly the European Union, and also the Commission. This means that the system that was hammered out there is our system too. It is therefore good that today we are adapting our regulations on the use of chemicals to conform to this system, while at the same time we are ensuring and wish to ensure that our citizens – EU citizens – are protected and that our environment too is protected from the consequences of the use of hazardous substances, because the aim of this harmonisation, classification and labelling of hazardous substances is meant to be an improvement to the level of health protection, and also to the state of the environment.

Chemistry affects people the same way the world over. When you buy a product, you do not have to know what is in it. You should know, however, that you are buying a safe product. You should be able to trust the manufacturer and the product acquired. Here our role lies in labelling, which still differs to a great extent. A product labelled as hazardous in one state is toxic in another, and harmful in a third. It is unthinkable that the economy and trade in chemical substances should function in this way. This is why I am pleased to welcome our report and discussion today. I believe we are engaged in something very important.

I would like to draw attention to one final matter, namely the consequences linked to the need to provide information on labelling. I am talking about information that all those who manage waste need to know. Chemical product waste, which is and will continue to be a matter of enormous importance in our environment, must also be included in this section, which closes the whole cycle of chemical product and substance management and, subsequently, of hazardous product waste disposal. Let us give European citizens a good product, and let us give them a sense of chemical security.

Luca Romagnoli (NI). – (IT) Madam President, ladies and gentlemen, Mrs Sartori's excellent work looks like the best legislative outcome for updating and therefore ensuring better regulation of certain aspects of chemical processing. The report is praiseworthy not only because it satisfies the UN's harmonisation programme; it seems coherent, addressing the needs of producers and consumers, as well as the environment of course, in so far as this is objectively possible.

As usual, some of my fellow Members are not completely satisfied. I get the impression that this is due to an ideological radicalisation in the face of technological and scientific progress that all too often, on the pretext of environmental protection, tries to coerce us. Coincidentally, for completely different reasons to those mentioned, countries outside the European Union, not least China, are putting the economy first by allowing chemicals to be manufactured, transported and stored under conditions that are in serious breach of everything that we quite rightly want to protect here.

The Sartori report is a fundamental step forward, harmonising the classification of substances and the labelling and packaging standards of hazardous substances and mixtures. Doubtless this will help improve safety and prevent risks to the health and safety of consumers and workers and the environment.

It is currently possible for countries to classify the same substance very differently, according to different classification systems in force, and these differences can be so great as to present a risk. Substances that in Europe are classified as hazardous may, in countries such as China for example, not carry any warnings on their labels.

Not only does this situation create an unfair competitive advantage, but it is a serious threat to consumers everywhere and this, ladies and gentlemen, although you often criticise it, is unfortunately especially true in a global market.

Åsa Westlund (PSE). - (SV) Madam President, before I started working on environmental issues, I have to admit that my knowledge of chemicals was relatively limited. However, the more I have learned, the more sceptical I have become about our use of such a large amount of chemicals in society today. Not very long ago I read, for example, that consumption of chemicals used in cleaning in ordinary households has increased dramatically in my country, Sweden. No one knows the true effect this is having on our health. What we do know is that already many children, not only in Sweden, are now taken to casualty every year because they have swallowed household chemicals which are acutely toxic, despite the fact that the chemicals today bear a warning label which says that this is the case.

Thanks to our decision later today, this warning will now unfortunately disappear from many products. Together with some colleagues, I tried to change this and ensure that this labelling of common household products would remain. This will now not be the case. I deeply regret this, as it means that important consumer information will be lost.

Nevertheless, I welcome the fact that the EU is now getting harmonised classification, labelling and packaging legislation to complement REACH, and that it has been drawn up on the basis of the voluntary international system which already exists. This makes things easier for consumers and companies alike. Once we have reached this decision today, it will be of the utmost importance for all nationally responsible authorities to take responsibility for getting information about the new labelling system out not only to companies but also, more widely, to different consumer groups.

I would therefore like to take the opportunity to urge the Commission and Commissioner Verheugen to follow up how, and how successfully, this is actually carried out so that we know whether the consumers of Europe understand what the labelling means from now on.

Rovana Plumb (PSE). - (RO) Madam President, this proposal for a regulation, together with the other two, the regulation on detergents and the decision to amend the downstream legislation, represent the harmonisation of the European and the world legislation on classification, labelling and packaging of chemicals. Their enforcement shall have beneficial effects on human health, environmental protection and chemical industry and the development of trade under conditions of safety and the information of consumers is very important.

The GHS implementation must be correlated with the enforcement of REACH Directive for producers, approximately 27,000 in the European Union, of which 95% are SMEs, and with the development of trade with non-EU countries, namely 25% of the European Union's volume. I request the Commission not to give up the proposal for enforcing the new regulation, during the entire product management cycle, including when the product becomes waste.

I congratulate the Rapporteur on her work.

Edit Herczog (PSE). - (HU) Thank you very much, Madam President. Firstly, I would like to congratulate the Commission and the rapporteurs, because they have managed to bring about a constructive debate on the UN proposal and the REACH plan that we adopted previously, and this has resulted in progress. The greatest benefit is standardised labelling, from the perspective of the Committee on Internal Market, consumers and companies. Let us not forget that chemical substances will not be safer because of the labelling! Safer use and better choices by consumers create greater safety, so we must establish that this draft legislation is a step forward in this respect and should be welcomed. Finally, I would like to say and to draw your attention to the fact that we have joined forces behind the UN as the European Union, and we must now do everything, in collaboration with the UN, to ensure that the rest of the world also adopts it. I propose this so that we

may find followers for our legislation on the chemicals industry in the rest of the world, at the Transatlantic Economic Council and in other international fora. Thank you very much for your attention.

Alessandro Foglietta (UEN). – (IT) Madam President, ladies and gentlemen, I would like to congratulate the rapporteur, Mrs Sartori, together with her shadow rapporteurs and the Council and the Commission for reaching an agreement on the GHS package at first reading.

We have managed to achieve the target that had been set for us, which was to get the new system up and running quickly and in line with the REACH Regulation, while at the same time ensuring a high level of protection of human health and the environment, as well as meeting the commercial needs of firms, which can now target foreign markets more easily.

Once the GHS is in operation, firms will be able to operate based on a single classification system for substances, harmonised at international level, and which, among other things, will allow easier access to legislation on substances via the European Chemicals Agency. With this regulation, which applies international criteria for the classification and labelling of hazardous substances and mixtures in the European Union, we will ensure that our firms are ready to open up to the global market. There will also undoubtedly be benefits for the consumer, who will be able to recognise hazardous substances such as toxic and corrosive substances and irritants more easily.

The GHS labelling system, with its uniform pictograms, that are easy to understand, will help identify the risks of substances contained in everyday products such as detergents and soaps. In addition, the GHS, which for many substances requires special safety devices to seal packaging, will help protect our children from dangerous accidents in the home due to the accidental ingestion of toxic or corrosive substances.

Of course, the GHS will require a certain amount of effort from firms, particularly small and medium-sized enterprises, which should have confidence in the new system. The system will in fact introduce seven new risk categories and a new classification for the transport system. This is why we are particularly pleased with the agreement reached with the Council, which also took into account the support, information and running-in requirements, particularly for SMEs.

The agreement also took account of the consensus of all parliamentary groups on the need to minimise animal testing and any duplication of these tests as far as possible. For all of these reasons, my group will be voting in favour of the package tabled.

Carl Schlyter (Verts/ALE). – (SV) I would just like to reply to what my fellow Member Mr Booth said here about the environmental movement wanting to protect people but not animals. He seems to have misunderstood this. It is a question of classification. The texts to which Mr Booth refers state that you must not manipulate a chemical mixture solely for the purposes of classification in order to come in under a certain threshold, that you must not be allowed to do lots of animal tests just to avoid labelling. This would lead to us seeing chemical mixtures which contain dangerous substances, but of different kinds, and which therefore do not exactly reach the threshold for labelling. In these cases the aim would thus be to carry out animal testing solely in order to get out of labelling. It is for this reason that we need these texts.

Here animal health and human health are going hand in hand. Animal testing is avoided but people gain proper information about the chemicals so that they can take the correct action to protect themselves against them. Mr Booth has really misunderstood this!

IN THE CHAIR: MRS ROURE

Vice-President

Günter Verheugen, Vice-President of the Commission. – (DE) Madam President, ladies and gentlemen, this vigorous, lively debate has shown that we are dealing with an important and far-reaching subject. I think we can say today that taking this step concludes the intensive legislative work carried out in relation to the chemicals industry and the manufacture and use of chemicals in Europe – work that has taken many years.

I would like to make this very clear, thinking about the very useful image that Mrs Breyer used. Who is sitting in the engine, and who is sitting in the brake van? One thing is certain: as far as legislation on chemicals is concerned, the European Union is the engine for the whole world. Nowhere else are there regulations such as we have introduced, and nowhere else are demands being made of the chemicals industry such as we are making. Therefore, the Commission strongly believes that, in connection with the horizontal legislation for this sector, we now need a few years in which to put into effect what we have already decided, and that we

should not immediately embark on any other major projects. It is with good reason that the REACH legislation provides for review periods, and we should observe the periods decided on by the legislator very closely. This means that the Commission will always present the reports and suggestions on time. As far as major horizontal initiatives are concerned, let me repeat that the Commission does not intend to make any further proposals within the foreseeable future.

I can also reassure you about the global effectiveness of this system. All the information available to me shows that all around the world, all those involved are indeed working hard to implement the system decided upon by the United Nations. We are definitely at the forefront when it comes to actual implementation. I think many major countries have been waiting for exactly what has happened here today, because they want to base their own legislation and their own implementation on what we do in the European Union. I expect that we will now see these procedures being brought to completion in many other countries.

Mr Schwab raised a very interesting question – that of whether we should have transitional deadlines for the conservation threshold values in Annex 6 that have been deleted as a consequence of the compromise between the parties. I can only say that the Commission does not have a problem with transitional deadlines. Personally, I believe they are essential and appropriate, but this omission in the law has not come about by chance. It is part of an overall compromise and, taking all the circumstances into account, I do not think it would have been proper for the Commission to allow the question of transitional deadlines for a few products to cause the compromise to fail. However, we will make sure that what the legislators wanted is achieved in an appropriate form.

I share the concerns of those who have voiced their misgivings about animal testing. I very much hope that this legislation does not lead to an increase in the number of tests on animals. It is important that testing on primates is absolutely prohibited in connection with this legislation. I want to say again, emphatically, that the Commission will put all its energy into restricting animal testing as much as possible. For me, this means that we must keep increasing our efforts to find recognised alternative methods to replace animal testing. Everyone who has concerns about this will find me on their side.

In conclusion, let me say that I believe that we have a piece of legislation before us that represents a ‘win-win’ situation for everyone involved. I am very grateful to everyone who contributed to it.

Amalia Sartori, rapporteur. – (IT) Madam President, ladies and gentlemen, I am extremely satisfied with the debate that we have had. I would like to thank all of my fellow Members who have contributed today and I would also like to thank them for their words of support for the work that I carried out, which was only possible with their help, and with the help of the shadow rapporteurs and draftsmen of the opinions of the Committees on Industry, Research and Energy and the Internal Market and Consumer Protection. It seems that the vast majority of Members who spoke are satisfied with the results that we achieved.

I welcome the view of the person who said that even the GHS is an ongoing process, and moreover it is a working method that we have established. In these situations it is precisely that and we are aware that the world will continue to change and develop and that is the reason why in this regulation, as in REACH and other regulations, we were careful to provide a very specific and precise regulatory framework and to leave room for future modification based on these criteria, although the criteria themselves are predetermined. This is what I understood from the Commissioner who spoke just before me on the possibility of endorsing part of the debate that has taken place.

We are conscious of the fact that we are today ratifying a regulation that enjoys broad support, which will help bring benefits for consumers and workers in this sector, who represent the vast majority of the population. We know that these are rules that will be used as a framework and as an unquestionable and unassailable point of reference. Again, this is a constantly changing world, and with reference to these rules that will be handled by the Commission.

President. – The joint debate is closed.

The vote will take place today.

Written statements (Rule 142)

Daciana Octavia Sârbu (PSE), in writing. – (RO) The proposal for a decision enforcing the Globally Harmonised System of Classification, Labelling and Packaging of Chemicals (GHS) represents an important step in the protection of the environment, the consumers, who will have more power to choose, as well as of companies that want to enter the international market.

The harmonised use of labels and the uniform description of dangers generated by chemicals ensure greater confidence of consumers in such products, also facilitating international trade, since industry shall be able to enforce the same labels for all the regions where it exports. Moreover, the harmonised system of classification of substances is an essential factor for ensuring the free movement of goods in the internal market.

Nevertheless, we have to make sure that this regulation does not increase the number of tests on vertebrate animals for the purpose of harmonising the classification criteria, but that they shall be performed only if there are no alternative solutions guaranteeing the same quality.

The Globally Harmonised System of Classification should allow the use of methods not involving tests on animals, even if their validation supposes a long and costly bureaucratic process. Since tests on animals have never been validated officially, the authentication of alternative tests seems a burden, but research in this field should be encouraged.

Richard Seeber (PPE-DE), in writing. – (DE) Increasingly frequently in the modern world, consumers come into contact with different substances, and sometimes also hazardous substances.

When using some products, including those used daily by many, information about the substances they contain is vital if they are to be used safely and in a way that does not endanger health. The Globally Harmonised System of Classification and Labelling of Chemicals (GHS), developed in 2002 at UN level with active participation by the EU, is to be implemented this year by all Member States. One of the main advantages of this system is the use of universal hazard pictograms. Consumers and traders can thus see at a glance whether a product contains certain substances that can also be dangerous. In addition, the GHS introduces standardised definitions, such as LD50 (lethal dose 50), that clearly indicate the hazard associated with the substance. The Community, and we in the European Parliament, have made it our goal to restrict animal testing for the purposes of assessing substances as much as we possibly can.

Furthermore, the definitions have been stated more precisely and clearer guidelines worked out for the authorities in the Member States. Successful implementation of the GHS represents an important milestone in making the European internal market a reality and will also be of benefit in terms of international trade.

4. Type-approval of hydrogen powered motor vehicles (debate)

President. – The next item is the report (A6-0201/2008) by Anja Weisgerber, on behalf of the Committee on the Internal Market and Consumer Protection, on the proposal for a regulation of the European Parliament and of the Council on type-approval of hydrogen powered motor vehicles and amending Directive 2007/46/EC (COM(2007)0593 – C6-0342/2007 – 2007/0214(COD)).

Günter Verheugen, Vice-President of the Commission. – (DE) Madam President, ladies and gentlemen, once again, we are talking about the car of the future – a topic that the European Parliament has already dealt with intensively this week in another connection.

Today we are discussing a technical opportunity that may be able to help us solve the environmental problems caused by vehicles. Let me repeat: it is something that *may* be able to help us. We do not know whether its potential can be implemented on a large scale, but we should make the most of the opportunity. That is what this is all about.

We all agree that sustainable mobility will be one of the key challenges that we will have to tackle in the years to come. We do not want to restrict the right of European citizens to individual mobility. On the other hand, there can be no doubt that this right to individual mobility – plainly speaking, the right to drive cars, to own and use a car – must be exercised in such a way that it does not destroy our environment, and that means that we need cars that do not harm the environment.

A comment in passing: it is not just because of the state of the environment that this is essential and urgent; it is also becoming increasingly important in economic terms. The traditional internal combustion engine is out of date because fuel consumption is so high. We must do everything possible to reduce the consumption of fossil fuels wherever it occurs.

Against this background, the question arises of whether we can facilitate the development of hydrogen powered vehicles. That is the idea that led to the suggestion made by the Commission, namely type-approval of hydrogen powered vehicles.

I should like first to thank the rapporteur, Mrs Weisgerber, for her constructive, successful work on this proposal. I am delighted that, thanks to her work, agreement at first reading was possible.

At this stage, we do not know which technology is best for sustainable mobility. If you read the newspapers and watch television, you are confronted with a different conclusion every day. While some talk of fuel cells, others enthuse about the electric car, and still others mention innovative high-performance batteries. There are many options to compete with hydrogen power; electric engines and fuel cells at the very least.

Our task is to stipulate the necessary safety regulations for promising technologies while maintaining strict technological neutrality. Obviously, hydrogen is one of these technologies. Hydrogen can replace conventional fuel and make a sizeable reduction in the harmful effects of road traffic on the environment. However, I would like to add, in brackets, that all these considerations make sense only if we can produce hydrogen in an environmentally friendly way. If hydrogen is produced using dirty energy, then all we are doing is shifting the problem.

The proposed regulation will integrate hydrogen powered vehicles into the European type-approval system. That way, hydrogen powered vehicles will be treated like traditional vehicles, in that a single permit will be sufficient for the entire European Union. This permit process is less cumbersome and much more affordable. Manufacturers can take care of all the formalities at a single point of contact, thus making considerable savings. This makes European industry more competitive and means less administrative hassle.

Hydrogen has different properties to conventional fuels such as petrol and diesel, so the proposal makes a priority of determining the necessary safety requirements. In particular, we must ensure that storage of hydrogen in the vehicle is absolutely safe. This regulation will make all hydrogen powered vehicles put on EU roads as safe as conventionally powered vehicles. Hopefully this will also increase the public's faith in unfamiliar new technologies. The proposal also introduces a system for identifying the vehicles, so that they are easily recognised by rescue services.

Close cooperation between Parliament, the Council and the Commission has had a positive effect on the outcome of the negotiations, so that I can only agree with all the proposed modifications your rapporteur, Mrs Weisgerber, has made.

Anja Weisgerber, rapporteur. – (DE) Madam President, Commissioner, ladies and gentlemen, fossil fuels are finite. Demand is increasing, pushing prices up – we see that every day at the petrol station. The expectation that oil, natural gas and coal will run out in the future is one reason for the rising prices. Therefore, we need to start immediately to investigate technologies that could replace fossil fuels in the future.

One of these alternatives – and the Commissioner quite rightly emphasised that it is only one, but it is an alternative – is hydrogen technology. Naturally, hydrogen vehicles are not yet ready for the market, but a variety of projects are under way to change that. The EU 'highways' project has just been completed, with an encouraging report.

EU research ministers set up a long-term public-private partnership in February with the aim of getting hydrogen and fuel-cell technology ready for the market between 2015 and 2025. It is planned to invest a total of approximately EUR 940 million in this research programme in the next few years, with public authorities and private investors contributing half each.

We see that the stage is set for hydrogen vehicles to be ready for the market. The fact that the price of fuel cells is still high cannot be used as an argument against hydrogen technology, as that is the way with all technologies of the future. The first 0.5 megapixel digital camera was developed many years ago for space travel and cost around EUR 10 million, but nowadays, almost everyone has a digital camera.

The present regulation will, in the future, provide harmonised technical regulations for the approval of hydrogen powered vehicles throughout Europe for the first time. Unified criteria are essential if this technology is to be promoted and a high level of safety and environmental protection maintained.

Hydrogen powered vehicles are not included in the EC type-approval system at present, so Member States can issue one-off permits for this type of vehicle. This is done in some Member States, but in others it is completely unknown. With permits being issued in this way, there is a risk that each Member State will set its own permit conditions and the internal market will be disrupted. This would lead to high costs for manufacturers as well as to safety risks.

Hydrogen is one of the energy vectors of the future. Therefore, our task, which we are fulfilling by adopting this regulation, is to establish the political framework conditions for the use of this technology of the future by creating unified approval criteria. I am glad that, across the parties, we have managed to achieve agreement at first reading, and that the cooperation with the Council and the Commission was so good. My thanks for the excellent cooperation go therefore to the shadow rapporteurs; I would also like to mention Mr Bulfon and Mr Manders by name. That is what made agreement at first reading possible. Our focus was on the issue of labelling hydrogen powered vehicles.

Hydrogen powered vehicles are just as safe as passenger cars powered by diesel or petrol. Under the regulation, they will have to pass safety tests that are just as strict as those for all other vehicles. However, it makes sense for rescue services to know if they are dealing with a hydrogen vehicle when they arrive at the scene of an accident, so that they can take certain details into account. This should not mean that hydrogen powered vehicles are viewed adversely because, as I have already said, they are just as safe as vehicles that run on other fuels. That is a very important point that I want to get across today.

We therefore suggest that hydrogen vehicles should bear discreet labels on the components that contain hydrogen. Working with the Commission and the Council, we made further improvements to the Commission's text and substituted 'identification' for the word 'label', because in the long term, this label should and could be replaced by electronic identification that involves an intelligent emergency call system called 'eCall'.

Other questions also arose. At the end, perhaps, I will return briefly to the question of hydrogen filling station infrastructure but for now, I am looking forward to the lively discussion and am eager to hear what you have to say.

Alojz Peterle, *draftsman of the opinion of the Committee on the Environment, Public Health and Food Safety*. – (SL) I would like to thank my colleague Dr Weisgerber for her excellent report and express my satisfaction that we have reached such a high degree of consensus with the Council so quickly. This regulation puts us convincingly on the side of the new energy and environment policies, which will certainly have a positive effect on public health too. I agree with the Commissioner that we have to take full advantage of this opportunity. This regulation is one of the opening moves; it is part of the answer to contemporary energy and environmental challenges, where hydrogen plays one of the key roles. We do not mean just hydrogen alone, but hydrogen as well, and not just individual Member States, but the entire European Union.

It is very important to engage correct dynamics to provide the entire implementation context. In this we should also take into account everything that our citizens are considering, starting with the infrastructure. The dynamism of development, and especially the problem of the rapid development of new technologies, is very important in this exceptionally demanding energy situation. I see very significant possibilities for the new technologies, in the sense that they enable the decentralised production of hydrogen to take place; also, if solar technology is involved, it is actually possible to disperse production of, and reduce dependency on, the currently known energy sources. It is my opinion that the Commission could successfully promote and accelerate development in this direction.

Malcolm Harbour, *on behalf of the PPE-DE Group*. – Madam President, I want to warmly thank Anja Weisgerber as the rapporteur on behalf of the committee and, of course, as a member of my own group who, once again, I think, has shown her mastery of complex, technical dossiers, having also worked very effectively on a number of the emission dossiers as rapporteur for the opinion. But I am delighted now that she has her own report, and I congratulate her on the very thorough way that she has approached this important task. I know how much work is involved, having been the rapporteur myself on the overall Type Approval Directive.

I also want to thank Günter Verheugen and his team in the Commission for moving very quickly and in a timely way to give us this important proposal, which will effectively incorporate into the master Type Approval Directive the specific requirements for hydrogen vehicles. I think, by the way, that shows the importance of finally having now achieved this common type approval framework for motor vehicles, that we have the flexibility to be able to respond and include these new developments in it.

In that connection, I just want to emphasise what a number of colleagues have said already, but particularly from my perspective, having worked with the Commission as a Member of this Parliament on the Cars 21 group, which was formed to put in place a competitive automotive regulatory strategy for the 21st century – that is what Cars 21 meant – and this is clearly a 21st-century proposal. But the important thing is that it gives the manufacturing industry – but not just the big manufacturers, the many companies who are involved in developing the systems and components that will help move forward the hydrogen-powered vehicles –

it will give them a clear legislative framework within which to work now. They do not have to wait for it. That is a huge benefit, and it means that we will have one framework for Europe – one framework – and that means that, if you then comply with those requirements, you can sell your vehicle everywhere else.

But, actually, this is not enough, and I am pleased that Anja has included in her report a specific request to the Commission to say, 'We want to make hydrogen vehicle safety requirements global requirements. Across the world people are working on hydrogen vehicle standards. It is absolutely the right time to put that into the global vehicle working party, because we should start as we mean to go on and have that set of global standards for hydrogen vehicles. At the same time, we want Europe to be a leader in developing those technologies, and we can achieve both with the foundation of this proposal.'

Wolfgang Bulfon, *on behalf of the PSE Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, an EU-wide, unified permit procedure for hydrogen powered vehicles would overcome at least one of the barriers to the development of environmentally friendly forms of mobility. There are already several promising projects in the area of local public transport, which mean that series production of hydrogen powered passenger cars is not far away at all. However, we have to ask how the hydrogen will be obtained. Whether the final result, in terms of CO₂, is favourable depends very much on how hydrogen will be produced in the future. It is no use if manufacturing it produces more CO₂ than is saved by hydrogen power. At the same time, however, we must ensure that the appropriate filling station infrastructure is created and built, because even hydrogen powered cars have to be filled up. This is a challenge for the Member States, particularly.

The clear guidelines in this report create a legal framework that facilitates the further development of this promising technology and many other innovations. The president of this Chamber, Mr Pöttering, has reported on hydrogen powered vehicles from his own experience. It would be worth considering using his experience to adapt Parliament's fleet accordingly – at least it is a suggestion worthy of consideration.

Finally, I would like to thank Mrs Weisgerber most sincerely for her warm cooperation in the assembly and production of this report.

Vladko Todorov Panayotov, *in the name of the ALDE group*. – (BG) The inclusion of hydrogen-driven vehicles in the overall normative framework of the European Community is of exceptional importance, because the currently existing statutory procedures on type approval do not guarantee that vehicles of identical quality can be released on the entire market of the European Union.

The adoption of an European Union regulation would guarantee that all hydrogen-driven vehicles released on the market are manufactured, tested and identified in accordance with a common standard and that their safety level is at least the same as that of conventional motor vehicles. The common regulation would also guarantee alignment of the efforts to introduce hydrogen as a fuel in an energy sustainable manner so that the common environmental balance from the introduction of hydrogen as a fuel in the case of motor vehicles would be positive. The all-European regulation should also provide common requirements in respect to the monitoring of these motor vehicles and the necessary infrastructure – the fueling stations.

The adoption of a regulation of the European Union would also guarantee application of the common standards in respect to the production and exploitation of hydrogen-driven vehicles manufactured in third countries – the United States, the Asian Economic Community – and would help defend the interests of Europe.

Let me point out that at the lack of action at European Union level member-states would adopt differing standards in respect to hydrogen-driven vehicles, which will lead to an unfavourable situation concerning the common market, saving on costs as a result of large-scale production and delay in the development of the vehicles.

At the moment when one, only one approval will suffice for each type of vehicle so that it could be released on the European Union market, EU member-states should open up for hydrogen-driven vehicles. Approval will accelerate the introduction of this environment-friendly technology powering vehicles, which in turn will allow the environmental benefits from using hydrogen-driven vehicles to appear sooner.

Last, but not least, investment in the production of hydrogen-driven vehicles, of the materials for their manufacture and the means of their monitoring would receive additional impetus, which would contribute to the faster introduction of the hydrogen technology in European Union countries.

Leopold Józef Rutowicz, *on behalf of the UEN Group*. – (PL) Madam President, Commissioner, the introduction of hydrogen powered vehicles will have an impact on environmental and health protection and on the greenhouse effect, and is of political and economic significance given the shortage of traditional hydrocarbon fuels. The main step that needs to be taken so that they can be introduced is to establish a directive on type-approval of hydrogen powered motor vehicles. I have two comments to make concerning the draft directive and amendments.

Firstly, the draft excludes the need to check the instructions for servicing and use when type-approval is being performed. Hydrogen fuel, with its very high energy value, is a particularly hazardous product, and vehicle users will be dealing with it for the first time.

Secondly, the setting in the draft of a review date of one year from its establishment in order to give consideration to conclusions arising from its functioning and established international norms in this area.

The Union for Europe of the Nations Group supports the introduction of the directive. I thank Mrs Weisgerber for a businesslike report.

Jaromír Kohlíček, *on behalf of the GUE/NGL Group*. – (CS) Ladies and gentlemen, on reading the explanatory statement for the regulation under discussion, I was unpleasantly surprised. On the one hand, hydrogen allows for the storage of energy and, on the other hand, it practically eliminates a significant proportion of emissions. The Directive, however, provides for categorisation according to traditional systems. Put more simply, this involves the use of hydrogen through combustion.

Apart from the problem of combustion of a methane-hydrogen mixture, something which I know about since my dissertation concerned combustion, it would be necessary for normal engines to also use urea to achieve clean combustion products in accordance with EURO 5 to 6 for the elimination of nitrogen oxides.

One of the objectives of the European Union is to expand the use of hydrogen in transportation in the near future and there should be dramatic growth by 2020. It is true that the technical problems associated with the storage and handling of hydrogen require clear, unified regulations, including the labelling of systems working with hydrogen. I fully agree with the rapporteur on this. I should also like to point out that many countries prohibit parking vehicles with pressure vessels in enclosed spaces, especially underground car parks. Simple labelling is essential for this too.

Hydrogen fuel cells are one of the promising experimental vehicle drive systems. Many cities in the European Union have long been operating buses using this energy source. I believe that the regulation under discussion will provide for the unification of the basic requirements for hydrogen powered motor vehicle equipment. I hope that it will provide a better framework for the further rapid development and operational verification of the different components of hydrogen vehicle systems. It should considerably speed up the practical usage of hydrogen cells in particular but hydrogen must not be widely used in 'traditional systems', in other words combustion engines, as this makes no sense to me. With this proviso, I warmly recommend approval of the document on behalf of the GUE/NGL Group.

Andreas Schwab (PPE-DE). – (DE) Madam President, Commissioner, ladies and gentlemen, Mrs Weisgerber's report is a perfect example of the way European politics adapts to changing markets and moves quickly to create proactive standards and legal bases for technological innovations. The Council intends to deal with standardisation in a few months and draw conclusions on that. In that discussion, the questions of how quickly standards respond to technological progress, how quickly legislators respond to technological progress and how quickly standards adjust to economic reality will once again play a role. I believe that this report on type-approval of hydrogen powered vehicles will make Europe the trailblazer of a unified regulatory platform for the development of hydrogen powered vehicles.

It is a valid point that it has still not been determined whether, in the end, the use of hydrogen as a fuel for vehicles will conform to the principle of sustainability and be ecologically sustainable, but nor can it be excluded yet. Therefore, I believe that, with this report, we are creating a good foundation for further research for the leading research institutes in the European internal market and particularly for the leading enterprises. This is particularly important given the background of the discussion on CO₂ policy for vehicles and the desire to achieve greater diversity amongst the various technologies in order, ultimately, to establish with certainty which vehicle and which engine technology is best for the environment and for people.

From the point of view of the internal market, I think we should particularly welcome this report, because a truly integrated internal market can be achieved only by harmonising type-approval of hydrogen powered

vehicles in the different Member States to make the most of the synergy effects of this market. As was pointed out earlier on, any worldwide type-approval should naturally also be founded on this basis. We hope we will get it all sorted out. Wishing you every success!

Arlene McCarthy (PSE). - Madam President, I would like to thank our rapporteur, Mrs Weisgerber, and the shadows for producing this report and negotiating a very good agreement with the Council and the Commission, while preserving Parliament's priorities. At a time when petrol prices in Europe have doubled and citizens in Europe and people around the world are ever more concerned about the effects of climate change, it is clear that we need new hope for future fuels.

This European-wide law on hydrogen-powered cars can pave the way for full-scale production of these cars and provide European drivers with real alternatives in the not too distant future. Sales of alternative-fuel vehicles, for example, in the United Kingdom alone have grown from just a few hundred in the year 2000 to over 16 000 last year. Sales of electric cars and other alternatives have soared, but hydrogen cars are only on the cusp of large-scale production. I believe that this new law will boost the development of these vehicles, while ensuring they are reliable and safe. With the help of the law, mass production is now predicted to start in Europe by 2015, with around 5% of total EU road stock set to be hydrogen-powered by 2025.

The environmental benefits of hydrogen cars will depend on the energy source used to produce the hydrogen. They can directly tackle air pollution caused by petrol and will reduce our dependence on oil, but they will only help tackle global warming if hydrogen is produced in a sustainable way. That is why I strongly back Mrs Weisgerber's negotiated amendments to ensure hydrogen fuel is produced sustainably and, as far as possible, from renewable energy.

It is important to stress that hydrogen-powered cars can be just as safe as those that run on petrol and, in the event of an accident, emergency crews need to know what they are dealing with. That is why Mrs Weisgerber has ensured that vehicles will be readily identifiable by emergency services. This legislation does what only the European Union can do in a strong internal market. It ensures a European-sized market for goods with common rules and high safety requirements. It is this market that is capable of producing the hydrogen cars of the future and I believe this law today, when we vote for it, is crucial to achieving that goal.

Danutė Budreikaitė (ALDE). – (LT) The Commission proposal on type-approval of hydrogen powered motor vehicles is very important for solving the problems related to the search for alternative vehicle fuels, environmental protection, climate change and people's health. I would like to draw your attention to a few issues that are of great importance in the development of hydrogen powered vehicles.

Firstly, the main problem of hydrogen powered vehicles lies not in the vehicle manufacturing process itself, but in refuelling. So far there are only about 40 hydrogen filling stations in the whole of Europe. There are two such filling stations in France, for example, and one in Spain, while there are none at all in the new Member States that joined the European Union in 2004 and 2007. In the United States, only California has a significant number. That is why I agree with the speaker that it is necessary to create a standardised hydrogen filling station network across the whole of the EU as soon as possible. Without appropriate infrastructure, hydrogen powered vehicles will remain unitary.

Secondly, hydrogen is merely an energy carrier, not an energy source, and that is why it is important that hydrogen fuel is produced in a stable and environmentally friendly way. We need to be more active in carrying out scientific research that would lead to avoidance of the use of fossil fuels and suggest alternative methods of splitting water into hydrogen and oxygen. One such method could be photolysis, although thorough scientific research still needs to be carried out here. Furthermore, pollution-free hydrogen production would allow it to be used in areas outside transport.

Thirdly, I agree with the Commissions proposal to use mixtures of natural gas and hydrogen, but only as a transition fuel and only in countries that have a well-developed natural gas infrastructure. I would also like to emphasise that the United States and Canada are leading the way in the field of development and manufacture of hydrogen powered vehicles, while Japan is catching up, and we ourselves should not fall further behind.

Małgorzata Handzlik (PPE-DE). – (PL) Madam President, a future with hydrogen powered cars is an exciting prospect. Although much time has yet to pass before this technology is widely applied, it is nevertheless of exceptional importance that the regulations on their type-approval are harmonised now.

The principal objective of the regulation we are looking at today is to introduce EU criteria for the type-approval of hydrogen powered vehicles in order to ensure the proper functioning of the market. The different type-approval criteria in individual Member States are currently hampering the functioning of this market, causing an unnecessary rise in production costs, threatening safety and – something we must not forget – constituting a significant barrier to the development of hydrogen technology in the EU. In particular, we must not allow this point to pass us by because hopes for the substitution of oil in the transport sector lie specifically with hydrogen, along with biofuels and electricity. Perhaps the most important thing, however, is that the process of hydrogen combustion gives rise not to carbon dioxide, a substance that is still harmful to the environment, but to water, with the obvious consequence being to cut down on air pollution and reduce CO₂ emissions, something to which we are devoting a great deal of effort, not least within the forum of the European Parliament.

Clearly the attainment of all these objectives will depend on the spread of these technologies, which – as the rapporteur, whom I congratulate on a very good report, rightly points out – depends, among other things, on the existence of a network of hydrogen filling stations. Such stations should come into being at the same time in all Member States to enable every European consumer to have access to them. I also hope that vehicle manufacturers will respond to rising consumer demand for hydrogen powered vehicles so that a common market in this sphere can function properly.

Matthias Groote (PSE). – (DE) Madam President, Commissioner, rapporteur, ladies and gentlemen, I believe that this is a good example of how politics is able to take action, because type-approval permits for hydrogen powered vehicles will be available in the future, even though the technology itself is not yet available.

We talk a lot about reducing CO₂ produced by vehicles, particularly trucks. This could be one way of reducing CO₂ emissions, but it is important – and I am speaking as a member of the Committee on the Environment, Public Health and Food Safety, for which I was the shadow rapporteur – that we generate the hydrogen from renewable energies. This also offers the possibility of storing energy from renewable sources, which we could then use for vehicles, and that would be a good direction to take. We should continue to concentrate on this in future.

However, it is also important to create a filling station infrastructure. We see, for example, that the infrastructure for CNG vehicles is still very patchy. The vehicles are available but the customers, the drivers, are still holding back from purchasing them because availability of the fuel is not guaranteed. We need to keep the focus on that in future discussions.

Bogusław Liberadzki (PSE). – (PL) Madam President, may I take this opportunity to congratulate the rapporteur, and also the Commission, on an initiative that is aimed at seeking out new power sources for vehicles and sources from which energy may be obtained.

There are three important objectives: firstly, our continuing escape from dependence on oil. The second objective relates to CO₂ emissions. Finally, the third objective – and this is an important one – is to stabilise and lower the costs of vehicle use for those using them.

In my view, the document under discussion covers three areas, and these are: one – the labelling of hydrogen powered vehicles; two – requirements for filling stations (their siting and introduction). Finally, the third area that I consider important is the safety of operation of hydrogen vehicles. This regulation firstly establishes a legal framework that lays down how we should utilise this energy and secondly provides the infrastructure requirements, ensuring that the basic *ex ante* conditions for developing the new technology are essentially met.

Silvia-Adriana Țicău (PSE). – (RO) In the transport sector, constant efforts should be made towards introducing alternative fuel vehicles in the market, which contribute to the significant improvement of air quality in the urban environment.

Common standards for the approval of hydrogen-powered engines are required in order to guarantee the safe use of hydrogen for vehicle propulsion. The use of hydrogen as fuel, either as fuel cells or as internal combustion engines, generates no carbon emissions or greenhouse gases. The type-approval of hydrogen powered motor vehicles is based on the specification and meeting of the technical requirements for hydrogen-based components.

Taking into consideration the characteristics of hydrogen, vehicles require specific treatment from rescue services. I emphasize the need for Member States to invest in the infrastructure required for the storage and

distribution of alternative fuels, without which the number of less polluting vehicles cannot increase significantly.

Bogusław Liberadzki (PSE). – (PL) Madam President, as I wished to keep within the time limit, namely one minute, I failed to get across an important point, which I would like to emphasise as an advantage of the solution. This is that we are coming up with a proposed solution well ahead of time, creating conditions for modernity. This may also mean an incentive to look for even more technologies, and for that reason I would like to express recognition for both Commissioner Verheugen and the Commission.

Günter Verheugen, Vice-President of the Commission. – (DE) Madam President, ladies and gentlemen, I am very pleased to see that this debate has shown broad consensus in many respects: firstly, a broad consensus that hydrogen technology is an interesting potential way of helping to solve our energy problems; secondly, consensus that hydrogen technology is a potentially interesting option for road traffic; and thirdly, a very wide consensus that, of course, hydrogen technology in general makes sense only if the overall ecological effect is positive – that is, if hydrogen is made from clean sources of energy. That is a very important result.

I would also like to inform you that the Commission has placed particular importance on the development of hydrogen technology in the 7th Framework Research Programme. EUR 800 million have been made available for research into hydrogen technology, and not only for vehicles, in a joint technology initiative. I want to avoid giving the impression that we are spending EUR 800 million to enable research into hydrogen as a fuel technology. That is only part of the project; overall, the project is about creating clear principles in terms of the extent to which hydrogen can actually contribute to drastically reducing our society's CO₂ emissions.

Along with the President of this Parliament, Mr Pöttering, I had the opportunity to drive a hydrogen powered vehicle for a time. My personal impression was that the technical problems connected with the use of hydrogen in vehicles have basically been solved. The technology is there. It can be done. What is totally lacking – and this has been mentioned several times already – is the infrastructure.

I can imagine that, once this proposal has been accepted and provided encouragement to the industry, we will then have to deal with the question that Mr Bulfon also raised in this debate. That is the question of whether perhaps those who run large fleets of vehicles used mainly locally, such as parliaments, including this Parliament, national parliaments, governments, and the European Commission, should set a good example as soon as practicable and, through their procurement policies, facilitate the bringing onto the market of vehicles of this type. At the moment that is still only a pipe dream, but it is something we should think about when the time comes.

Let me thank the rapporteur again for her truly excellent work, as well as all the speakers from the groups and committees, who have shown that we have a common vision here of what the future for vehicles in Europe could look like.

Anja Weisgerber, rapporteur. – (DE) Madam President, ladies and gentlemen, thank you for the very interesting speeches. I would also like to thank the shadow rapporteurs, the Commission, the representatives of the Council and the staff for their fantastic cooperation, which was the key to achieving this political unity at first reading.

As we have seen, hydrogen is a technology of the future. Hydrogen can be part of the answer to the challenges posed by climate change and the need to reduce emissions. It is a clean alternative to fossil fuels and the use of hydrogen as an energy vector – as has been stated, it is indeed an energy vector – is totally sustainable if it is produced from renewable energies or nuclear energy. This is the direction we have to take in the coming years.

I am fascinated by the idea of having a totally hazard-free hydrogen cycle in which hydrogen is ultimately produced from renewable energies and then vaporised. It is truly fascinating. I supported this technology long before I came to the European Parliament, and have also worked voluntarily on it for a long time.

Today we have set things going in the right direction. We have created the necessary preconditions so that we can eventually have unified type-approval regulations. We have also shown the way to an international type-approval regulation and set the future direction for research and development.

The technology is already here, as Commissioner Verheugen has rightly said. Now we must deal with the other questions relating to infrastructure. The question of filling station infrastructure will be handled by a

public-private partnership. Perhaps then we will find that it will not be long before hydrogen powered vehicles are on our streets, and not just as prototypes.

Thank you once again for the good cooperation.

President. – The debate is closed.

The vote will take place today.

Written statements (Rule 142)

Zita Pleštinšká (PPE-DE), in writing. – (SK) Reserves of raw materials for the production of traditional hydrocarbon fuels are constantly declining and therefore the subject of research and development of new alternative drive systems in the motor vehicle industry is most urgent.

The EU Seventh Framework Programme allocated EUR 800 million for research into hydrogen technology. On the basis of research, hydrogen appears to be the ideal alternative to traditional fossil fuels. The use of hydrogen as a future fuel in road vehicles offers a solution which is exceptionally favourable for the environment. It causes zero emissions of carbon compounds and greenhouse gases. The first prototype cars have already been successfully tested in the European Economic Area.

In order for the internal market to be able to operate and also to provide a high degree of safety for the population and environmental protection, there is a need to lay down European-wide rules for the design of hydrogen powered motor vehicles. Unified approval rules throughout the EU are the minimum prerequisite for placing hydrogen powered vehicles on the market. The successful introduction of new technologies also depends on the timely construction of an appropriate network of hydrogen filling stations.

I believe that today's debate will improve the confidence of European consumers in the use of new technologies in the motor vehicle industry and increase the share of such vehicles on the European market.

I am convinced that only a technically well-prepared EU will be able to achieve success in competition with the USA, Japan and Korea where there has been considerable activity in this field. In view of this, I consider this initiative to be very positive.

(The sitting was suspended at 11 a.m. and resumed at 11.30 a.m.)

IN THE CHAIR: MR ONESTA

Vice-President

5. Statement by the President

President. – On behalf of the European Parliament, I would like to send a message of solidarity to the victims of hurricane Gustav in the Caribbean.

Nearly 100 people lost their lives in the Dominican Republic, Haiti, Jamaica, the Cayman Islands and Cuba, and thousands of others are now homeless. Once again, the citizens of these developing countries with which we maintain close links through the Cotonou Agreement – the ACP countries group – are suffering the ravages of a new natural disaster in these regions.

The European Union is closely monitoring the situation in the affected countries and is sending humanitarian aid. The European Parliament will, of course, be closely monitoring the supply of humanitarian assistance to countries in the region, particularly through the work of its Committee on Development and the ACP-EU Joint Parliamentary Assembly.

6. Devoting more attention to youth empowerment in EU policies – Emergency cooperation in recovering missing children (written declarations): see Minutes

7. Voting time

President. – The next item is voting time.

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

7.1. Classification, labelling and packaging of substances and mixtures (A6-0140/2008, Amalia Sartori) (vote)

7.2. Classification, labelling and packaging of substances and mixtures (amendment of Directives 76/768/EEC, 88/378/EEC, 1999/13/EC, 2000/53/EC, 2002/96/EC and 2004/42/EC) (A6-0142/2008, Amalia Sartori) (vote)

7.3. Classification, labelling and packaging of substances and mixtures (amendment of Regulation (EC) No 648/2004) (A6-0141/2008, Amalia Sartori) (vote)

7.4. Type-approval of hydrogen powered motor vehicles (A6-0201/2008, Anja Weisgerber) (vote)

7.5. Situation in Georgia (vote)

- Before the vote on paragraph 19:

Elmar Brok, on behalf of the PPE-DE Group. – (DE) Mr President, when we drafted the resolution, we used the previous text, the wording of which does not entirely convey that the European Council has met in the meantime. I would therefore suggest to you that the second part of the text should read: ‘and therefore welcomes the decision of the European Council to deploy’. Our text currently says that we call on the Council to do so, but it has already done it. Therefore, we ought to adjust the wording accordingly.

(Parliament agreed to accept the oral amendment)

- Before the vote on the resolution:

Martin Schulz, on behalf of the PSE Group. – (DE) Mr President, my group had a vigorous debate about this compromise resolution yesterday. On some essential points, it deviates from the text that we as the Socialist Group in the European Parliament originally contributed. By this I do not mean in any way to call the negotiations into question or to minimise negotiators’ success in achieving a compromise resolution with the other groups, but there is one element that we cannot get through, but which plays a key role in our resolution.

Even though this element, which I will name in a minute, is no longer included in the text, our group has decided to vote in favour of the compromise resolution because we believe that it is important that the European Parliament sends a unified signal. However, I want to make it clear here that we would very much have liked to see President Saakashvili’s aggressive attitude restrained and also, at the start of the conflict, a firm hold put on a totally inappropriate ...

(Protests from the right and applause from the left)

We would have liked to have seen what happened at the start included in this resolution, if only to make it plain that the very people who are protesting so loudly here now are the same people who want to intensify the conflicts rather than reduce them.

(Applause from the left and protests from the right)

President. – You surely understand that at this point in the voting I have no intention of re-opening a debate. The Socialist Group in the European Parliament thought it was worth explaining its final vote with that remark, and I think everyone understood what that was about. There is no need to re-open a debate. We will therefore move on to the vote on the joint motion for a resolution.

7.6. European contract law (vote)

7.7. Special Report from the European Ombudsman following the draft recommendation to the European Commission in complaint 3453/2005/GG (A6-0289/2008, Proinsias De Rossa) (vote)

7.8. Equality between women and men - 2008 (A6-0325/2008, Iratxe García Pérez) (vote)

- Before the vote on Amendment 5:

Iratxe García Pérez, rapporteur. – (ES) Mr President, on the voting list of my group, the Socialist Group in the European Parliament, we proposed to vote in favour of Amendment 5 if the authors of the amendment accepted that it was an addition. In the conversations we have had with them they have not taken on this proposal; we therefore wanted the paragraph to remain as it originally appeared in the report and will vote against Amendment 5 if it is not agreed that it is an addition.

(The GUE/NGL Group, author of the amendment, agreed)

7.9. Cloning of animals for food supply (vote)

(The sitting was suspended at 11.55 a.m. and resumed at 12 noon)

IN THE CHAIR: MR PÖTTERING

President

8. Formal sitting - Costa Rica

President. – Bienvenido al Parlamento Europeo, Presidente Arias! President of the Republic of Costa Rica, ladies and gentlemen, on behalf of the European Parliament, I would like to extend a very warm welcome to you, President Arias.

Your visit is a milestone in relations between the European Parliament, the European Union, Costa Rica and Latin America.

Dr Óscar Arias, you have been President of Costa Rica already, from 1986 to 1990, and in 2006 you were re-elected for a four-year term. You are best known as a winner of the Nobel Peace Prize, which was awarded to you in 1987 to acknowledge the enormous efforts you have made in the quest for paths to peace in Central America.

President Arias's efforts in his role as an international broker came to fruition in the Esquipulas Peace Agreement, which was signed by the presidents of all Central American countries on 7 August 1987. The European Union supported these efforts wholeheartedly.

The President of Costa Rica is therefore a role model for people throughout the world. He once said it was vital to have values, principles and ideals and to fight for them. President Arias, you have been committed to this for many years and the citizens of Costa Rica honoured the results of that work by re-electing you two years ago.

In my speech at the 5th EU-Latin America and Caribbean (LAC) summit meeting in Lima, Peru, which took place in May this year, I emphasised the foundational significance of regional integration for the 21st century. As Jean Monnet, one of the founding fathers of the European Union, expressed it so succinctly, it is a case of 'building union among people, not cooperation between states'. President Arias, you too have subscribed to this ideal and worked actively to achieve it.

From the point of view of the European Parliament, it is desirable to conclude an association agreement between Central America and the European Union in the near future – and I said so in Lima as well – and I would like to add, as we discussed in detail in our meeting just now: whenever war breaks out somewhere, vast amounts of money are made available in dollars or euros or whichever currency, but when support is required to establish peaceful relations, then countries argue about far smaller amounts of money. We must give peace a chance!

(Applause)

That is our message today to the other European institutions.

President Aria, let me say, in conclusion, that we believe that you and your country will continue to play a crucial role in bringing these negotiations to a successful conclusion.

On behalf of all the Members of the European Parliament, I would like to welcome you again. I hope that your visit will give us the opportunity to strengthen the bonds of friendship between Europe, Costa Rica and Latin America.

Ladies and gentlemen, allow me to add something a little 'off the record': it is wonderful that the President of Costa Rica is here; and it is a very nice coincidence – by way of exception, I am allowed to mention somebody's age today – that the Member of the European Commission responsible for external policy, Commissioner Ferrero-Waldner, is celebrating her 60th birthday today. That is another happy occasion, and good reason to wish her many happy returns of the day.

(Applause)

Óscar Rafael Arias Sánchez, *President of the Republic of Costa Rica*. – (ES) Mr President, I greet you on behalf of a small American republic, in which just over 4.5 million people dare every day to live and to dream; in which the ideal of a society without an army has been possible, and in which we will soon be celebrating 110 years of democracy. I greet you on behalf of a small American republic that during the second half of the 20th century was surrounded by the most appalling dictatorships, whilst never experiencing oppression itself; which refused to be a pawn in the Cold War, and has refrained from using arms to achieve peace. I greet you on behalf of the Republic of Costa Rica.

Mr President, ladies and gentlemen:

Two events have preceded me today, separated by centuries and decades, but they are as connected with the present as this morning's dawn. This very day, 225 years ago, the US War of Independence came to an end with the signing of the Treaty of Paris, the first wave of the independence movement across practically the whole of the American continent. Also 69 years ago today, the Second World War began, with the declaration of war on Germany by France and the United Kingdom, and the emergence of the Allies, which included a large part of America. I am mentioning these events because as I come to this podium, a symbol of communion between different peoples, I do so with an awareness of the historical baggage I carry on my shoulders and which you also carry in the pasts of each of the nations that you represent. We have not come here to establish relations between our two continents, but to recognise that these relations have existed for a long time, and that any attempt to improve them should start with an attempt to understand them as a whole.

With the frankness that should prevail among friends, we have to recognise that our common history has its origin in the domination of one civilisation by another. America came to know Europe first of all through its power rather than through its ideas. Fear characterised the conquest, and indignation characterised colonisation. Nevertheless, we cannot fail to admire this age-old culture. Despite the battles that we have fought, it is undeniable that Europe turned on the light of reason in our land, and that it instilled in us an attachment to the best causes of humanity, causes that we did not abandon when we gained independence.

These were the causes that brought me to Europe 21 years ago, during my first administration as President of Costa Rica. At that time I came to ask for the strength of this continent to help in the quest for peace in Central America, where five nations were fighting for their lives in the midst of civil war. Bloodshed was dividing our peoples and pitting brother against brother. In a cruel experiment, the powers of the time used us as a testing ground to demonstrate their might: they brought in the weapons and we suffered the deaths. The number of fatalities rose, according to some estimates, to 350 000 people. On a proportional basis, this equates to nearly 4 million US citizens dying in the Iraq war. It was only by achieving peace that we could guarantee a future for our region.

At that time, Europe was the answer to our prayers. The moral support of this continent legitimised our efforts to find a diplomatic solution to the conflicts, a Central American solution to Central American problems. The international aid that you provided us with at that time was extensive and generous, and it was a symbol of Europe's genuine desire to help with the progress of the Central American nations.

Now, 21 years later, I am returning to Europe, and like Fray Luis de León when he came out of four years in prison, I feel compelled to start with 'As we were saying yesterday...', because in many respects we need to

pick up where we left off. Relations between Europe and Central America, so close in a time of war, have become distant in a time of peace. Aid from Europe for Central America, which was so great in a time of oppression, has become more moderate in a time of freedom. We never imagined that in crossing the threshold of peace, we would enter the kingdom of oblivion. I would like to think that this is the time to show that the friends who supported us in our darkest days will also be able to do so in our brighter days, precisely because we are now experiencing brighter days.

Today I would like to propose three courses of action, through which we could strengthen our ties and fight, shoulder to shoulder, to build the utopias that you yourselves taught us to pursue: the signing of the EU-Central America Association agreement, the Consensus of Costa Rica and 'Peace with Nature'.

I am well aware that in this House there are all kinds of views regarding free trade. However, I also know that those views are expressed from the high-altitude perspective of those who have the good fortune to live in a developed nation. Today I would like to give you the perspective from down on the plains. For a country like mine, one of the smallest in the world, it is not possible to produce everything that we consume. We are doomed to be the Phoenicians of the modern age. In an era of globalisation, the dilemma that developing nations face is as harsh as it is simple: if we cannot export more and more goods and services, we will end up exporting more and more people.

It is clear that Europe needs to look after the interests of the European people. It is also clear, however, that the interests of the European people, and of any race in the world, are increasingly determined by the common destiny of humanity. No nation can carry on regardless while beyond its borders hunger, ignorance, violence and disease are rife. While the disparities between our nations remain so great, a global diaspora will continue to take thousands of human beings over oceans, rivers and city walls to seek the opportunities that they have been unable to find in their own countries.

The Association Agreement between Central America and the European Union, which may be the first agreement between regions that the European Union concludes, is the closest, clearest and most immediate opportunity that Europe has to revitalise its presence in Latin America. Since the creation of the Central American Common Market, few initiatives have held greater potential for accelerating economic growth in the Central American isthmus, to modernise our institutions and provide new opportunities for those Central Americans who are still living in poverty. For Europe, reaching this agreement would mean taking up the position of leadership that it has lost, and occupying the vacant position at the forefront of the battle for the development of our Latin America. Yesterday we were allies for peace, today we can be partners in development.

However, Central America and Europe still have colossal differences, which have to be considered. The first is the difference between our two models of integration: Europe must accept that Central American integration has happened in the manner that our institutional development has allowed. We are now the most integrated region in the developing world, and we therefore think that it is not fair for conditions to be imposed on us in terms of our integration in order to advance the negotiations; conditions that it is difficult for Central America to comply with, and that, moreover, are not required of other regions of the world.

The second difference between our regions, and perhaps the most important one, is the difference between our levels of development: it is crucial that the commercial component of the agreement gives asymmetrical treatment in favour of Central America, and above all that it avoids the terrible practice of retaining the barriers in the areas where it is precisely Central America that has the comparative advantages. If we reach an agreement on the basis of these assumptions, Europe would be making a giant leap to benefit the people of Central America, but also of Europe, because in times of international crisis, Europe could benefit greatly from an economy that has been growing at approximately twice the rate of the European economy over the last five years.

Europe can begin to play a new leading role in the developing world, but first it needs to ensure that this leading role will indeed benefit development. Goethe said that 'nothing is more damaging to a new truth than an old error'. We cannot enter a new phase of international cooperation while carrying the burdens of the past, particularly the burden of a military expenditure that is in itself truly offensive to the nearly 200 million Latin American people who are languishing in poverty. The time has come for the international financial community to learn to separate the wheat from the chaff, and to recognise, with the evidence before it, what expenditure translates into a better standard of living for human beings, and what does not.

It is not a badge of honour that in 2007 Latin America's military expenditure amounted to 36 billion dollars, in a region that, with the sole exception of Colombia, is not currently experiencing any armed conflict. The

money that is spent on a single Sukhoi Su-30k aeroplane could buy around 200 000 MIT Media Lab XO laptops for our students. The money spent on a single Black Hawk helicopter could pay a grant of 100 dollars per month to 5 000 Latin American young people. The developed nations of the world must not support, with aid and resources, the decision of those who prefer to equip their soldiers rather than educate their children. That is why, ladies and gentlemen, my Government has announced the Consensus of Costa Rica, an initiative to create mechanisms for forgiving debt and supporting, with financial resources, developing countries which invest more in environmental protection, education, health and housing for their peoples and less on arms and soldiers. I still hope that the Consensus of Costa Rica, with your support, will one day become a reality.

I also hope that we will be able to adopt a plan that is closely connected with the Consensus: the Treaty on the Transfer of Arms that Costa Rica has proposed in the United Nations, which bans countries from transferring arms to States, groups or individuals if there is sufficient reason to believe that those arms will be used to violate human rights or international law. I do not know how much longer we will be able to survive without realising that killing many people, little by little, every day, is just as reprehensible as killing many people in one day. The destructive power of the 640 million small and light arms that there are in the world, 74% of which are in the hands of civilians, has proven to be more lethal than that of nuclear bombs, and it constitutes one of the main driving forces behind public insecurity both nationally and internationally. The fear of death must not be the key in which the future of our people is written. Today we can do something to ensure that this is not the case.

There is just one more thing that I would like to mention, and it is something that also has to do with violence and destruction, but not only against human beings, but against all forms of life. Every forest that we cut down, every tonne of carbon dioxide that we emit into the air, every river that we pollute, bring us one step closer to the gateway to the extinction of our species, on the threshold of which, as at the gates to Dante's hell, we will have to abandon all hope. I refuse to witness humanity going through that gateway.

Sixty years ago the former President of Costa Rica, José Figueres, had the vision of abolishing the national army and thus declaring peace to the world. We have now taken the decision to declare 'Peace with Nature'. We have set out to be a carbon neutral country by 2021, when we will celebrate 200 years of independence. Last year we became the country with the most trees per capita and per square kilometre in the world, by planting 5 million trees. In 2008 we will plant 7 million more trees. We are leading an international crusade against global warming, and today I humbly ask you to join us in it.

Global warming has made it possible for olive trees to grow on the coasts of England, which is a truly alarming sign to the scientific community. Unlike in the Bible story, this time the dove will not bring an olive branch as a sign of peace, but as a sign of danger. Today I ask for us to send that dove to the farthest corner of the world, so that it may return carrying the will to change of all the nations of the world. It is only together that we will be able to form a new alliance, this time not between God and man, but between man and God's creation.

Mr President:

The great Argentine writer Jorge Luis Borges used to say that he was an exiled European, alluding to the European ancestry of a large proportion of the population of our American continent. After centuries of intermingling and interchanging of races, there are probably also many exiled Americans here. We were exiled by the geographical chance of an ocean, and the historical chance of a pendulum that brings us together and distances us according to circumstances. I believe it is time to leave the pendulum set at union, to take the path once again that the winds took 180 million years ago, before the first crack appeared on earth, when Europe was joined to America, and it would have been possible to walk from Paris to New York.

We are all members of a single species, which is still capable of plucking the best flowers from the garden of life. Our dreams are a common heritage and our decisions have an impact on the lives of others, whether we like it or not. I think that this is far from a threat, but rather that it is undoubtedly a wonderful opportunity. I think, as the greatest Costa Rican poet, Jorge Debravo, said, 'it is wonderful, above all, to know that we have the power to bring to life the most remote things that we touch, to expand our horizons and not see any edges, because all the things that we see become, along with us, infinite'. I have no doubt that we will be able to use this infinite power for the good of everyone, both Europeans and Americans, and that side by side we will follow the star of a tomorrow of greater justice and freedom.

(Standing ovation)

President. – President Arias, on behalf of the European Parliament, I would like to thank you most sincerely for this brilliant, distinguished speech. Your words expressed that you and your country represent democracy and freedom; you work against violence, against terror, against dictatorship. When you say that Costa Rica is a small country, then I would like to point out that the population of a country or its geographical area are not the most important things. What is important is the spirit of a country and its president. Anyone who has heard your speech knows that President Arias and Costa Rica stand for freedom and democracy. That makes Costa Rica a big country in the world.

(Applause)

You are a man of peace; that is why you were awarded the Nobel Peace Prize in 1987. However, you did not retire after that; 21 years have passed, and now you are advocating peace between people and peace with nature. The European Parliament stands alongside you in upholding these principles.

I would also like to give a warm welcome to the ministers of your government who are accompanying you – the Minister of Foreign Relations, Stagno Ugarte, and the Minister of Foreign Trade, Ruiz Gutiérrez, who are also here in the Chamber, together with many citizens of Costa Rica, who live here in Brussels and in Belgium. Be proud of your country! Not in a nationalistic sense, because then countries that have dictatorships and are ruled by violence could also be proud of themselves, but be proud of your country, of Costa Rica, because you champion the right values: democracy, freedom and peace.

Thank you very much once again. Muchas gracias, President Arias!

(Applause)

IN THE CHAIR: MR ONESTA

Vice-President

9. Voting time (continuation)

President. – We will continue with voting time.

9.1. How marketing and advertising affect equality between women and men (A6-0199/2008, Eva-Britt Svensson) (vote)

10. Explanations of vote

Oral explanations of vote

- Situation in Georgia (B6-0402/2008)

Michl Ebner (PPE-DE). – *(DE)* Mr President, I voted in favour of the resolution and would especially like to thank Mr Brok for his efforts to achieve a broad consensus on it.

I believe that, vital though it is to dialogue with Russia, we must ensure that we do not become totally or predominantly dependent on Russia in terms of energy policy, because that seriously diminishes our potential to hold discussions. It should not be forgotten that Georgia's military response relates back to a long history of provocation from the separatist forces, which has recently become very intense, and that Russia used this self-defence measure as grounds for the invasion. Nevertheless, we should make it our utmost priority to achieve a peaceful solution to this conflict and I wish all those involved speedy success, so that Crimea, Latvia, Lithuania and Kazakhstan do not also go the way of South Ossetia.

Danutė Budreikaitė (ALDE). – *(LT)* European politicians are now breaking a long silence and are describing Russia's actions in Georgia as disproportionate. No, this is a case of the rights of Russians in other countries being protected by means of military aggression. Some EU countries that blocked the prospects of Georgia and Ukraine for joining NATO have enabled Russia to pursue its aggressive policy of annexing territories. Most EU countries are dependent on energy imports from Russia; they are afraid of the gas tap being turned off. This allows Russia to start dictating its conditions to the whole of the EU in a truly disproportionate way. I voted in favour of the resolution, although I feel that the position of both the Commission and Parliament with regard to future relations with Russia has not been defined clearly enough.

Miroslav Mikolášik (PPE-DE). – (SK) I believe that we should terminate the visa liberalisation agreement, withdraw the Russian ‘peacemaking’ units and replace them with international ones and, thirdly, break off discussions on partnership and cooperation with Russia. I also think that Europe should adopt a unified and clear stance on the situation in Georgia and not turn a blind eye to Russia’s crude interference with the sovereignty and integrity of a neighbouring state.

Moscow broke international agreements when, at the beginning of August, its troops crossed the border into Georgia, a border which it had itself recognised in the past. Russian troops not only entered the territory of South Ossetia, but advanced further into the country itself.

I utterly condemn Russia’s recognition of the declaration of independence of Abkhazia and South Ossetia. We must not forget that, while some celebrate independence, Georgia is mourning the innocent people who lost their lives and homes when the Russian troops invaded. I am convinced that Europe must bring pressure to bear and, as part of the international community, push for the territorial integrity of Georgia.

The Slovak Republic adhered to the principle of territorial integrity in the case of Kosovo and still does not recognise its separation from Serbia. In the same spirit, I do not recognise the independence of the Georgian regions and South Ossetia.

Toomas Savi (ALDE). – Mr President, as one of the authors of the motion for a resolution on the situation in Georgia, I voted in favour of Amendment 1, inviting the International Olympic Committee to seriously consider whether its decision to grant the 2014 Winter Olympic Games to Sochi is still valid in the light of recent events in the near vicinity of the future Olympic venues. It would be very irresponsible if the IOC endangered the lives of the Olympic athletes by holding the games in such an unpredictable region.

I need not remind you that, on 5 September 1972, 11 Olympic athletes were massacred in Munich. I was there as a doctor for the Soviet Olympic team, and I remember the impact of those tragic events on the Olympic spirit. Such events should never reoccur.

Bernd Posselt. (PPE-DE) – (DE) Mr President, I have a lot of respect for Mr Schulz, but his statement today was unacceptable. Early this morning, President Medvedev described the democratically elected President of Georgia, President Saakashvili, as a ‘political corpse’. Even from a democratic perspective, that would be outrageous, but when you consider that Mr Medvedev represents a regime that had the predecessor to his predecessor, Zviad Gamsakhurdia, murdered, had the President of Chechnya murdered and has now had an Ingushetian civil rights activist murdered, then it almost amounts to a physical threat.

This is not about whether or not we like Mr Saakashvili; it is a case of an obligation to support the elected representative of the Georgian people, who have become the victim of an imperialistic act and on whom an attempt at strangulation is being made. Therefore, I believe it is vital that, following our resolution, which I welcome, we go a step further and station European peacekeeping troops in Georgia. We do not need a mandate from the United Nations or the Organisation for Security and Cooperation in Europe, as Georgia is a sovereign nation and has asked us for a European presence. We must also ensure that this country can survive and continue in peace, because having Russian troops as peacekeepers, as the UN and the OSCE have organised, is giving the arsonist the role of fire chief.

Bogdan Pęk (UEN). – (PL) Mr President, this resolution on Georgia is important, and I voted in favour of it, although I feel that the European Union, which was faced with an important test as a result of events in Georgia, failed to pass that test. The main reason it failed, in my view, is because some very important German interests are involved here, particularly the interests of the German left wing and Chancellor Schröder. Mr Schulz expressed them here today in no uncertain terms.

The European Union must understand that the Baltic pipeline may be the cause of what effectively amounts to the blackmail of Lithuania, Latvia, Estonia, Poland and also Belarus. This pipeline must be got rid of, and the European Union, despite its declarations, must finally take a stance on a unified energy policy that has no place for the Baltic pipeline under any circumstances, even though this goes against certain German interests. The Germans must come to terms with the fact that they are either forging a united European Union and their declarations are genuine, or they are acting hypocritically and putting their own interests ahead of those of the EU.

Milan Horáček (Verts/ALE). – (DE) Mr President, I voted in favour of the resolution, but with some heartache. The war between Russia and Georgia has highlighted differences in dealing with crises. Georgia has various

unsolved problems, but Russia is behaving in the long-established tradition of semi-Asiatic dictators, with skulduggery, provocation and warlike brutality. This is a danger not only for Ukraine, but also for us.

Our strengths are human rights, democracy, the rule of law and the freedom we have all fought hard together to achieve – freedom from dependency and bondage. These values urgently require that we defend them through a common foreign and security policy.

Charles Tannock (PPE-DE). – Mr President, the British Conservative delegation supported the motion for a resolution on Georgia, which was a balanced one overall. However, we have objections to paragraph 19, which calls for a military ESDP mission in Georgia – although we would see nothing controversial in an EU civilian observer presence.

Similarly, paragraph 30, which claims that the Lisbon Treaty would help the EU's position with regard to managing this crisis, is, in our view, unfounded. We support a more robust common external energy security policy under the CFSP with regard to Russian oil and gas imports, but we do not see what difference the Lisbon Treaty would have made to managing this crisis. This is not about EU global weakness in foreign affairs, but about Russian bullying and revanchism in the South Caucasus.

Richard Falbr (PSE). – (CS) I abstained, because the answer to the question 'is it true that the Georgians attacked a sleeping city with rocket launchers?' is 'yes'.

- European contract law (B6-0374/2008)

Bruno Gollnisch (NI). – (FR) Mr President, we go along with the question Mr Lehne would like to ask the Commission. In fact, we think that the problems of contract law in Europe should respond to two key needs, which go hand in hand. The first is the need for clarity and simplicity, the second is for security. We are pleased that the rapporteur has taken account of the remarkable work done by the 'Société de législation comparée', and we hope this work will be done with reference to our common heritage, Roman law. The rules of contractual autonomy, the rules on validity, defects of consent and publicity have been fixed in our civilisation since ancient times. It is to those we need to refer; to this common legal heritage of our civilisation.

We also hope that, for transactions to be secure, the unification of rules on conflict of laws should precede the unification of the substantive rules. Contracts entered into between people in different places, and particularly the difficult issue of the tentative offer, or pollicitation, and acceptance, the procedures, timings and proof can all be unified without necessarily having to unify the substantive rules of our different legislations.

- Report: Proinsias De Rossa (A6-0289/2008)

Mario Borghezio (UEN). – (IT) Mr President, ladies and gentlemen, a few days ago on a small island near Sardinia, without violence and in the interests of environmental conservation, Sardinian separatists declared a new republic with the poetic, Polynesian-sounding name of the 'Republic of Maluventu'. I would like to point out that the President has already received the map inspired by the UN map and the sacrosanct principle of the self-determination of peoples. Europe has always stood side by side with anyone fighting for freedom by peaceful and democratic means. Long live the battle of the Sardinian people for self-determination!

- Report: Iratxe García Pérez (A6-0325/2008)

Frank Vanhecke (NI). – (NL) Mr President, I voted against the García Pérez report in spite of my conviction that men and women are of course equal and must of course receive equal pay for equal work. We still forget far too often that gender equality is one of the definite achievements of today's Europe, of the European world, of the Western world, and that this principle is by no means established in some other parts of the world. We should never forget this.

That is only one aspect of this report, however. The report is also brimming with a great many other points with which I fundamentally disagree. One example is its support for the endless electoral quotas for women, as though women were helpless creatures unable to obtain posts themselves based on their own abilities. Another is the constant support for abortion: I ask myself what this is doing in this report.

It was for all these reasons and many others that I voted against the García Pérez report.

Christopher Heaton-Harris (PPE-DE). - Mr President, for some bizarre reason I broke the trend of a lifetime in this Parliament today by *not* voting against a report by the Committee on Women's Rights and Gender Equality – I abstained.

In the past, I have constantly voted against these reports because they are normally full of complete rubbish. But, as a married father with two girls, I try to read every word of these reports and guess what they actually mean.

I have some concerns about the committee this stuff comes from – I do not really think we need a Women's Committee in this place when we have a Committee on Civil Liberties, Justice and Home Affairs.

There are some phrases in this report – the 'feminisation of poverty', for example – which mean absolutely nothing but sound great to the PC brigade that resides out there.

I do wonder what this committee would feel about, say, those who break the glass ceiling: for example, a mother of five, whose youngest child suffers from Down's syndrome, whose eldest daughter might be five months pregnant – as in the potential Vice-President of the United States, Sarah Palin? I think that committee would not like the fact that she has broken through the glass ceiling. But I abstained on this report.

Ewa Tomaszewska (UEN). – (PL) Mr President, although I am a supporter of equal rights, I voted against the resolution on equality between women and men. This resolution incorporated some crypto-abortionist points and thus violates the principle of subsidiarity in this sphere. The fact that Amendment 2 – an amendment that removes these points – was rejected in the vote made it necessary to reject the entire resolution. It is a shame that the European Parliament can so frivolously violate the basic principles according to which the European Union functions.

- Cloning of animals (B6-0373/2008)

Hynek Fajmon (PPE-DE). – (CS) Mr President, I voted against the ban on cloning. A ban on cloning is an attack on the freedom of scientific research and on the freedom of enterprise. Restricting these freedoms will not do the European Union any good, but will lead to a further drain of scientists to the United States of America and other countries around the world where there are no such bans. A ban on trade in such products will then lead to further trade disputes within the World Trade Organization. We do not want such developments.

The health and other risks of cloning must be properly assessed in accordance with the applicable processes and procedures and the results must be communicated to the public. The European Food Safety Authority carried out a scientific consultation on this subject in the first half of this year and the results of the consultation do not provide any reasons to ban cloning.

Avril Doyle (PPE-DE). - Mr President, I voted against the resolution on banning cloned animals in our food chain, due to the lack of scientific rigour underpinning our approach in Parliament. Whether it is a legislative vote, a resolution on a parliamentary question, or an own-initiative report, decisions taken by the European Parliament and plenary votes are seriously devalued if they do not stand up to peer-reviewed scientific scrutiny. The credibility and integrity of our work, therefore, is legitimately opened to question.

- Report: Eva-Britt Svensson (A6-0199/2008)

Ivo Strejček (PPE-DE). - Mr President, I voted against the Svensson report, and I am grateful for the opportunity to say why.

My reasons are as follows. First, no consumer knows everything, nor does any legislator. That is why advertising is a vital part of commerce and trade. Second, each advertisement (unfortunately or fortunately) must be obtrusive, attractive, striking and eye-catching. This is the result of the fact that there are always at least a few producers selling the same product, and each of them wants to sell just its own product. Third, Ms Svensson's attempt is attentive to these principles and tries to improve market forces with artificial legislating steps, which will harm and distort natural market forces stemming from the supply and demand relationship. That is why I voted against.

Frank Vanhecke (NI). – (NL) Mr President, if I had to summarise my reasons for voting against the Svensson report, I could say quite simply that, in my opinion, this report is complete nonsense. It is the umpteenth report in which this House – which is after all officially deemed to defend the freedom of European citizens – has called for restriction of freedom and for censorship. Indeed, several provisions of the Svensson report,

such as paragraph 14 on censorship, are straight out of *Fahrenheit 451*, a book portraying a world in which books are banned and critical thought suppressed.

I am very critical of this European Parliament in any case, but it does have to take care not to make itself a hopeless laughing stock and turn into a kind of clone of the Supreme Soviet.

Philip Claeys (NI). – (NL) Mr President, I should like to congratulate Mrs Svensson. Her report is one of the most patronising, interventionist, politically correct texts of this whole parliamentary term. She really does seem to be convinced that advertising and marketing are a big conspiracy to contribute, right from the first years of a child's socialisation, towards the gender discrimination which reinforces the perpetuation of lifelong inequalities between women and men. I am not making this up: the majority of that sentence was taken verbatim from Recital M of the text.

The report of course advocates more legislation and the establishment of bodies specifically concerned with monitoring compliance with all these new rules. I would say 'jobs for the boys', if that phrase were not so terribly 'gender insensitive'. Paragraph 14 of the text takes the biscuit, advocating the elimination of what it calls 'messages conveying gender stereotypes' from textbooks, toys, video games, the Internet and advertising. Censorship, in other words. I do not know whether the term 'textbooks' is also aimed at literature but, if that is the case, we can start straight away by burning works by Shakespeare in the street.

Christopher Heaton-Harris (PPE-DE). – Mr President, I reverted to type for this report, and voted against. I would like to detail some of the reasons why.

I have a huge amount of respect for the rapporteur, Mrs Svensson, who has done a lot of work in this area and is one of the strongest female role models that this Parliament could put forward. However, certain points in the report – some of which were voted down – were almost beyond belief. There were the calls for the gender thought police in paragraph 9. There was the challenge to traditional gender roles in paragraph 13 and, in paragraph 14, something approaching a hatred of new images on the internet.

Male and female forms have always been used in advertising. The male forms tend to look better than mine and the female forms tend to look better, say, than some Members of this House. That is advertising for you. Even the European Commission – if you look at its website, or any of the publicity it drapes upon its buildings – uses images of men and women who are slightly better-looking than the average.

Written explanations of vote

- Report: Amalia Sartori (A6-0140/2008)

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) We have chosen to vote in favour of the report because its aim is global harmonisation of the classification, labelling and packaging of chemicals. This can contribute to safer handling of chemicals, which improves the environment and health.

However, we would have liked to see the labelling of chemicals in category five.

These chemicals are often found in the home and are a major cause of poisoning in children.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) The opening at international level of the debate on chemical substances and the part they play in our lives dates back to 1980, first within the International Labour Organization and then within the United Nations, which adopted the GHS (Globally Harmonised System of Classification and Labelling of Chemicals) in December 2002, with a revision in 2005.

These decisions have had an impact at Community level with the adoption of several documents.

At this point in time, what we are dealing with is merely the proposal for a regulation on classification and labelling of substances and mixtures whereby the European Union aims to implement the international criteria agreed by the United Nations Economic and Social Council for the classification and labelling of hazardous substances and mixtures, also known as the Globally Harmonised System (GHS).

Using this system, the aim is to focus on protecting human health and the environment without hindering the movement of substances and mixtures, setting out classification and information criteria, including requirements for labelling and safety data sheets. This relates to upholding safety in the transport of hazardous goods and health and safety prevention for consumers, workers and the environment. We therefore voted in favour of these reports.

Marian Zlotea (PPE-DE), in writing. – (RO) Chemicals are produced and marketed globally and their risk is the same all over the world. Substances considered dangerous in one country may have a different regime in another country. There should be no different description of the same product in various countries.

In addition to the need for information, the main goal of GHS (Globally Harmonised System) is consumer protection. The new legislation in the field of classification, labelling and packaging of substances and mixtures shall offer increased protection to human health and the environment. I believe compromises have been reached, which contain good solutions for consumer health. The professional users of chemicals and worldwide consumers can benefit from global harmonisation.

Following the enforcement of this report, the protection of people using these dangerous substances shall increase and enterprises shall be more efficient, reducing the number of accidents. The use of these dangerous substances shall be safer and shall provide users with correct, complete and accurate information, ensuring better consumer protection.

- Reports: Amalia Sartori (A6-0140/2008) (A6-0141/2008) (A6-0142/2008)

Ian Hudghton (Verts/ALE), in writing. – The Sartori reports deal with important matters of relevance to all our citizens. Chemicals are manufactured and traded on a global basis and their hazards remain the same wherever they are used; accordingly it is appropriate that the classification and labelling of hazardous substances be suitably harmonised. The package agreed today represents a sensible compromise reached between the political groups and the institutions and I was therefore able to support it.

- Report: Anja Weisgerber (A6-0201/2008)

Sylwester Chruszcz (NI), in writing. – (PL) The report legalises the production of hydrogen powered vehicles. This is one of the rare documents that takes a deliberate approach to the problem of alternative fuel for vehicles. It is particularly praiseworthy in so far as this is an entirely innovative technology that is totally harmless to the environment, as the combustion gases are water. I have no doubt that the document is inspired by the manufacturer of the vehicle used by Hans-Gert Pöttering, but I deliberately voted in favour of it.

Hanne Dahl (IND/DEM), in writing. – (DA) The June Movement is evaluating fuel cells that use hydrogen as an energy carrier based on renewable energy such as solar, wind and wave power as a system for transport because it is a clean fuel, i.e. there is no particle pollution and at the same time the fuel can be produced using renewable energy. However, overall, hydrogen powered vehicles have a very low energy efficiency of 20% from source to wheel. This is far outperformed by electric vehicles running on computer-controlled lithium batteries, which have an energy efficiency level of 80-90%. At the same time, millions of batteries could solve the storage problem for renewable energy. Therefore, we would like to work towards the Commission taking steps towards promoting this alternative.

Proinsias De Rossa (PSE), in writing. – This report allows for the bridging of the internal market gap for hydrogen vehicles, having in mind the imperatives of consumer protection.

It is urgent to include hydrogen vehicles in the EU type approval framework, thus fostering the research and development of this environmentally friendly technology throughout the whole of the internal market.

Moreover, technical specifications have been established to ensure the reliability and safety of hydrogen components and systems, as well as the clear identification of hydrogen powered vehicles through labelling, which would be important should an emergency arise.

Ian Hudghton (Verts/ALE), in writing. – I voted in favour on the Weisgerber report. The potential of hydrogen as a clean form of power has long been recognised, and technologies in this area are constantly being improved. Nevertheless, hydrogen power can only be truly effective as a clean and green energy if the hydrogen comes from sustainable and, ideally, renewable sources, and this fact has been noted in the final report.

Jörg Leichtfried (PSE), in writing. – (DE) I am voting in favour of Mrs Weisgerber's report on type-approval of hydrogen powered vehicles.

Fostering environmentally friendly alternative fuels in the EU is an important step that absolutely must be supported in these times. Hydrogen powered vehicles lend themselves to this purpose but they must guarantee a high level of safety and environmental protection. To ensure that this is so, unified conditions for type-approval in the European Union are urgently needed. Without EU-wide regulations on the classification

of hydrogen powered vehicles there is a risk that the one-off permits issued by the Member States will distort competition and that enterprises will find that investing in hydrogen vehicles no longer pays off.

A unified type-approval system offers citizens the protection of an EU-wide directive and promotes an increase in the number of environmentally safe vehicles, which is very important.

David Martin (PSE), in writing. – I welcome Anja Weisgerber's report on type-approval of hydrogen-powered motor vehicles. The report is a positive step in helping to stimulate the industry to intensify research and development efforts. Encouraging the entrance of hydrogen-powered vehicles into the internal market will contribute considerably to achieving Europe's climate change targets. I voted in favour of the report's recommendations.

Andreas Mölzer (NI), in writing. – (DE) There is no doubt that hydrogen power is a technology with future potential, but it has by no means reached maturity. Not only are acquisition costs still too high to be financed, but the manufacture and storage of hydrogen is expensive. Furthermore, even if the cars themselves do not produce any harmful emissions, it is still not clear how the hydrogen is to be produced in a way that uses as little energy as possible and does not generate CO₂.

In conclusion, we also do not yet know whether battery- or fuel-cell-powered vehicles will become the norm, but it is important in any case that we support alternative technologies in order to reduce our dependence on fossil fuels. Accordingly, I voted in favour of the Weisgerber report.

Eluned Morgan (PSE), in writing. – I voted in favour of this report as this legislation will pave the way for full-scale production of these cars and provide European drivers with real alternatives in the near future. This new law will help boost the development of these vehicles while ensuring they are reliable and safe, and measures included in this report will ensure that the maximum environmental benefits from hydrogen-powered vehicles can be achieved.

Daciana Octavia Sârbu (PSE), in writing. – (RO) Building car engines based on hydrogen represents a guarantee for the development of ecological means of transport in the future and the protection of public health. In order to obtain environmental benefits related to the use of vehicles based on hydrogen, the latter should be produced sustainably, improving noise and air quality in advance.

This regulation will make sure that hydrogen-based systems are as safe as the conventional propulsion technologies, contributing to the stimulation of industry for building such type of vehicles. It is necessary to create an adequate framework in order to accelerate the placing on the market of vehicles with innovating propulsion technologies, so that the transportation industry would contribute significantly to a cleaner and safer future.

Taking into consideration the global problems caused by climate change and the lack of energy sources, the hydrogen vehicles should be promoted at international level, especially in the countries under development, as well as in the USA, in order to guarantee a better environmental protection against global warming.

For this reason, I voted in favour of this proposal for regulation, which represents a first step toward a cleaner Europe.

Peter Skinner (PSE), in writing. – Given the current and future problems affecting motor vehicle engines run on petroleum, it is clear that developments of alternatives are vital. The approval of specifics relating to this are a solid step forward. The relationship between aggregate consumption of oil through motor car use and that of increasing respiratory diseases, as well as concomitant rises in pollution, means that 'next-generation' vehicle design has to reflect this.

Clearly, the aspect of hydrogen generation through the use of electricity raises wider considerations, including how to locate the energy for the generation of the original electricity. However, this report helps to move the debate and the industry behind the car of the future and in the right direction.

Bernard Wojciechowski (IND/DEM), in writing. – (PL) Hydrogen is universally acknowledged as the environmentally 'cleanest' and most acceptable fuel, as its combustion in air or oxygen produces only water.

Despite the significant problems associated with storing hydrogen and putting it into a fuel tank, the ceaseless work being carried out by research centres all over the world indicates that this is the fuel of the future. As a fuel, hydrogen will provide us with an environmentally safe renewable energy source.

The introduction of EU type-approval criteria for hydrogen powered vehicles is essential to the proper functioning of a single market and to ensuring a high level of safety and protection of the natural environment.

- Situation in Georgia (B6-0402/2008)

Alessandro Battilocchio (PSE), *in writing*. – (IT) I am voting in favour of this resolution in the hope that it will bring a swift and peaceful end to this tragic crisis. I think that two aspects need to be confirmed: on the one hand, the principle of the inviolability of the territorial integrity of the various states is unassailable, and on the other, the need should be underlined for absolute respect for the rights of the minorities concerned.

Evidently, following the events in Kosovo, the voice of the international community is undoubtedly weaker and far less credible, but diplomatic efforts must be stepped up to bring about a credible and concrete solution. However, while the world's governments are busy, we need to act urgently to tackle the growing humanitarian crisis linked with the presence of an increasing number of refugees. The European Union must set up a task force to relieve the suffering of hundreds of thousands of people who are in need.

I am in touch with the international liaison at UNICEF, who has confirmed the severity of the situation. I hope that the European Commission will play its part, as it has done in other situations.

Giorgos Dimitrakopoulos (PPE-DE), *in writing*. – (EL) The MEPs of the New Democracy (ND) party have decided to abstain from the final vote on the resolution on the situation in Georgia. This decision was taken because the final draft resolution, which was put to the vote, was worded in such a way that the sense of equilibrium present in the previous draft resolutions was removed.

Glyn Ford (PSE), *in writing*. – I will be voting in favour of this joint resolution because it is important that the Union send a strong message to Russia's leadership. Nevertheless, it fails to adequately criticise and apportion blame to the Georgian leadership's role in triggering the crisis. As far as I am concerned, under the current leadership, Georgia is definitely not on track to join NATO in the foreseeable future.

My second point is that this crisis reinforces and strengthens the requirement for a European common foreign and security policy. The sooner this element of the Lisbon Treaty is implemented, the better.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) The situation in Georgia and the position taken regarding it are foreign policy issues. The opinion of the June List is that neither the European Parliament nor any other EU institution should issue a statement on such matters because foreign policy is to be pursued at national level, not by the European Union.

Hardly surprisingly, the European Parliament is making the most of the opportunity to issue propaganda in favour of a stronger common foreign and security policy and, even worse, the implementation of the Lisbon Treaty. Here today we can already see that different Member States have different opinions on the question of Georgia. Thus it is not desirable for the EU to speak with a single voice because that voice will have to speak counter to the opinions of many Member States. The numerous references to NATO are also very problematic as there are countries which are members of the EU but not members of NATO.

The situation in Georgia is very serious, especially in view of all the civilian victims of the conflict. However, the EU should not pursue a foreign policy and therefore we have voted no to this resolution.

Pedro Guerreiro (GUE/NGL), *in writing*. – (PT) The resolution approved by the majority in Parliament, which we voted against, is part and parcel of the anti-Russian campaign of those using this course of action to try to cover up their own deep responsibility for the worsening international situation and to provide a pretext for dangerous new steps in the escalating confrontation.

Among other aspects, the resolution hides the fact that at the root of the current international situation and the situation in the Caucasus is the new arms race and the militarisation of international relations championed by the USA and NATO (with its offensive strategic concept and its enlargement to Russia's borders), the stationing of new US bases and missiles in Europe and the growing militarisation of this continent, the aggression against and dismembering of Yugoslavia and the recognition of the independence of the Serbian province of Kosovo outside international law, the attacks on and occupation of Afghanistan and Iraq, that is to say, imperialism (and inter-capitalist contradictions).

Some of those who are now calling for international law, territorial integrity, sovereignty and the independence of States to be respected are the very same people who championed and supported the aggression against Yugoslavia or Iraq. What hypocrisy!

The road to peace and safeguarding the future of humanity lies in respecting the principles laid down in Article 7(1), (2) and (3) of the Portuguese Constitution.

Ian Hudghton (Verts/ALE), *in writing*. – I am satisfied that my own group's amendment was successful. We have asked that the Russian and Georgian authorities provide information as to the location of cluster bombs dropped during hostilities, so as to hasten de-mining activities.

Parliament has condemned the use of force and believes that conflicts in the Caucasus cannot be solved by violence; the speedy clear-up of mines will prevent future casualties of civilians.

Ona Juknevičienė (ALDE), *in writing*. – (LT) I voted in favour of Amendments 2 and 5, as in my opinion Russia is making a claim to restore the territorial boundaries of the former Soviet Union by employing various means. By its actions in Georgia, Russia has once again demonstrated its readiness to invade and occupy the territory of a sovereign state under the pretence of defending the rights of its citizens. To my mind, in its resolution the EU must clearly show the gratuitousness of Russia's expansionist plans, especially regarding the Baltic countries.

In voting against clause 2 of paragraph 27 I would like to say that the EU cannot and has no right to decide whether Georgia is still in the process of joining NATO. We are only able to state the fact that on 3 March 2008 NATO confirmed the possibility of Georgia joining this organisation; however, it is up to the sovereign state of Georgia to make the decision.

Filip Kaczmarek (PPE-DE), *in writing*. – (PL) Ladies and gentlemen, I voted in favour of the resolution on the situation in Georgia. I did so not because this is an ideal resolution; there is no doubt in my mind that our resolution could be better. I wavered on whether to support the draft resolution.

My doubts were stirred up by Mr Schulz just before the vote. He expressed his regret that the resolution failed to criticise the Georgian President. This remarkable statement convinced me that the resolution could have been a lot worse and could have been wrecked by the pro-Russian lobby in the European Parliament. In what he said, Mr Schulz underestimated Parliament's unity over the crisis in the Caucasus. It is now clear that it would have been better if the European Parliament had held an extraordinary session earlier on the subject of Georgia. It is a shame that we did not present our position during a Council sitting. It is a shame that we did not put forward our prescriptions and our views before the leaders of the Member States got together.

Carl Lang and Fernand Le Rachinel (NI), *in writing*. – Mr President, by taking an unequivocal position against Russia and engaging Europe in the resolution of the conflict, the European Council and a majority in Parliament are launching a process as dangerous as the one which plunged the continent into the First World War.

This process is the result of the ill-prepared enlargements to the East, which bring us closer to the conflict zones of the Balkans and the Caucasus. What then will the consequences of Turkey's membership be, which borders Iraq and Iran? Furthermore, by recognising the independence of the Serbian province of Kosovo, our governments have opened a Pandora's box, challenging the territorial integrity not only of Georgia, but of most of the European countries, both East and West.

If, as the Socialists, Liberals, PPE and Verts would like, Georgia became a member of NATO and joined a European Union governed by the Treaty of Lisbon, our nations would enter into conflict with Russia.

The Europe of Brussels signifies war. More than ever, faced with a more powerful China and the Islamist threat, it is time to build another Europe, the Europe of sovereign states, united with Russia through the bonds of civilisation constituted by our Greek and Christian heritage.

David Martin (PSE), *in writing*. – I welcome the swift action taken by the French presidency in working towards a solution to the conflict between Georgia and Russia. While criticism could be aimed at Tbilisi's military engagement in South Ossetia, the retaliatory action taken by Moscow is both disproportionate and a clear violation of Georgia's territorial integrity. I would call on the European Parliament to send a clear message to the Russian executive that its actions are unacceptable. I therefore voted in favour of the resolution.

Erik Meijer (GUE/NGL), *in writing*. – (NL) There is every reason to provide humanitarian aid to the people of Georgia and also to condemn military intervention in the region not in dispute and the use of cluster bombs by Russia. The aspects of this resolution I reject are its taking sides with Georgia and its attempt to punish and isolate Russia and surround it by NATO for recognising the independence of Abkhazia and South Ossetia.

A great many of today's European countries were created by in effect breaking away from another country, issuing a unilateral declaration of independence and ultimately gaining recognition from other countries. Most European countries came into being after 1830, particularly in waves after 1918 and 1991. Kosovo has been the most recent example. There is absolutely no reason to declare Kosovo's genesis exceptional, or to pretend this will be the last time a new country is created.

It is never the last time. As long as there are regions where the majority of inhabitants consider the ruling government useless or even threatening, perceiving it as foreign domination, new countries will continue to form. Let us acknowledge that the inhabitants of Abkhazia and South Ossetia do not wish to be subordinate to Georgia.

Andreas Mölzer (NI), *in writing*. – (DE) Russia is important to the EU not only as a supplier of energy but also as a counterbalance to America's drive for world domination. For these reasons, but also to avoid jeopardising its credibility, it is important for the EU to play a neutral role as a mediator between Georgia and Russia.

There are very large Russian populations in many states of the former Soviet Union, such as Ukraine. That makes it easy to understand why the Kremlin feels it has a particular responsibility to these Russian people groups. The EU could help to negotiate a solution that would be acceptable to all parties and, for example, speak up for generous ethnic minority rights for Russians in the post-Soviet era, which would fit in with the European Union's oft-quoted human rights goals. With this in mind, then, I favour the position worked out at the special summit and am against the 'vassals' attitude towards the United States in this report, which is why I voted against it.

Athanasios Pafilis (GUE/NGL), *in writing*. – (EL) The joint resolution upholds EU policy, which is exploiting the crisis in the Caucasus. This is an attempt to step up the EU's intervention and presence in this key region. Masquerading as a peacemaker, it is proposing a series of measures to facilitate its consolidation and intervention in the Caucasus. The resolution is provocative because it does not condemn the brutal attack by the Euro-NATO government of Georgia and the murder of thousands of civilians. On the contrary, it offers every possible support to Georgia's policy and its accession to NATO. The condemnation of the breakaway move by South Ossetia and Abkhazia is laughable hypocrisy, to say the least, in the light of the dismemberment of Yugoslavia and the recent EU decision on Kosovo.

Amid the web of conflict and rivalry between the EU, the United States and Russia, the European Parliament's resolution is almost identical to the US policy because it takes a one-sided stance against Russia in order to gain a better negotiating position for a share of Eurasia's markets and wealth-generating resources.

The aggravation of the conflict and rivalry by the imperialists and Russia's attempt to enhance its position in the imperialist pyramid create new dangers for the peoples of the Caucasus and the wider area. The people's answer can and must be to join in the anti-imperialist struggle.

Dimitrios Papadimoulis (GUE/NGL), *in writing*. – (EL) I have voted, as did all the Confederal Group of the European United Left/Nordic Green Left as one, against the resolution on the situation in the Caucasus, because it views the crisis through the distorting lens of pro-Bush policy and expediency. The worst and most provocative aspect of the resolution is the fact that it avoids the slightest criticism of the opportunistic course of action taken by Georgian Prime Minister Saakashvili, who sparked off the crisis so as not to displease his American protectors. The position taken by the majority in the European Parliament directly opposes that held by the same political forces six months ago on the Kosovo issue.

Stability in the Caucasus region cannot be achieved through a policy of playing second fiddle to the United States, which turns a blind eye to the true state of affairs and itself pursues a policy of double standards.

Ioan Mircea Pașcu (PSE), *in writing*. – I have voted in favour of Amendment 2 because I consider it inadmissible that borders could be changed under the pretext of 'care' for the minorities in neighbouring countries. I also voted for mentioning that Georgia was promised NATO membership at the Bucharest Summit and that she is on right track for the following reasons:

- a. It is true: Georgia was assured that she would become a NATO member and that is officially inscribed in the Final Communiqué of the Bucharest NATO summit,
- b. At least one important European leader has said - in the context of the recent war with Russia - that Georgia's vocation for NATO would be fulfilled,

c. The EU is bound to guarantee Georgia's security, independence and territorial integrity by virtue of the Partnership Agreement concluded by the EU with Georgia within the European Neighbourhood Policy and since it cannot do it - because it is not structured for that - it means that the only institution which can do so is NATO, of which the majority of the EU countries are also members.

Béatrice Patrie (PSE), in writing. – (FR) Though not perfect, the resolution adopted by the European Parliament deserves to be supported in that it confirms the unity demonstrated by Europe on the resolution of the situation in Georgia.

This complex crisis proves how urgent it is for the EU to develop a proper regional strategy towards the Caucasus and Russia. Consequently, the EU would be well advised to put forward the idea of holding an international conference like the Helsinki Conference, which gave birth to the OSCE in 1975.

For the time being, it is necessary to stop the justified report concerning the negotiations on strengthening the partnership between the EU and Russia from failing to mention the need to construct a balanced dialogue with the country encompassing all issues of common interest, including democratic values and the energy dimension.

In this regard, it is a pity that the European Parliament is not making a clearer call for a review of our energy strategy which, in addition to the announced diversification of our sources of supply, should also provide for the development of renewable energies and of energy saving.

Gilles Savary (PSE), in writing. – (FR) I abstained from voting on the European Parliament resolution on the events in South Ossetia and Abkhazia since the Parliament took a one-sided, unbalanced position towards Kosovo's unilateral declaration of independence from a normalised, democratised Serbia.

Parliament did not consider it appropriate to take a similar resolution on Kosovo in the name of the same principles of respect for international law and integrity of national borders that it is invoking today to denounce recognition of the independence of Ossetia and Abkhazia by Moscow. We all know why: we did not want to criticise the countries of the West – which were quick to recognise the unilateral and illegal declaration of independence by Kosovo – for the things for which we are today quite rightly criticising Russia.

Although the Georgian government's military initiatives, like those of Russia, should be firmly condemned and should make way for a diplomatic settlement and international mediation, the European Union cannot allow itself to apply double standards to the many 'frozen conflicts' of the aftermath of the Cold War.

Nothing would be worse for the security of our continent than for the European Union to confuse alliances and allegiance to the 'crime-inducing' politics of the Bush government in this part of the world, as it has in other parts.

Geoffrey Van Orden (PPE-DE), in writing. – While the resolution expresses many views that I can support – in particular, the approach to the final status of South Ossetia and Abkhazia, and the call for Russian troops to be withdrawn from Georgia proper – it also contains many unhelpful elements.

The EU could play a useful role in providing civil observers and monitors and in humanitarian assistance. However, it should not seek to exploit the Georgia crisis for its own ends by calling for a strengthening of EU defence and security policy, by putting monitors under an ESDP rubric, or by endorsing the rejected Treaty of Lisbon. Furthermore, it was disappointing that the phrase 'Georgia is still on track eventually to join the (NATO) Alliance' was removed in the vote. I therefore abstained on this resolution.

Glenis Willmott (PSE), in writing. – The European Parliamentary Labour Party welcomes this resolution, which shows strong and clear unity between EU Member States in the Council and the European Parliament on this vital issue. We mourn the tragic loss of life in this conflict and condemn the violent actions of both sides. We support moves towards supporting a lasting peace, the provision of humanitarian aid to victims and reconstruction efforts.

We voted to abstain on the second part of Paragraph 27, as we are clear that this is a resolution aimed at resolving the situation in Georgia. To discuss the future membership of an external organisation such as NATO would only distract from this important focus.

We wholeheartedly support the resolution's call to ensure a lasting resolution to the conflict on the basis of the EU-brokered six-point agreement, and we call on Russia to act decisively to meet the agreed conditions

of this ceasefire plan, thus allowing for the resumption of negotiations on the EU-Russia Partnership Agreement.

Vladimír Železný (IND/DEM), *in writing*. – (CS) I abstained from voting on the European Parliament's resolution on the situation in Georgia, not because I would be casting doubt on the legitimacy of the Georgian stance but, on the contrary, because I would have been approving the improper and aggressive steps taken by Russia. As has often been the case recently, some Eurofederalist Members have once more misused the conflict in Georgia and the associated resolution to call for the early ratification of the Lisbon Treaty. It was this improper behaviour that caused me to abstain.

Marian Złotea (PPE-DE), *in writing*. – The Extraordinary European Council of September 1 demonstrated and affirmed the unity of the EU, which represents progress compared to 2003, when the situation in Iraq created questions regarding EU unity.

Europe must continue to express its solidarity and determination concerning Russian compliance with international laws and standards. The resolution that we voted for today emphasises that the partnership between Europe and Russia must be based on mutual respect for the fundamental rules of European cooperation.

Russia continues to violate certain conditions of the cease-fire agreements, behaviour that must be met with unified political and economic pressure to encourage Russia to completely withdraw all troops from Georgian territory and reduce their military presence in South Ossetia and Abkhazia.

It is critical that immediate action is taken to ensure the continued delivery of assistance to displaced victims of this conflict. These troubling events perpetrated by Russia should be met with unified European resolve. In order to protect against future challenges of this nature, Europe must find alternative energy sources and strengthen the European Security and Defence Policy as set out in the Treaty of Lisbon.

- European contract law (B6-0374/2008)

Ian Hudghton (Verts/ALE), *in writing*. – I voted in favour of the resolution from the Legal Affairs committee. The Common Frame of Reference will be an important legal development, and we as yet do not know what form it will take. It is vital that this Parliament and stakeholders in all countries and legal systems are fully informed of all future developments.

- Report: Proinsias De Rossa (A6-0289/2008)

Proinsias De Rossa (PSE), *in writing*. – Despite the complex title this report concerns a complaint in 2001 of maladministration by the Commission in relation to the German Government's failure to properly implement the Working Time Directive. The case was referred to the European Parliament by way of a special report from the European Ombudsman.

Referring a special report to the European Parliament is the last substantive step the Ombudsman may take in seeking a satisfactory response on behalf of a citizen. My report, on behalf of the Committee on Petitions, endorses the Ombudsman's conclusion that the failure of the Commission to deal with the petitioner's complaint for almost eight years constitutes an instance of maladministration.

The report does not address the content of the Working Time Directive itself and therefore an amendment which sought to raise the content of the Directive was opposed as irrelevant to this report.

Konstantinos Droutsas (GUE/NGL), *in writing*. – (EL) The report on the Commission's refusal to examine a German doctor's complaint regarding violation of labour legislation on working hours by the German State highlights the EU's class-ridden nature. The Commission reacts with lightning speed when the interests of capital are at stake; it forces Member States to comply with Community law, but when workers complain of violation of their rights, the Commission disregards their complaints.

The Commission's provocative position is a natural consequence of the EU's anti-popular policy, which promotes a return to mediaeval employment conditions for the working class in order to safeguard the profitability of the European monopolies. In this context, the Council of Employment Ministers last July adopted an amendment to the EU Working Time Directive. This anti-labour travesty divides the concept of working time into active and inactive time – the latter is not considered to be paid working time – and gives employers the right to employ their workers for up to 13 hours a day, 65 hours a week, while paying them nothing whatsoever in overtime.

The rights of the working class and employees are not secured by complaining to the Commission, but by rallying and intensifying the class struggle against capital and the EU to overturn this policy.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) The June List considers that working hours should be regulated at national level. This report should therefore not be dealt with in the European Parliament, even if it formally addresses the Commission's treatment of a case of infringement.

The principle of subsidiarity, which is praised on every conceivable ceremonial occasion, is fundamental here. When the majority of the European Parliament gets into the details, it is exactly the opposite; nothing can in fact be left to the Member States. The Working Time Directive is in itself a clear infringement of the principle of subsidiarity. Countries have different business structures. Some have heavy processing industries, others have light industry, others again have a great deal of tourism and seasonal industries, and the public sector is structured in different ways. It is therefore entirely inappropriate to attempt to regulate the working hours of the whole of the EU, nor is there any reason to do so. Those who argue in favour of this say that we will otherwise have problems with social dumping in the EU. This is an extremely severe accusation against the countries which we have accepted as members of the EU, which all fulfil the Copenhagen criteria and which are all states governed by law with a free right to unionise.

This report is yet another attempt by the EU to interfere in the working hours issue which is the responsibility of the Member States. We have voted no, with reference to the principle of subsidiarity.

Ian Hudghton (Verts/ALE), *in writing*. – I was able to support the De Rossa report and hope that the Commission fully takes on board the Ombudsman's recommendations in relation to the rule of law and the principle of good administration.

- Report: Iratxe García Pérez (A6-0325/2008)

Richard James Ashworth (PPE-DE), *in writing*. – I and my British Conservative colleagues are fully supportive of the principle of equality of opportunity between women and men. We agree with some aspects of this report such as: the need to make greater progress on dealing with the pay gap between women and men; the promotion of entrepreneurship among women; the importance of policies at national level that seeks to promote an improving work-life balance. As our Shadow Minister for Women has said: "A Conservative approach to gender equality will be based upon a belief in equality of opportunity and equitable legal, commercial, social and political treatment".

However, we are concerned by certain aspects of the report such as: the call for new legal bases in EU law and the request for a decision on the "full communitarisation of policies". Also, we cannot support the creation of a costly "European Institute for Gender Equality" as set out in the report; such matters must be for individual Member States to pursue.

For these reasons, we have decided to abstain on this report.

Jean-Pierre Audy (PPE-DE), *in writing*. – (FR) I voted in favour of the European Parliament resolution based on the report by my Spanish fellow Member Mrs García Pérez on equality between men and women. More than ever we need to attend to the double dimension of the subject: on the one hand, ensuring equality in all policy areas (gender mainstreaming) and, on the other hand, introducing targeted measures to curb discrimination against women, including awareness-raising campaigns, the exchange of best practice, dialogue with citizens and public-private partnership initiatives. All subjects are important: unequal pay, participation in decision-making, particularly public decisions, the reconciliation of private and professional life, and violence against women. Gender equality is an important cause, for which much has already been done, but it must receive the full attention of the humanist political forces for progress and must be debated everywhere, including in intercultural dialogue.

Koenraad Dillen, Carl Lang and Fernand Le Rachinel (NI), *in writing*. – (FR) There are sometimes fortunate, perhaps even amusing, coincidences. Indeed, we are taking the opportunity given to us by this annual report on equality between men and women, coming at the same time as the French Presidency of the European Union, to highlight a marginal but entertaining point which is at worst a lack of tact and at best a perfect application of the principle of equality between women and men, which means not discriminating between them.

A few days ago, on the occasion of the start of Mr Sarkozy's Presidency, which received such a lot of media attention, MEPs were given gifts. In the free document wallet, notably there was a tie.

Of the 785 MEPs, nearly a third are women. Were they not entitled to a small personalised gift too, or are we supposed to conclude from this that women also have to wear ties?

It still seems to be the case that, when big debates are taking place on the role and position of women in political life, boorish behaviour very often still gets the better of courteousness.

Konstantinos Droutsas (GUE/NGL), in writing. – (EL) We cannot vote in favour of the Report on Equality between women and men – 2008, because it is trying to persuade women that settling for flexible labour relations and the reduction and commercialisation of whatever social benefits remain for the working-class family is a necessary evil, so that women will adapt to the EU policy of reconciliation of family obligations and professional engagements.

The valid findings on the pay gap between men and women are not being addressed, let alone eliminated; instead, there are mere exhortations or the instituting of an International Equal Pay Day. The measures proposed to combat gender stereotypes and for equal representation in decision-making, elimination of every kind of gender-based violence, etc. are a move in the right direction but will remain wishful thinking as long as the root cause responsible for these conditions and maintaining them remains, namely the capitalist system, which generates and aggravates discrimination and inequality.

True equality requires a struggle for a change in the balance of power. Such a policy favours the workers and abolition of the EU strategy. There should also be a fight against the profiteering of capital and the unaccountability of employers. No measure will be effective unless the popular movement in each country is strengthened and targets are set for substantial change, right up to the level where power is exercised.

Edite Estrela (PSE), in writing. – (PT) I voted in favour of the report by Mrs García Pérez on 'Equality between women and men – 2008' as I consider that reducing the disparities between women and men is fundamental to establishing a fairer society as well as being a determining factor for the European Union's economic growth, prosperity and competitiveness.

I should like to reiterate the rapporteur's proposal, which seeks to strengthen European gender equality legislation. Despite the actions that have been carried out in this area, there has not been significant progress at European level, in particular with regard to the pay gap between women and men, the participation of women in decision making, combating violence against women, access to education and lifelong learning or even in reconciling professional, family and personal life.

However, I regret that Amendment 1 has been approved, thereby removing the important reference to the need for the Commission and the Council to create a clear legal basis for combating all forms of violence against women.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) This report underlines important aspects concerning the types of discrimination that persist in society, focusing especially on the area of work, pay, poverty, pensions and reforms. It also broaches the issues of violence against and trafficking of women, the issues of education and training, lack of social facilities and access to services for the care of children and dependants and promoting women's sexual and reproductive health.

However, there are still some contradictions, as is the case with the actions proposed in the field of employment, where a proposal we put forward was rejected despite another having been approved that safeguards important aspects for women. I am referring to the following proposal that is now part of the EP's final resolution: '...calls upon the Member States to take effective action designed to enforce the rules on welfare and employment and to make jobs which respect the rights of employees available in the various activity sectors, thereby ensuring that workers (in particular women) earn decent wages and are entitled to health and safety at work, to social protection and to trade-union freedom, as a contribution to eliminating discrimination between men and women at work'.

Hence our vote in favour, although we regret that other positive proposals were rejected.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. – (SV) The June List strongly distances itself from all forms of discrimination. The EU is a union of values, and the Member States must treat all groups in society in a fair and equal manner.

However, the report contains a proposal from which we strongly distance ourselves, namely that the European Parliament is to call on the Commission and Council to take a decision on the full communitarisation of policies on immigration and asylum. These issues must be taken care of by the respective Member State.

In general the report contains many views as to how equality is to be achieved. The measures proposed include labour market policy measures, information campaigns, dialogue with citizens, quotas, closing the pay gap, measures to combat the segregation of work in the education sector, and improvements to maternity facilities for self-employed women. The report also welcomes the establishment of the European Institute for Gender Equality and calls on the Community institutions and the Member States to introduce an International Equal Pay Day.

Equality between men and women must be a goal for all Member States. The political measures used to achieve these goals must, however, be determined at national level. The international coordination which is desirable should take place at global level, preferably within the UN. We have therefore chosen to vote no to this report.

Marian Harkin (ALDE), in writing. – In general, I am very supportive of most of what is in this report. However, I have a problem with Paragraph 9. I believe that the text of Paragraph 9 should be qualified by stating the need to respect national legislative processes when considering the issue of abortion.

Ireland has a protocol to the Treaty of Maastricht on this issue and furthermore the area of abortion is not an EU competence. It is up to each Member State to make its own legislation in this area and Parliament must therefore respect the principle of subsidiarity. Unfortunately, the text is not clear on this matter.

Ian Hudghton (Verts/ALE), in writing. – The García Pérez report deals with many important issues relating to gender equality, social justice and fundamental rights. One issue which is of increasing concern across Europe is that of human trafficking, which involves victims from both within and outside the EU. Combating serious organised crime of this nature requires a cross-border and multi-agency approach, and it is clear that the EU has a key role to play in this area.

David Martin (PSE), in writing. – While progress has been made on the issue of gender equality in Europe, we are far from full parity. The report highlights various areas that require the Commission's attention, such as job quality and the need for better instruments to tackle violence against women. I would also support the call for Member States to urgently ratify the Council of Europe Convention on Action against Trafficking in Human Beings. I voted in support of Iratxe García Pérez's report 'Equality between women and men – 2008'.

Mairead McGuinness (PPE-DE), in writing. – I welcome the report on Equality between women and men – 2008, and support much of its contents.

However, I abstained in the final vote because amendment 2 was rejected. In my view, the wording of that amendment was better than the original paragraph.

Eluned Morgan (PSE), in writing. – I voted for this report which aims to tackle gender inequality. It is clear that women do not have the same opportunities as men to progress in their career. Working mothers will never be able to balance family and professional life without stronger parental rights for both men and women.

This is why I fully support the calls for increasing the duration of parental leave, and in particular increasing the incentives for fathers to take parental leave, and flexible working conditions. It is only with these kinds of rights that we will be able to tackle gender inequality. Women will never gain true equality until men take their fair share of responsibility for childcare and running the home, just as my fantastic husband does. He cooks, he shops, but he's not so good at making the bed!

Rovana Plumb (PSE), in writing. – (RO) As a Shadow-Rapporteur from the PSE group in the Committee on Employment and Social Affairs, I voted for this report because I consider it very important as regards the proposals for ensuring equal treatment of women and men with regard to the labour market. In this context, I would like to emphasize the importance of item 42 in the report, which requests the Commission and the Member States to establish a set of feasible, comparable and available quality and quantity indicators, as well as gender statistics, to be used for monitoring the enforcement of Lisbon Strategy for economic growth and employment.

Taking into account that one of the decisive factors for increasing employment is the reconciliation of professional and family life, I would like to also mention item 34, which requests the Commission to unify and disperse best practices regarding the balance between the professional and private life.

Lydia Schenardi (NI), *in writing*. – (FR) The European Parliament must think that its Members are suffering from Alzheimer's disease! Every year, at about the same time, two different reports appear: one on human rights in the EU and the other on equality between men and women.

Though the content of the first can vary slightly from one year to the next, quite clearly the same is not true of the second.

To believe this, all you need to do is read the previous ones: the Kauppi report in 2007 or the Estrela report in 2006 on equality between men and women. They list the same challenges to be met, report the existence of the same inequalities and make the same recommendations. Do we conclude that there has been no change? No, because progress has been made with employment and with the participation of women in decision-making at local, national and European level.

It is just that we Eurocrats, spurred on by the women's lobbies – and I am thinking particularly of the powerful European Women's Lobby – are not satisfied with the progress; they want and are advocating even greater equality, even greater similarity between women and men, to the point of absurdity.

Do we have to go along with this forced equality obtained through compulsory, discriminatory and minority-focused quotas?

I do not believe so. The battle of the sexes does not have to take place.

Olle Schmidt (ALDE), *in writing*. – (SV) Mrs García Pérez's report on equality between women and men – 2008 was essentially good. It included a great deal which is important, not least the opportunity for women (and men!) to combine work with family life and the importance of generous parental allowances.

I would have been able to live with a certain amount of hot air and repetition. What was more difficult was paragraph 4, which seeks to create a clear legal basis at EU level for combating 'all forms of violence against women'. There is nothing wrong with this ambition and, had it concerned human trafficking, which crosses borders, there would not have been any problem. However, here the aim is 'the full communitarisation of policies' in an area which is primarily a national matter, and that is more worrying.

The reason why I finally abstained, however, was the second sentence of paragraph 6, which encourages the use of quotas. This is something which I would rather not see at national level, and absolutely not introduced as a diktat from Brussels.

- Report: Eva-Britt Svensson (A6-0199/2008)

Richard James Ashworth (PPE-DE), *in writing*. – I and my British Conservative colleagues are fully supportive of the principle of equality of opportunity between women and men. We support the fundamental principle as outlined in paragraph 1 of the report: 'Emphasises the importance of giving women and men the same opportunities to develop as individuals regardless of gender'.

However, we believe that this report is overly-prescriptive and heavy-handed in its approach and conclusions. We do not believe the EU should have greater powers in this area. Such matters are for individual Member States to decide upon.

We reject the approach as outlined in Recital I which states: 'whereas gender stereotyping in advertising thus echoes the unequal distribution of gender power'. Such statements do not advance a healthy debate on equality. Likewise, we cannot support the thinking behind, *inter alia*, recitals F and G. The calls for 'zero tolerance' mentioned in the report are too vague and could lead to bad legislation if followed through.

For these reasons, we have decided to vote against this report.

Edite Estrela (PSE), *in writing*. – (PT) I voted in favour of Mrs Svensson's report on how marketing and advertising affect equality between women and men, as I agree with the need to develop a 'Code of Conduct' for advertising that is applicable in all Member States and that guarantees respect for the principle of equality between men and women and combats the use of gender stereotypes.

I believe that advertising and marketing communications are dangerous vehicles of gender stereotyping and give rise to restrictions on freedom, both for women and men, in their various dimensions and roles throughout their lives, having a negative impact on their role in society.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) This report by Swedish MEP, Mrs Svensson, of our Confederal Group of the European United Left/Nordic Green Left, has enabled us to take a broadly positive stance on how marketing and advertising affect equality between women and men.

As the rapporteur mentions, the very purpose of advertising is to influence each and every one of us – women and men alike. Indeed, the choices we make throughout our lives are influenced by a whole range of factors, including the social class to which we belong, our gender, the images and concepts of gender and gender roles that are ever present around us through education, the media and advertising.

For this reason, it is important to continue to combat the gender stereotypes that persist in our societies, despite various Community programmes to promote gender equality.

As mentioned in the report, the school system has a fundamental role to play in developing children's critical faculties with regard to images and the media in general, in order to prevent the disastrous effects of the recurrence of gender stereotypes in marketing and advertising.

Yet positive actions to promote best practice in advertising are also needed, examples of which are put forward in the EP resolution that has now been approved.

Petru Filip (PPE-DE), in writing. – (RO) I decided that abstention is the position that expresses in the best way the heterogeneous content of the report. More clearly, we are discussing a real problem which has been answered, in my opinion, under inadequate terms. It is not enough to state that "gender stereotypes must be eliminated".

I do not believe that it is a question of "providing rewards to mass-media and publicity experts for compliance with gender equality", as certain articles in the report advise (art. 9, 27), but we should rather draft precise Community regulations and programmes that would make such rewards useless. Since the various forms of publicity marking the daily life are realities with deep and immediate social-cultural impact, this activity needs a unified and coherent legislative framework.

For this reason, a descriptive set of references to such a current and important matter (as the Britt-Svensson report) has not managed to plead with convincing arguments and determine a favourable vote and has not answered in a clear and applied manner to the solutions considered.

Ona Juknevičienė (ALDE), in writing. – I believe that advertising is a powerful tool shaping identity, values, beliefs and attitudes and has an undeniable impact on public behaviour. On the other hand, uncontrollable advertising can have adverse effects on the self-esteem of women – in the case of sexual services advertisements in newspapers – and particularly teenagers and those susceptible to eating disorders.

We must ensure the protection of our children from damaging influences and, in this regard, the role of schools and education must not be underestimated. I also support the proposal that the Commission and the Member States should develop a 'Code of Conduct' for advertising based on the principle of equality between men and women.

Eija-Riitta Korhola (PPE-DE), in writing. – (FI) I voted against Mrs Svensson's report in line with the view of our group.

This I did because, although the report on how marketing and advertising affect equality between women and men contained a lot of good ideas that I wholeheartedly support, including teaching children to use their critical faculties when it comes to the media and teaching people to question sex stereotypes, I thought it went too far in general. The proposals to establish a Code of Conduct at EU level and a monitoring body to which people can complain about sex stereotyping in advertising and marketing represent just the sort of patronising policy that engenders hostility towards the EU.

Marketing and advertising are an important part of communications, and if manufacturers' products are to compete on the market, advertising must obviously use means that catch people's attention. I think that establishing rules for marketing and advertising is something that should be done at national level, however, and criticism of the media and healthy questioning of sex stereotypes begins with education and upbringing.

Roselyne Lefrançois (PSE), in writing. – (FR) I am delighted by the adoption of this report, which highlights the role played by marketing and advertising in the emergence and perpetuation of gender stereotypes and proposes a number of avenues for combating these.

The development of awareness actions seems to me, for example, to be a worthwhile measure, particularly with regard to children, who constitute a particularly vulnerable group. Exposure from a very young age to gender stereotyping in the media makes a major contribution to the perpetuation of lifelong inequalities between women and men, hence the importance of developing children's critical faculties with regard to images and the media in general.

I also agree with the notion that marketing and advertising have a major responsibility for the increase in the number of people suffering from eating disorders and should consequently be more careful about the choice of female role models.

However, it is a pity that the proposal aimed at explicitly integrating the fight against gender stereotypes into existing or future codes of practice, giving those working in the sectors concerned responsibility for ensuring the commitments are adhered to, was not upheld by a majority.

Jörg Leichtfried (PSE), in writing. – (DE) I am voting in favour of Mrs Svensson's report on advertising, which continues to be discriminatory.

Despite the measures that have been taken against it, gender stereotyping remains a major issue in society. Advertisements, in particular, tend to perpetuate tired old stereotypes of men and women. Children and young people, especially, identify with characters in advertisements and absorb the clichés they present. This should be prevented, so that the younger generation can deal more practically with the issue of gender equality. In my opinion, specific training programmes on gender equality would be a good place to start and, above all, something must be done about the ubiquitous stereotyping in textbooks.

In summary, it can be said that advertising confronts all citizens in their daily life and it must therefore present good role models. The report paves the way towards achieving the goal that has been set.

Astrid Lulling (PPE-DE), in writing. – (FR) In Parliament we have the bad habit of producing own-initiative reports on trivial matters, and on matters that should really be dealt with by subsidiarity. In other words, the EU should avoid meddling in matters that come under the sovereignty of the Member States and that are better settled at national level.

In the state it was voted for by a majority of the Committee on Women's Rights and Gender Equality, the report is unacceptable.

I should point out that of course we are concerned about the gender stereotypes conveyed by some advertising.

Of course we are against the advertising of sexual services, which reinforce stereotypes of women as objects.

Of course we want to protect children against adverts that incite violence and sexism, among other things.

Of course we are aware of the importance of codes of ethics and codes of conduct, but it is not up to the Commission to impose these on the Member States.

Advertising should respect the values dear to us, but it must be able to exist and to play its role in a market economy without being accused of all evils, which is the tenor of this report.

Nils Lundgren (IND/DEM), in writing. – (SV) The motion for a resolution contains many different ideas and wishes. However, we would like to emphasise that the European Parliament cannot solve any problems in this area, nor is legislation at EU level the right way to go.

Finally, we think that it is through opinion-forming and debate in the Member States that we can succeed in eradicating advertising for sexual services from the daily newspapers. Threats of boycotts by consumers can force newspapers to refuse such ads and force hotels to become porn-free. However, this necessitates opinion being built up from below. Not through measures at EU level.

After a certain amount of heart-searching, we have voted in favour of the report in its entirety. However, we would like to emphasise that we have done so because we consider that many of the values and demands it contains are essential, but our opinions differ regarding the means to achieve them.

David Martin (PSE), in writing. – I welcome Eva-Britt Svensson's report on how marketing and advertising affect equality between women and men. The global character of modern advertising demands a concerted European effort to encourage advertisers to move away from gender stereotyping. Self-regulatory practices

in the UK are already quite rigorous, and I would hope that other Member States would be open to embracing similar measures. I therefore voted in support of the report.

Rovana Plumb (PSE), in writing. – (RO) I voted this report because it renders very well the moment of the intervention required to reduce the negative influence of marketing and publicity on equality between men and women, namely: the first years of a child's socialisation.

The formation of stereotypes and prejudices at an early age decisively contributes to gender discrimination, with a direct effect on accentuating inequalities between women and men throughout their entire life.

The information explosion can hardly be prevented among children. A study recently conducted at the beginning of this year, in Romania, shows that the biggest consumers of advertising are children of 6 years old.

I welcome the idea of establishing a specific department for matters related to gender equality within the national mass-media monitoring bodies of Member States, but it is extremely necessary that they have a double role: regular and systematic monitoring of gender images in the mass-media, as well as the coercive monitoring of their information media. In the absence of coerciveness, our initiatives shall prove useless.

Teresa Riera Madurell (PSE), in writing. – (ES) I voted in favour of a good report on a crucial issue: advertising and marketing, which have a great deal of power in terms of having a decisive influence on sexist stereotypes.

All of the European institutions should establish mechanisms to ensure that these instruments are used in a positive way to promote the equal treatment of men and women and to convey an image of women that is in line with reality.

It is worth making special mention of the commitment made by all the public authorities to eradicate violence against women and on the role that advertising and marketing should play in this process.

It should be recognised that many professionals are working towards this, but this report highlights the fact that there is still a great deal to be done; we therefore need to establish mechanisms that ensure that these conditions are complied with and that the resources are available to provide an effective response to complaints.

The new European Institute for Gender Equality should have the resources to closely monitor images and language and to eradicate violent images and those that subtly allude to women as objects that can be controlled and owned, and that are therefore susceptible to attack.

Olle Schmidt (ALDE), in writing. – (SV) Mrs Svensson's report created quite a major headache before the vote. In its original format, the report was full of sweeping generalisations and – in my view – exaggerations. It veered wildly between media and advertising, codes of behaviour and proposed legislation, self-regulation and new agencies.

The report which remained after all the voting, however, was completely different. The worst exaggerations had gone, leaving a quite reasonably expressed problem, that advertising sometimes, but not always, involves caricatures and gender stereotypes. I do not think it is the slightest bit problematic to express concern over the impression children and young girls are given, especially from images of extremely thin women. The report was not entirely free of socialist undertones, but the problem is a real one, not an ideological one. Therefore in the end I voted in favour.

Thomas Ulmer (PPE-DE), in writing. – (DE) I am voting against this own-initiative report, because it interferes too much with freedom of opinion and smacks of imperious censorship. All matters of legitimacy and ethics in relation to advertising are already regulated at national level. The EU has no place trying to control the diversity of freedom of opinion and freedom in advertising. Fortunately, this is only an own-initiative report.

Anna Záborská (PPE-DE), in writing. – (SK) I voted for the adoption of this resolution.

It is the result of cooperation within the Committee on Women's Rights and Gender Equality and also the result of compromises to give the report wider support. The objective of this report was to use the law to govern all aspects of life, even though it has certain centralised features. On the other hand, however, I am sure that, if Members of the European Parliament are able to intervene to promote and support the common good, then we have a moral duty to do so. We are obliged to ask for a ban on sexist images, which degrade women's dignity. Asking for the young to be guided and directed in relation to the media is also a part of this strategy.

The report also refers to the protection of children, on whom advertising with violent and sexual undertones has a serious impact and creates unrealistic illusions. In all events, we need to be vigilant. No European directive can change the nature of men and women. Before we can demand the elimination of gender stereotypes, we need to have sociologists and psychologists undertake a thorough analysis as to how this will affect future generations.

Analyses by independent experts often go unpublished, since they contradict political views. The laws of nature cannot be changed by a parliamentary resolution. On the contrary, if Parliament wishes to gain respect, it should take more account of the laws of nature.

The report on how marketing and advertising affect equality between women and men is nowhere near being a good one, but opens up several problems, which Parliament would prefer to avoid.

Vladimír Železný (IND/DEM), in writing. – (CS) I voted against the report and against the majority of the tabled amendments which are intended, in a planned and unified way, using six comprehensive priority areas, to achieve equality between women and men in advertising and deal with the way in which advertising supports and reinforces certain types of discriminatory stereotype, which have a negative effect on equality between women and men.

I voted against because this report is a serious threat to and, what is more, a dangerous interference in an area in which pronounced individual and different cultures prevail in the various Member States. What is considered embarrassing or unacceptable in one country may be seen as funny or amusing in another. Indeed, an attempt to impose Europe-wide regulation of the presentation of the two genders in advertising would create some kind of homogenised sterile stereotype. This report makes comprehensive proposals for actions going far beyond the competence of the EU. Member States have self-regulating bodies like the Advertising Council, through which the national advertising industries gradually create and adjust acceptable models for advertising activities.

Advertising, in view of its specific national characteristics, is a suitable area for self-regulation, far more sensitively reflecting national cultural traditions, customs and models. These should never be replaced by unified and homogenised outside regulation which might fundamentally damage advertising as a quite legitimate and essential sector of national economies.

- Cloning of animals (B6-0373/2008)

Ilda Figueiredo (GUE/NGL), in writing. – (PT) This resolution follows an important debate on the cloning of animals for food supply and its possible implications for genetic diversity within livestock populations, food safety, animal health and welfare and the environment. It is clear that there are still many doubts at this juncture and a dearth of studies with clear and precise conclusions on its implications, thereby posing a serious threat to the image of agricultural production in the countries of the European Union.

That is why the European Parliament, following a proposal by the Committee on Agriculture and Rural Development, decided to call on the European Commission to submit proposals prohibiting the cloning of animals for food supply purposes, the farming of cloned animals or their offspring, the placing on the market of meat or dairy products derived from cloned animals or their offspring and the importing of cloned animals or their offspring, and meat or dairy products derived from cloned animals or their offspring.

The proposal appears sound to us at this stage and takes the precautionary principle into account, and we therefore voted in favour.

Petru Filip (PPE-DE), in writing. – (RO) My vote "in favour" is based on the following doctrinaire and practical grounds. First of all, any type of cloning, either human or animal, infringes the Christian principle and doctrine upon which the doctrine of the European People's Party is based.

From the ethical point of view, there are still controversial matters to be debated and entirely clarified. As regards the practical aspects, we cannot exactly quantify the effects of cloning yet.

Moreover, there is also the issue of the incapacity to control access to and follow-up these products of animal origin once they enter the commercial system. For this reason, I believe that the best decision, at this moment, is to ban animal cloning for food supply.

Ian Hudghton (Verts/ALE), *in writing*. – Given the scientific uncertainty and ethical questions involved, I fully support calls for the Commission to bring forward proposals seeking to prohibit the cloning of animals for food supplies.

David Martin (PSE), *in writing*. – The cloning of animals for food supply, I feel, carries with it various risks both to human health and animal welfare. I am not convinced that embracing this type of technology for consumption purposes is beneficial to European citizens. I therefore voted in favour of calling for a ban on the cloning of animals for food supply.

Mairead McGuinness (PPE-DE), *in writing*. – I welcome the debate on animal cloning. I abstained in the final vote on the resolution on cloning of animals for food supply because I have some concerns about an outright ban as proposed in this resolution.

To date concerns have been raised about the animal welfare implications of cloning and they need to be addressed. Food safety issues do not appear to arise.

However, what we need is more accurate and scientific information and advice before taking a decision to ban. That is why I await with interest the Commission's proposals in this area, taking into account the recommendations of EFSA (European Food Safety Authority) and EGE (European Group on Ethics in Science and New Technology).

Andreas Mölzer (NI), *in writing*. – (DE) Only 12 years ago, a new technology, which is apparently associated with high death rates and considerable suffering, stunned the world with the cloning of Dolly the sheep. The commercial sector is already rubbing its hands, dreaming of 'healthy' cloned pork enriched with Omega 3 fatty acids. They claim that this cruelty to animals also benefits the pigs, which are supposedly healthier thanks to cloning. Of course, the breeders benefit too, because their financial losses are reduced.

The whole thing is disturbingly like the many and varied temptations to genetic technology, by which multitudes of farmers have been brought to ruin, because the seed was not re-useable and they could not afford any more. It is also reminiscent of the sudden, unnatural death of entire herds after the animals had eaten genetically modified feedstuffs.

The long-term consequences of radioactive radiation and genetic technology have not yet been ascertained in sufficient detail, and it is impossible to estimate the effects of cloning, let alone cross-breeds. What would happen if a cloned animal is fed genetic feedstuff? What effects would that have on humans? Frankenstein is lurking at the door! That is why I am voting 'no' this time.

James Nicholson (PPE-DE), *in writing*. – Cloning animals for food is a topical issue at the moment. Broadly speaking, I am not against cloning in terms of scientific research and animal breeding development. However, in terms of animal welfare and food safety, I am totally opposed to cloned animals entering the food chain.

Research and past experience have proven that cloned animals are more prone to disease and have a reduced life expectancy. Although I do not wish to stand in the way of science, it is clear that we are not yet fully aware of all the consequences and implications of cloning, both in terms of animal welfare and human consumption.

It is for this reason that clear criteria and controls should be implemented to ensure that cloned animals are prevented from entering the food chain. While I realise that this is a sensitive topic, I believe that we should err on the side of caution. Product quality, animal welfare and environmental concerns should remain our priority in terms of food production.

Luca Romagnoli (NI), *in writing*. – (IT) Mr President, ladies and gentlemen, I am voting in favour of the resolution tabled by Mr Parish on the cloning of animals for food supply. I agree with the reasons for the proposal and the concerns it raises.

It is true that in the past, the more 'revolutionary' innovations have been regarded with suspicion and have generated benefits only in the medium and long term; it is also true that the aim of this resolution could fall into this category. Nevertheless, we need to take into serious consideration the dangers arising from animal cloning for food supply: food safety, the welfare of cloned animals and the genetic and zootechnical diversity of these animals. These aspects are clearly interrelated. I therefore applaud this initiative and remain confident that measures will be adopted to protect both human health, by maintaining the high quality of the food that we eat, as well as animal welfare.

Anna Záborská (PPE-DE), in writing. – (SK) I voted for this resolution. Consumers in EU Member States must be protected against the negative effects on their health which may potentially be caused by products cloned for food purposes. It is the principle of foresight which must be applied appropriately. Parliament emphasises the many advantages of high-quality agriculture which I support.

Despite this, I am surprised by a sad fact: Parliament voted against the cloning of animals, but supports human cloning for research purposes involving experiments on human embryonic stem cells. The Seventh Framework Programme for Research is already financing such projects for the cloning of human beings. We are destroying human life simply for research purposes.

These experiments are also financed from taxpayers' money, even in States where the legislation considers cloning to be a crime. It seems that European legislators are more concerned about the cloning of animals for food supply than protecting man against scientific research.

(The sitting was suspended at 1.10 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR VIDAL-QUADRAS

Vice-President

11. Composition of Parliament : see Minutes

12. Approval of Minutes of previous sitting: see Minutes

13. Evaluation of EU sanctions as part of the EU's actions and policies in the area of human rights (debate)

President. – The next item is the report by Hélène Flautre, on behalf of the Committee on Foreign Affairs, on the evaluation of EU sanctions as part of the EU's actions and policies in the area of human rights (2008/2031(INI))

(A6-0309/2008).

Hélène Flautre, rapporteur. – (FR) Mr President, the Russian Foreign Affairs Minister Mr Lavrov accused Mr Kouchner of having a 'sick imagination' when he talked about sanctions against Russia. It was on this 'imagination' that I was asked to work during this report. I would like to thank the Commission and the Council, which proved perfectly available and helpful.

What is today's debate on sanctions in fact about? It is essentially about two things: the first is a critique of the use of sanctions to punish dirty rotten scoundrels on the international scene, namely anyone who tries to block my strategic interests: politicised sanctions with double standards. The second critique considers the fact that sanctions are not effective, essentially because they have perverse effects, people always get round them, and they should therefore not be used. The purpose of this report is not to call for more sanctions, or for harsher sanctions, or for sanctions to be abandoned. It is essential for us to find out what conditions make sanctions effective and the aim of this report is actually to examine them from all angles.

Effective in relation to what? In relation to what we are trying to achieve. As regards violations of human rights or international or humanitarian law, what we must aim for is a change in the behaviour of those being targeted. That is the key point. Sanctions are neither a punishment nor the application of a kind of European criminal code for international use. Sanctions are, politically, a tricky tool to handle and are very demanding to implement, and they seek to achieve a change in practices and behaviour.

Very reluctant to go for all-out sanctions, the EU is currently maintaining 31 sanctions regimes against third countries or entities, mostly arms embargoes and targeted sanctions designed to have maximum impact on the entities whose behaviour they intend to influence, while limiting as far as possible any harmful humanitarian effects. On the face of it, this is something positive but I cannot tell you any more at this stage. The EU continues to act without ever having carried out any overall impact assessments. We therefore remain rather powerless to evaluate the ability of our sanctions to solve crises and promote human rights.

The aim of this report is therefore to speak up for a more transparent, more consistent and therefore more credible European sanctions policy.

The first essential job is to undertake an evaluation exercise. The second is to adopt a stringent method, through prior studies of specific situations where sanctions are required to decide the best response to bring about a change.

Over the last few days, you have been through the measures at the EU's disposal to influence the Russian authorities, for example. The positive conclusion we can draw is that the stated objective is clear and can be evaluated practically. That is, compliance with the six points of the agreement. It has to be this way in all circumstances. It is essential to include clear benchmarks, which should, until the end – and that sometimes means for a long time – remain necessary and sufficient conditions to be met for the sanctions to be lifted. These benchmarks therefore need to be realistic and objectively measurable.

Although the arms embargo imposed on China after Tiananmen is perfectly legitimate, we should not be surprised if it is not having any positive effects since the European Union did not make the lifting of the embargo dependent on any particular demands.

All too often, the sanctions policy is vague and flexible, swayed by the political contingencies of the most influential Member States or the commercial or geopolitical importance of the targeted entity. That is why, to give the EU's policy credibility, I am proposing the creation of a network of independent experts responsible for helping the Commission with the difficult job it does, under incredible circumstances since it has almost no resources to do this.

Make no mistake. I am not talking about taking away the Council's prerogatives of political impetus or the Commission's right of proposal; I am simply talking about offering the guarantee of an informed decision.

However, that is not all. Sanctions are an instrument. They are one instrument of many – I am referring back to the first two reports by the Subcommittee on Human Rights – a comprehensive and integrated policy needs to be developed; there can be no effective sanctions without a human rights strategy for the country in question. Sanctions must be discussed at all levels and the monitoring mechanisms, for example the 'human rights' clause, must be used to the full.

All sanctions against a country must be accompanied by visible, and therefore political, but also concrete support for human rights defenders in the country. That is also one of the report's key points.

To finish, this report also considers that any voluntary and irreversible damage to the environment generates human rights violations and it therefore asks for its inclusion among the reasons for applying sanctions. It recalls that EU sanctions are not just against third countries but also against physical and legal entities such as mercenaries or indeed multinationals, which defy international law by operating almost with impunity. In short, this report tries to respond to the current nature of world crises.

Jean-Pierre Jouyet, *President-in-Office of the Council*. – (FR) Mr President, Commissioner, Mrs Flautre, ladies and gentlemen, first I would like to express our gratitude for the job done by the parliamentary committees, and in particular by Mrs Flautre as chairman of the Subcommittee on Human Rights.

It is an important job, primarily because the relationship between the use of restrictive measures and human rights is a prominent issue, which attracted the attention of the various players on the international scene again recently – as you mentioned, Mrs Flautre. I feel it is worth mentioning that, within the framework of the common foreign and security policy, one of the aims of restrictive measures remains the foundation of democracy and the rule of law, as well as respect for human rights and fundamental freedoms. Yet it is right to question, as we are doing and as you have done in your report, the possible impact of such measures on the fundamental rights of those individuals who are subject to them. That is why, ladies and gentlemen, the Council has drafted a concept paper on restrictive measures, entitled 'Basic principles on the use of restrictive measures', which mentions the attention paid to, I quote 'full respect of human rights and the rule of law [...] in full conformity with our obligations under international law'. Obviously this commitment remains at the heart of our priorities.

It should not be forgotten that the use of restrictive measures is not limited to human rights policy. It is one of many tools available to the foreign and security policy and there are other objectives, apart from defence and human rights, which concern peacekeeping, strengthening international security, protecting fundamental interests and reinforcing the security of the EU, or simply promoting international cooperation.

Sanctions should therefore – as you pointed out – be part of an integrated, comprehensive approach to a country, which in parallel should include political dialogue, incentives, conditionality and other foreign

policy instruments and, from that point of view, I am delighted that the report converges with the Council's idea that all its instruments, including restrictive measures, should be deployed flexibly.

You will understand that it is not easy to make a comparative analysis by looking at the different sanctions regimes and using the human rights situation in each country as the only benchmark. It is important not to take a regime of restrictive measures out of context, or when implementing these measures, to believe that everything will fall into place automatically.

When applying restrictive measures as part of the fight against terrorism, the measures are primarily aimed at preventing acts of terrorism, particularly anything that could contribute to the financing of these acts. The lists are well known; they are published, as are the measures they lead to.

One of the conditions for the continuation of this system rests on two pillars: the first is that these measures need to be credible, which means that great care must be taken with updating these lists so that they reflect reality. The second is respect for the rule of law, and consequently for a number of fundamental principles: the transparency of procedures, the possibility of taking legal action and the right to defence.

In this debate, – I am sorry to go on, but this is particularly topical – we naturally have to take note of the Court of Justice judgment given this morning which, from 3 December, cancels the effects of a Community regulation freezing funds in application of a Security Council resolution, against two plaintiffs because they could not find out why they had been included on terrorist lists. What we find is that the Court is not preventing the Council from taking new measures to freeze funds provided that those concerned can access information about why they have been targeted by these measures, either at the time the measure is taken or as soon as possible after the decision has been made.

We also note that the Court of Justice judgment specifies that the primacy of United Nations Security Council resolutions is not challenged and that it is therefore on this basis that the regulations will be modified before 3 December, having first informed Parliament.

The report by Mrs Flautre deals more specifically with the mechanism for evaluating sanctions, asking the Council for an evaluation or an impact assessment of the EU's sanctions policy. I want to point out that the Council is prepared to do this, and particularly to ensure that experiences are exchanged and national best practices for the application of restrictive measures are developed. Experience acquired in the design and implementation of measures in different contexts continually feeds into each political debate we have in the Council, and the Council also conducts in-depth discussions on the pertinence, nature and anticipated effectiveness of sanctions, relying on reports by European Union heads of mission and on observations sent in by the Member States.

On the nature of sanctions, we are therefore pleased that our views converge with those of the report and particularly that the preference is for targeted sanctions over generalised sanctions. We have noted that the report invites the Council and Commission to take a varied approach – which could be summed up as a carrot and stick approach – which indeed we believe is the approach that should be taken.

We also agree with the report's analysis of the importance of international cooperation, which is what underpins credibility. We give particular priority to action taken within a United Nations framework. In the Council, we ensure that, based on United Nations resolutions and measures decided in the Security Council, there is alignment with the countries closest to the European Union. We also ensure that the issue of sanctions is raised in political dialogue meetings and the consultations on human rights which we hold with a number of target countries.

Finally, in this draft report, the European Parliament expresses the wish to be involved in all the stages of the process leading to the design, implementation and review of restrictive measures. The Council is fully aware of this and is delighted by the keen interest shown by the European Parliament in EU sanctions policy. That is why the Council is particularly keen to ensure Parliament is kept regularly informed of events affecting this domain.

To finish, I would like to applaud the European Parliament's commitment in this area and encourage it to make the most of the parliamentary contacts it has with third countries to improve understanding of the European Union's sanctions regime and explore the possibilities of coordinated action to promote human rights. It is for these reasons that I am so pleased with the report Mrs Flautre has just presented to us.

Benita Ferrero-Waldner, *Member of the Commission*. – (FR) Mr President, President-in-office of the Council, Mrs Flautre, ladies and gentlemen, the Commission was interested to read the report on the application of

sanctions and on the evaluation of sanctions in the area of human rights. Sanctions are one of the European Union's most effective instruments for promoting respect for human rights in third countries, and they have been applied for this purpose notably in Belarus, China, Myanmar, Uzbekistan, the former Yugoslavia and Zimbabwe, to mention only a few of the more important examples.

The Commission is pleased that this debate is being held on the implementation and evaluation of this important instrument for the common foreign and security policy. As the President said – while fully aware that the policy has a number of objectives – any decision to apply sanctions under the CFSP must be taken after evaluating and weighing up a number of objective interests. That is why an evaluation of the consistency of the sanctions policy must be conducted, not only to look at third countries' human rights records but also to take account of the other objectives and criteria of the CFSP.

The systematic, unilateral and, you could say automatic application of sanctions against any country whose politicians do not fully respect human rights does not seem desirable. The European Union has to take account of the impact on relations with countries that are the target of sanctions, since sanctions are economic as much as political. Nevertheless, we need not only to take account of the impact on our diplomatic relations but also to evaluate the impact on the international activities of our economic operators. Generally speaking, sanctions must be targeted and affect only the leaders of the countries concerned, sparing populations already suffering as a result of failure to respect human rights. Furthermore, when sanctions are agreed, we also need to decide the benchmarks that will be used to lift them – the 'exit strategy' – while retaining a small amount of flexibility for cases where the third countries concerned fulfil most of the benchmarks but not all.

I am also keen to point out that the purpose of sanctions is not to replace judicial proceedings against those responsible for human rights violations. These crimes fall within the competence of the courts, including the International Criminal Court. However, sanctions do aim to achieve policy changes within a third country, for example to promote respect for human rights in the legal system of the country concerned. They therefore pursue an objective of change and may be lifted when the policies of the country concerned change. For example, the European Union applied sanctions on the former Yugoslavia in support of the International Criminal Court.

We believe it is important to promote respect for human rights in third countries and we keep a constant watch on what is applied in third countries. In each case, it would be necessary to identify from among all the possible instruments, those that will naturally be most effective. An in-depth analysis of the application of sanctions to promote policies that respect human rights consequently seems to us a worthwhile policy and I would therefore like to thank you, Mrs Flautre, for having taken the initiative.

Renate Weber, *rapporteur for the opinion of the Committee on Development*. – Mr President, as rapporteur for the opinion of the Committee on Development on this report, I would like to state that the European Union should use this remarkable tool of external policy with wisdom and prudence. No matter what the circumstances or the type of sanctions applied, there is always the potential of negative side effects that could generate regrettable situations.

I strongly believe that sanctions should apply only when diplomatic persuasion has failed, and, in order to be efficient, the EU must always have a comprehensive assessment of the situation, a coherent strategy and an accurate evaluation of the results. To uphold credibility and avoid the accusation of double standards, the EU has to be able to justify the adoption or non-adoption of sanctions based primarily on human rights grounds and arguments of effectiveness. I think it is crucial that, by imposing sanctions, the European Union reveals its strengths and not its weaknesses.

Jas Gawronski, *on behalf of the PPE-DE Group*. – (IT) Mr President, ladies and gentlemen, I am speaking on behalf of my group on the Flautre report to confirm here what has already been voiced by the committee: on the whole we welcome the text, particularly after a few modifications and, dare I say it, improvements resulting from our amendments, which were accepted by Mrs Flautre. We would like to thank her for being so open-minded.

This report adds interesting new elements and brings a new approach to the subject (i.e. the environment as sufficient grounds for adopting restrictive measures). My group wanted to underline the importance of establishing clear conditions, achievable objectives and adequate reference parameters when the sanctions are applied. To make them more effective, I have also tried to emphasise that these should be as targeted as possible – Commissioner Ferrero-Waldner said so herself a minute ago. These sanctions do not involve civilians, for example, they do not entail indiscriminate measures that would result in the isolation of the population. One paragraph of the report states that UN sanctions are preferable to European Union sanctions.

On this point, clarification is probably needed to show that this priority does not prevent the European Union from adopting its own sanctions for particular situations where these measures would be more direct and easier to apply in terms of time, specificity and geographical proximity, according to the principle of subsidiarity.

With the cross-party compromise amendment, it is now established that in the fight against terrorism, the secret services, custodians of the infamous blacklists that we discussed here in Parliament a short while ago, must be able to act with the necessary discretion for the system to function properly. Furthermore, they are called secret services precisely because they must be able to operate in secret – although not with impunity, and not in violation of international laws.

Evidently, the European Union must carry out a political assessment of the sanctions. The actions that we take must have a significant impact, without which the procedures for sanctions must themselves be reviewed. However, the report proposes that networks of independent experts should be set up to assess these sanctions, as Mrs Flautre described in her speech.

Our group would prefer the Council to take the proper decisions itself, since it is more competent and has more authority than external experts when it comes to a system which is not controlled by governments. It is in this spirit that we are proposing to vote against the new amendment that is to be tabled tomorrow in the Chamber by the Group of the Greens/European Free Alliance, the Socialist Group in the European Parliament and the Group of the Alliance of Liberals and Democrats for Europe. While on the whole we welcome the work carried out, my group, Madam President, will be voting in favour of the Flautre report. We offer the rapporteur our congratulations.

Maria-Eleni Koppa, *on behalf of the PSE Group*. – (EL) Mr President, first I should like to thank Mrs Flautre and congratulate her on her excellent work. However, I must at the same time express my disappointment and that of our group that the report was significantly altered during the voting on amendments in the relevant committee.

Sanctions are a further means at our disposal for protecting human rights around the world. The crucial thing, however, is that these sanctions themselves should not constitute a violation of human rights: in trying to resolve an injustice, we should not respond with an even greater injustice.

We must also give attention to better-targeted economic measures that respect humanitarian international law. For this reason, I attach great importance to the provision made in the report for a mechanism allowing judicial review during the enforcement of sanctions, and also the rapporteur's idea of creating a network of experts who will make proposals to the Council regarding the most appropriate restrictive measures.

Former practices, such as embargoes on medicines and other essentials, affect the population indiscriminately, especially children. They can only be condemned as unacceptable.

Similarly, the decisions of the competent judicial institutions must be enforced. The Council and the Commission must ultimately review the procedure for inclusion on the EU terrorism blacklist, so that the fundamental rights of blacklisted individuals or organisations are respected and the EU's credibility as a champion of human rights around the world is protected.

It is particularly important that we guarantee the effectiveness of sanctions and arrive at a shared understanding of this issue within the Union, and also that we secure cooperation with other international organisations such as the African Union and ASEAN, which are often closer to the problem areas.

However, in addition to adopting and enforcing sanctions, there must be specific provisions concerning the lifting of sanctions. There is a need for ongoing monitoring and set terms, so that the aim of the sanctions can be better understood and can be ended when the aim is achieved. Such an approach enhances the effectiveness of sanctions and gives our policy credibility.

Lastly, I should like to point out that I originally felt there should be no reference to specific countries. However, since the choice has been made to mention some countries in the text, I think it is essential that we should not forget Palestine. Here there is a telling inconsistency in European policy. It supports the spread of democracy in the world, but has chosen to impose EU sanctions against the Palestinian Government, which came into being through demonstrably free and democratic elections.

Sanctions are not a means of changing the world, but they can be an important tool for compelling countries that violate international law and human rights to change their policy. It is sufficient that sanctions are targeted, justified and subject to constant review and assessment.

Marco Cappato, *on behalf of the ALDE Group*. – (IT) Mr President, ladies and gentlemen, I would like to thank the rapporteur for the work she has done. I believe that the proposal to identify more homogenous criteria for the sanctions policy comes at the right time. I would particularly like to emphasise a specific element contained in paragraph 6 of the report concerning environmental crime and damage, where it is proposed that this type of voluntary act should also be subject to sanctions. I believe that this proposal should be given serious consideration.

For the rest, evidently the limitation of the sanctions policy is often its inconsistency, but it is especially linked with the limitations of the EU common foreign and security policy: the stronger and more coherent that policy is, and the more it can be said to exist, the stronger and more coherent a set of sanctions will be. Our problem, in the European Union, is that we are often too timid. It is sometimes so difficult to find the necessary cross-party consensus between Member States to lift sanctions that we find ourselves unable and powerless to act. Allow me to take this opportunity, before the French Presidency, of reminding everyone how in a regime such as Myanmar, it is clear that to exclude energy from the list of sanctions would make those sanctions much less effective.

There is also the question of human rights and democracy, which should be made a priority of international policy and therefore also a priority of sanction policies. This is not the case, because of the issue raised in paragraphs 18 and 19 of the Flautre report, namely the cooperation agreements containing clauses and rules that impose respect for human rights. These are binding clauses for the European Union, and yet these clauses are systematically ignored.

Therefore, before we come to sanctions, we must first identify the mechanisms to enforce these clauses. We are in talks again with Vietnam and other Asian countries. We must identify mechanisms – even gradual mechanisms – to avoid sanctions – I have almost finished, Mr President – but we can only do this if we respect the legality of the clauses and written agreements that the EU has signed.

Konrad Szymański, *on behalf of the UEN Group*. – (PL) Mr President, it is no accident that the term ‘sanctions’ stands undefined in international law. This is an instrument of pressure that is difficult to capture precisely. Consequently the rapporteur’s ambitious proposals to harmonise the principles of use of sanctions are even harder to achieve. They could also be counter-productive.

Sanctions are an indispensable instrument of EU foreign policy. In view of the EU’s broad competences in trade and border control, they are of considerable importance for implementing objectives in the spheres of both security and the defence of human rights. This is why sanctions are part of our foreign policy instrument palette, and this is why we do not shirk from applying them in a fairly free and, at times, inappropriate way. Instead of subjecting sanctions to some kind of rigid set of rules, we should, in the name of the efficacy of our impact on world politics, leave their application to sagacious political evaluation. With this general reservation, our political group supports the report.

Raül Romeva i Rueda, *on behalf of the Verts/ALE Group*. – (ES) Mr President, the double standards and the lack of specific evaluation and monitoring tools that tend to characterise the European Union’s foreign policy in terms of sanctions are now one of the most serious threats to European credibility.

On numerous occasions these sanctions or restrictive measures, as they are also called, are based more on particular likes and dislikes than on a clear, coherent and convincing strategy, the objective of which should be not only to ensure the security of the European Union, as established in the objectives of the CFSP, but also to improve the situation of human rights, fundamental freedoms, the rule of law and good governance in the world, as laid down in Article 11 of the Treaty on European Union.

This requires that evaluations and studies of the impact of the sanctions system be undertaken immediately in order to equip us with a policy that is both legitimate and effective in terms of sanction systems.

This, in short, is the objective of the Flautre report. The basis of the report, as it emerged from the work of the Human Rights Subcommittee, is reasonably good, and it has some elements that I believe are essential. For example, it insists on the fact that the Council, by adopting the above-mentioned Basic Principles on the Use of Restrictive Measures, has committed itself to doing so as part of a comprehensive approach, which

should have room for tools such as human rights and democracy clauses, the system of generalised preferences and development aid.

It also reiterates the request that the Council of the European Union should immediately adopt a common position on controlling arms exports that will make the current Code of Conduct in this area legally binding, as we have repeatedly approved in this House in the past.

However, some aspects that I consider to be key were left out of the report and I hope that they can be incorporated in the debate and the vote in plenary tomorrow.

Firstly, with regard to the blacklists, in the context of the fight against terrorism they need to be reviewed so that human rights and fundamental legal guarantees are respected for those that are on them.

Secondly, as has also already been said, I am in favour of the Commission setting up a network of independent experts responsible for proposing the most appropriate restrictive measures to the Council based on the situation, producing regular reports on the development of the situation on the basis of the criteria and objectives established, and, if appropriate, proposing improvements in the application of sanctions.

Vittorio Agnoletto, *on behalf of the GUE/NGL Group*. – (IT) Mr President, ladies and gentlemen, I should like to congratulate Mrs Flautre on her excellent work. However, this was misrepresented, at least in part, by the Committee on Foreign Affairs during the vote, which caused the Socialist Group in the European Parliament and the Group of the Greens/European Free Alliance to abstain, while only the Group of the European People's Party (Christian Democrats) and European Democrats and the Group of the Alliance of Liberals and Democrats for Europe approved the substantially amended text, precisely because the adoption of a series of amendments tabled by them altered its political balance. I also recall that my group, the Confederal Group of the European United Left/Nordic Green Left, voted against this in committee.

As a group, we recognise that the 13 amendments tabled, even if adopted, cannot alter the political tone of the report. Therefore, although we will be voting in favour of the majority of the amendments, our final vote remains critical.

In our opinion, the problem is that international relations must be founded on dialogue and mutual respect, even if there is a difference of opinion. Sanctions such as these must be the last resort available to Member States and international organisations, yet the report hails them as the principal instrument of EU foreign policy.

We also believe that priority should be given to so-called positive incentive measures. A country must be rewarded if it undertakes to promote and respect human rights by signing specific economic, trade and financial agreements. Instead, however, the report places the emphasis on negative measures, which strangely enough are always against the usual suspects, such as Cuba. These examples show how flawed the sanctions policy is.

In short, we need more cooperation and less unilateral punishment. Not even the European Union has a monopoly on rights, as demonstrated by the insufferable way in which we treat migrants and Roma. Perhaps we should sanction ourselves!

Bastiaan Belder, *on behalf of the IND/DEM Group*. – (NL) Mr President, the rapporteur considers it important that the European sanctions policy be assessed in the first instance, and be reassessed in the second instance (see paragraph 11). European action in the form of sanctions can indeed have positive value if it brings a real improvement in the human rights situation in the relevant partner country. Therefore, thorough assessment is indeed important in order to examine the effectiveness of the sanctions policy.

The Council and the Commission must enter into a serious debate on the use of the sanctions policy, however. After all, as Mrs Flautre has already rightly noted, it is difficult to impose effective sanctions in the absence of a clear framework. I ask myself whether unanimous sanctions are even possible in view of the various Member States of the Union – the case of Cuba, and also of Zimbabwe, spring to mind here. In view of the possibility, also advocated by Mrs Flautre, of reassessing the sanctions policy, it is doubtful whether the sanctions policy is indeed such an appropriate instrument.

In short, in order to improve the security and human rights situation in the Union's partner countries, it is important that we give some thought to the correct instrument. For example, could serious violations of freedom of religion in China and India prompt the European Union to take genuine formal action? Currently,

rethinking European action in this kind of case is more appropriate than hasty reassessment of the sanctions policy.

Apart from that, I hope to support the Flautre report provided that a number of amendments are not adopted.

Frank Vanhecke (NI). – (NL) Mr President, allow me to start with some words of criticism. I think that it is rather cynical to make repeated reference, in a report on human rights, to the need to apply a number of provisions of the Treaty of Lisbon. As we all know, the Treaty was rejected in a democratic referendum in Ireland, and the reason it was rejected only in Ireland is that no other country has granted citizens the human right to give their democratic opinion on this Treaty. Besides, Lisbon was merely a carbon copy of a European constitution that had already been crushed in referendums in France and the Netherlands. Let us therefore begin by respecting the human rights of our own voters and no longer systematically referring to a treaty that has been voted down and is legally dead.

A second criticism is that this report is chock-full of good intentions, but the reality is rather different. We have just seen the end of the Olympic Games in China, where all our European democrats joined in standing side by side with a communist regime in a repeat performance of Nazi Germany in 1936. In these circumstances, it may be advisable for us to observe a couple of months' ashamed silence – although I do admit that the report in its present form can be described as remarkably balanced by the standards of this House, and rightly criticises a large number of matters such as the situation in Cuba and Zimbabwe. However, it lacks a serious warning regarding worldwide Islamisation, which poses a threat to all the freedoms forming the very basis of our society.

Finally, a further objection regarding a matter close to my heart. In our own European countries, particularly my home country, Belgium, we are increasingly seeing muzzling laws that restrict freedom of expression and even introduce prison sentences for opinions constituting an offence, particularly in matters of immigration and Islamisation. I consider this a particularly worrying development and think that, in this regard, we must fight tooth and nail – including in this House, when we discuss human rights – to defend freedom of expression in our own EU Member States, too.

These have been three critical remarks on a report that, for the rest, is certainly not the worst we have seen here, and which we shall support provided no unacceptable amendments are adopted tomorrow.

Laima Liucija Andrikiienė (PPE-DE). – (LT) It is obvious that opinions on the political impact of sanctions vary greatly. There are cases where sanctions on a ruling regime cause suffering to innocent people, indirectly encouraging a shadow economy and black market. In some cases the danger of human rights violations can occur owing to the inclusion of people's names on blacklists. The credibility of sanctions is further compromised by the fact that they are imposed using double standards, depending on the strategic importance of the EU partner. The most recent example is the EU's failure to impose any sanctions on Russia, even though Russia had violated rules of international law by invading the territory of a sovereign country – Georgia – under the pretence of defending its citizens. However, sanctions still remain one of the weapons in the EU arsenal. In my opinion, sanctions are and should remain an integral part of the common foreign and security policy, or, to be more exact, a means of supporting human rights and democracy.

Understandably, the EU is trying to use the 'carrot and stick' method and avoid having to impose sanctions. However, they should be imposed if necessary, and it is very important that sanctions play a wider, more consistent role in the strategy for protecting human rights.

The rapporteur, Mrs Flautre, has mentioned the China arms embargo imposed in the wake of the Tiananmen Square Massacre. There are suggestions to lift the embargo; however, ladies and gentlemen, so far we have received no explanation for the Tiananmen Square Massacre, which shook the free world, nor any apology for it. Why, then, should this sanction be lifted? I would like to point out that, with regard to the imposition of sanctions, the European Union should cooperate more closely with other countries and international organisations and coordinate its policy and actions with a view to making the sanctions more effective.

Libor Rouček (PSE). – (CS) Ladies and gentlemen, sanctions form an integral part of the European Union's Common Foreign and Security Policy in upholding the observance of human rights and preserving democracy and sovereignty. Although the European Union has been using many and varied sanctions for almost 20 years, no evaluation or study of the impacts of the EU sanctions policy has ever been undertaken. I therefore welcome Hélène Flautre's report as an important contribution in this field. I also welcome its many conclusions.

I too am of the view that it is essential to strengthen the European Union's expertise and analytical capabilities in the evaluation of sanctions. Ratification of the Lisbon Treaty and the creation of a European Foreign Service would provide a good opportunity for this. Sanctions, if used, should form part of a global concept for foreign policy, in other words, they should not be used in isolation, just on their own, without regard to the other instruments of foreign policy and without cooperation with the other players in the international system. Sanctions should also be accompanied by positive measures and stimuli to support human rights and to support civil society and democracy. Finally, sanctions should not be linked to humanitarian aid. Sanctions should be directed against actual people, for example with a view to restricting their movements or confiscating their assets, and not against the victims of their malicious behaviour.

Janusz Onyszkiewicz (ALDE). – (PL) Mr President, sanctions are an important tool in foreign policy. They undoubtedly led to the fall of apartheid in the Republic of South Africa. In fact I am a beneficiary of sanctions myself, in so far as in 1983, as a result of an amnesty enforced by sanctions, I was released from jail, although sadly not for long.

They do, however, very often fail, as can be seen from the examples of Zimbabwe and Cuba. Economic sanctions are often used to justify difficulties that are primarily the result of incompetent dictatorial government.

There is, however, one type of sanction that does not give rise to such propaganda opportunities. This is a ban on entry into the European Union. It cannot, however, embrace only representatives of the highest authorities, as is the case with Belarus, for example; it must also take in individuals from the middle level of the apparatus of repression and violation of human rights. Then ordinary people will see that the measures taken are not targeted at them, but at the apparatus of dictatorial power.

Ģirts Valdis Kristovskis (UEN). – (LV) I would like to commend the attempts by Mrs Flautre to strengthen the European Union's capability and increase its authority. I have no doubt that sanctions need to be applied flexibly, but at the same time the rapporteur also points to the inadmissibility of double standards. Lack of consistency threatens the credibility of Europe's sanctions and policies. The European Union compromises itself if it introduces a sanctions regime and then breaches it itself, as is the case regarding Robert Mugabe. The European Union not infrequently treats non-EU countries differently. That has its consequences. The EU's acquiescent stance on the Georgia issue gave rise in Russia to a real explosion of enthusiasm. In their opinion, military aggression is the best instrument for protecting human rights. Certainly, throughout the world differing values hold sway. The CFSP's toothlessness is proof of the fact that the EU is led by business interests. When we assess it in practical terms, this must be the case. Unfortunately, it increases the sense of impunity on the part of certain major powers, and their awareness that they can violate international rights. Today's double standards will give rise to even more problems in the future.

Erik Meijer (GUE/NGL). – (NL) Mr President, sanctions were a suitable instrument to gradually put an end to the worst forms of colonial rule and to apartheid in South Africa and Southern Rhodesia. In the past, it was always the opponents of change who rejected sanctions and above all called attention to the negative side effects. On the other hand, the representatives of the poor and oppressed in those countries pointed out that they accepted the disadvantages of the boycott as the price that had to be paid for their liberation.

The sustained economic boycott of the hideous regime of Saddam Hussein in Iraq has taught us that such boycotts can also sometimes result in the inhabitants of the relevant country becoming isolated and afraid of the outside world and supporting their government. A boycott certainly does not help to push the wishes of the outside world through against domestic public opinion, but it is and remains an appropriate means of supporting suppressed public opinion and the fight for improvement in a country. If we make a sharp distinction along these lines, sanctions remain a useful instrument to bring about more equality and democracy.

Kinga Gál (PPE-DE). – (HU) Thank you for the floor, Mr President. I feel that the evaluation of Union measures and sanctions that form part of Union policies is extremely important in the area of human rights, especially at such a tense time, which currently means the Georgian crisis, and was preceded by the question of Tibet or even Zimbabwe. I would therefore like to congratulate Mrs Flautre on her report. This policy of sanctions is based on well-defined principles of human rights and international law, which are fortified by numerous UN and Union documents.

The problems occur not at the level of principles but at the level of their application in practice, where we are experiencing a lack of consistency, effectiveness and balance. Systematic enforcement of human rights criteria is essential in preserving the credibility of the Union. I find consistency to be wanting, since it is often

a victim of daily political interests. Unified action is just as crucial. There is no point in us having common standards if there are major deviations between the different Member States in their practical application. For example, whilst the EU defended the protection of human rights in the case of Tibet, the Union has a Member State that expels Tibetan refugees. In the interests of political effectiveness, we must construct a policy of sanctions that is transparent, unified and has well-defined aims. In addition to unified action, rapid or even immediate reaction is also important. We can see that the diplomatic wrangling makes a joke not only of our policy of sanctions but also of the whole Union. However, all of this will achieve its sole objective if it is accompanied by positive measures that support the relevant civil society. Thank you for your attention.

Corina Crețu (PSE). – (RO) I hope this report will play an important role in strengthening the European policy on applying Community sanctions.

I believe it is essential to have more cohesion between Member States in the future, both during the decision-making process as regards sanctions and in relation to their correct application. If we want the European Union to be a strong and respected presence on the international stage and its actions, including as regards sanctions, to have the biggest possible impact, it is essential to demonstrate great solidarity and avoid using different units of measurements.

It is essential that sanctions affect as little as possible the population of countries whose political regions are subject to sanctions. Let's not make those peoples suffer twice, as long as they are already victims of oppressive regimes or corrupt governments. I am glad that Madam Commissioner has also emphasized this aspect.

Last but not least, I would like to bring up the matter of the opportunity of sanctions. At the beginning of this week, we were facing a specific case: the Georgian crisis and the position of the 27 Member States toward Russia. The results of Monday's Summit are subject to heated debates, precisely due to the discrepancy between the firm and almost vehement tone of the attitude expressed and the reticence to resort to sanctions.

I consider that, as long as things can still be remedied and dialogue can prevent the deterioration of the situation, sanctions should remain the last measure to resort to.

Ignasi Guardans Cambó (ALDE). – (ES) Mr President, the thoughts raised in this report on the issue of sanctions are very welcome. It is obvious that the issue needs some serious thought: too many times sanctions have proven to be entirely futile and, in many cases, entirely unfair; too many times they have harmed the weakest in society.

Why do fishermen in Mauritania have to pay for the fact that, suddenly, there has been a coup in their country? Where is the sense in that? The sanctions should therefore be reviewed and analysed: both the concept itself and its application.

Moreover, when they are imposed too frequently, and incoherently, as the European Union does, they lose credibility and so does the European Union. It is one thing to take into account our own interests and quite another for this to be the barometer for whether or not to impose sanctions.

It is essential that we have specific monitoring of the effectiveness of these measures; it is essential that we promote intelligent sanction methods, so that they affect those responsible for human rights violations directly and personally. We are learning from what the United States have done in North Korea and the freezing of bank accounts in Macao. We are studying this example, which received very little publicity but was much more effective than holding numerous press conferences against a particular government.

I therefore support this report, but there is still work to be done by the Commission and the Council in order to genuinely monitor what is being done, why it is being done and how it is being done.

IN THE CHAIR: MR COCILOVO

Vice-President

Eoin Ryan (UEN). - Mr President, first of all I would like to thank the rapporteur and assure her that we will be supporting her report.

The European Union is right to have at its disposal a tough set of political and economic instruments which can be used against regimes around the world which violate the human rights of their people. But the European Union must be very careful when it comes to imposing political and economic sanctions.

The EU is the largest contributor to overseas development aid, but it must act with wisdom and prudence when it comes to sanctions. The effect of sanctions in Zimbabwe, Sudan and Burma, to name but three countries, has been very detrimental to ordinary people in those countries. So we must try and make sure that it does not affect the poorest and most oppressed in these countries but attacks and gets after the people who are leading these countries.

Some people have mentioned Cuba. I cannot understand why we have sanctions against Cuba. Cuba should be returned to normal trading: in 10 years' time Cuba would be a radically different country if we did that instead having of these ridiculous sanctions on the place.

We must be careful, as I said, when imposing sanctions, and when imposing economic and political sanctions they must be targeted at those who are in charge. Let us target their financial affairs abroad or their travel situation. Sanctions can be useful but they are limited, especially if they are only being used by European Union countries. UN sanctions are far stronger and can be far more effective.

I support this report but I do think that sanctions are limited. They can be effective, but we must also use prudence and wisdom when we implement them.

Athanasios Pafilis (GUE/NGL). – (EL) Mr President, under the pretext of human rights, the report under discussion proposes the most effective use of the unacceptable and inhuman weapon of sanctions and embargoes to impose the EU's policies by extortion and pressure on countries, peoples and governments that stand up to capitalist barbarity.

The cleverly targeted sanctions being proposed, in combination with the financing of non-governmental organisations as EU mercenaries, constitute the most shameless open intervention in countries' internal affairs. This violates even the basic principles of what remains of international law.

The report in practice adopts the embargo policy applied by the United States against Cuba under the Helms-Burton Act, which, among other things, obliges even third-country companies trading with the United States to abide by the sanctions it imposes.

This law and embargo have been condemned repeatedly by the overwhelming majority of UN members at General Assemblies. It amounts to the export of national law, which is an abuse and denial of the international principles and Charter of the United Nations.

Appealing to the UN and referring to human rights is a fig leaf covering up the EU's aggressive imperialist policy. It is incredibly hypocritical. We ask you: why do you not take any measures against Russia? We should not agree to that, of course. Why do you not take measures against China? We should not agree, of course, to your taking such measures. The explanation is that you have economic interests there. Those who introduced the human rights clause in the Agnoletto report have a great deal to answer for, because they gave the EU an alibi and pretext for its criminal policies against the people.

Those who are competent among us and responsible enough to solve their own problems are, we believe, the people themselves. They do not need self-appointed protectors, least of all the EU.

Bogusław Sonik (PPE-DE). – (PL) Mr President, the use of sanctions should become a real and effective part of EU foreign policy in the sphere of human rights. The conclusions incorporated into Mrs Flautre's report are well-intentioned. The policy of double standards used up to now needs to be changed. It makes sense to expand the application of the clause relating to human rights and democracy to cover all commercial agreements concluded by the EU with third countries. It is important to apply political and economic sanctions at the same time, with the former intended to hit hardest at sectors that constitute a strategic source of income for governments. When we apply sanctions, we should also support civil society and non-governmental organisations in the country in question.

I have the impression, though, that passing resolutions is not enough of a solution. Examples where individual Member States have been guided by their own specific interests and have violated EU solidarity provide the best evidence of this. Without genuine political will on the part of the EU Member States, resolutions will remain on paper only. The position of the EU authorities with regard to Russia's actions in Georgia will be a measure of whether EU foreign policy passes the test. It is no longer enough simply to announce relevant principles and demands; it is high time they started to be applied. That is precisely what this report is about, and I would like to express my sincere thanks to Mrs Flautre for that.

Katrin Saks (PSE). – (ET) In my view, one of the most important topics in this report is benchmarking.

When we impose sanctions we also need to establish the benchmarks on how, when and under what conditions those sanctions are to be lifted. Without such benchmarks sanctions themselves are pointless.

Take Andijan as an example. For the first time the sanctions regime incorporated a policy mechanism of positive measures, which means that there was a six-month period before sanctions were applied and Uzbekistan had the choice of whether to comply with our criteria and the time in which to do so.

It is good that the positive mechanism was applied, but it too should be benchmarked: until there are very positive developments in the Andijan massacre the sanctions will not be lifted.

This brings me to the next important point raised in the report. Namely, the establishment of an independent group of experts on sanctions, who would assess the types of sanctions and when they should be imposed.

Consideration must also be given to the symbolic significance of sanctions, something which I experienced in Uzbekistan. It is difficult to quantify. Despite the fact that the effect in practice there was not great, for example the visa system (the officials, mostly those against whom it had been imposed, had left) and the arms embargo (arms were not supplied there), they had great symbolic value. That was the view expressed by everyone, from the taxi driver to the minister.

Toomas Savi (ALDE). - Mr President, the European Union's foreign policy has been a pioneer of a positive conditionality model – the 'method of the carrot' – implementing it successfully in relations with its candidate countries.

Unfortunately, rewarding progress in the field of human rights in developing countries has not always proven to be the most effective measure to encourage them to move forward, as new players have emerged in the international arena practising political dumping. China's policy in Africa, for example, does not hold any reference to human rights or democracy. But instead of backing down on the fundamental values of the EU, we should not be afraid of applying the 'method of the stick' where necessary to show that, when certain basic requirements are not met, there will also be dire consequences that third parties are wisely advised to avoid.

Ryszard Czarnecki (UEN). – (PL) Mr President, the use of double standards in the sphere of violation of human rights is a disaster for the EU. For a long time now, and also recently in the context of Russia's aggression against Georgia, we have been dealing with a situation in which a special lightweight tariff has been used for countries that, despite being dictatorial or semi-dictatorial, are rich or large, and for countries that are violating human rights but are less important from a European aspect, or for American business.

We should not give up the instrument of sanctions against countries that violate human and citizens' rights and show contempt for European standards in that area. This instrument should not, however, be devalued – we should use it flexibly. In this context we should not reject the threat of the possible use of sanctions against Russia for the war in the Caucasus.

To conclude, I am very glad that we wish to recognise the conscious infliction of damage to the environment as a violation of human rights. Colleagues from Finland, Sweden and the Baltic States are talking in this context of the potential dramatic environmental consequences of the investment in the Nord Stream gas pipeline on the bed of the Baltic Sea.

Maria da Assunção Esteves (PPE-DE). – (PT) Mr President, Europe needs a major change to take rights seriously. Smart and effective sanctions need to be linked to a structural and systemic response. Europe needs more unity. The myth of borders still makes its presence felt at the table when we are making decisions. Also seated around it are post-colonial nostalgias and current interests. Yet human rights require European authority and more intensive and extensive inclusion. A new Europe is not a Europe where each one decides what they want and how they want it. A new Europe is a single body and in human rights has not merely an end, but the very instrument for its geopolitics.

The path is simple: a strong European political centre, a European Parliament with the power to decide, shared responsibility in the diplomatic dealings of the Member States in defending human rights, with the European Commission steering this task, more political and less bureaucratic European Commission delegations in third countries, pressure on the World Trade Organization to research the democratic dignity of its members, promotion of organisational structures identical to those of the Union, intensive dialogue with the African Union and the Union of South American Nations and other regional groupings, pressure on reform of the United Nations with the European Union playing a key role, creation of an internal strategy against dependence, centred on a single energy policy and a consistent defence policy.

Ladies and gentlemen, we need a policy revolution in this area of human rights.

Vural Öger (PSE). – (DE) Mr President, the current debate on possible sanctions against Russia in reaction to the conflict in the Caucasus once again shows how irresponsibly sanctions are sometimes handled. It is questionable whether they are legitimate as an all-purpose, non-differentiating instrument and unclear when and how their effectiveness is in fact guaranteed.

It is particularly important to evaluate the effectiveness of EU sanctions correctly. They should not be deceptive; on the contrary, they must be tailored. Repressive regimes are often responsible. What evaluation criteria are applied remains a central question, despite all efforts. When do sanctions actually lead to a change in behaviour? Instead of ad hoc sanctions being imposed, I would like an EU strategy resulting in a coherent and sustainable sanctions policy. There would have to be a consensus here on their optimum conditions of use, however. An effective sanctions strategy is still lacking up to now.

This report, however, is a step in the right direction. The European Parliament is currently the most important agent for promoting human rights. EU sanctions ought not to be an aggressive political instrument, but should be there in the people's interest. Sanctions that punish the civil population are counterproductive and miss the actual point.

Ramona Nicole Mănescu (ALDE). – (RO) Sanctions represent one of the instruments the Union can use to implement its human rights policy.

Nevertheless, as the Rapporteur also noticed, the absence of a study regarding the impact of the sanctions policy provided by the European Union makes the assessment of this policy's effects and effectiveness on the ground difficult and, consequently, indicates a lack of transparency, coherence and even legitimacy of Community sanctions.

As long as the European Union does not speak with only one voice in its common security policy, it is very difficult for us to impose efficient and systematic Community sanctions. It is regrettable that the Union and the Member States have not used the sanctions systematically; this is why I consider, Mr. President, that the creation of a coherent strategy for the sanctions policy is required, in order to respect human rights, a strategy that would take into account the agreements and clauses already signed, avoiding the double standard and thus contributing to the increase in the Union's credibility.

I congratulate Mrs. Flautre for this report.

Genowefa Grabowska (PSE). – (PL) Mr President, in international law there is a Latin principle that goes like this: *'par in parem non habet imperium'*. This means that a state cannot judge another state or impose sanctions on it, but that is in the past, that is history. International society, guided by common sense and rationalism, has completed an enormous about-turn. The primitive sanctions that states used to use against each other according to the retaliation principle, following the Biblical principle, drawn from the Old Testament, of 'an eye for an eye, a tooth for a tooth', has been replaced by the excellent mechanism of collective, organised sanctions whereby procedures decide on who may use this mechanism, when and how. I am glad that the European Union is working out an ever more refined mechanism for applying sanctions, which includes differentiation to take account of the situation and the level of blame.

There are two things I should like to emphasise. I am in favour of wise and intelligent sanctions that are sensibly applied, but I am against what are called preventive sanctions. In my view, preventive sanctions are an abuse. Secondly, I would like to appeal for us to give greater attention to society, to our citizens, by informing them that sanctions are not a primitive punishment, but a natural, healthy reaction to a serious violation of the law, and that they serve to defend democracy.

Reinhard Rack (PPE-DE). – (DE) Mr President, Commissioner, I should like to pick up on a subject that several Members have addressed. Sanctions should not be wrongly targeted. In particular they should not harm the poorest of the poor. Here we have something that has been developing for quite some time, but we have to continue along this path. In the past we have seen again and again that corrupt regimes contemptuous of human rights very often have the attendant symptoms of very large amounts of public money being converted as a rule into private capital and then put on hold somewhere in fabulous accounts until the respective member of the regime is able to retrieve and enjoy this money.

This involves us similarly seeking and finding worldwide cooperation, such as in the approach we have created at the International Criminal Court. The European Union can play an important role here in ensuring that the fruits of this policy do not arrive where we do not want them to arrive.

Csaba Sándor Tabajdi (PSE). - (HU) Mr President, I congratulate Mrs Flautre on her excellent, balanced report. I can see three cases where the European Union is applying double standards. On the one hand, there are double standards when we weigh up two small countries, of which one opposes us and is hostile and the other declares itself to be pro-Western and pro-Europe. We see double standards between small countries and the bigger powers, Russia and China, because that is when economic interests come into play. And there is a third double standard, which raises the question of our credibility and whether the European Union has the right to criticise third countries with regard to human rights and minority rights when there are some countries in the Union where several hundreds of thousands of people do not have nationality, like two of the Baltic States, or when there is a leading power in the European Union whose constitution still rejects the recognition of regional languages. Thank you for your attention.

Zsolt László Becsey (PPE-DE). - (HU) Mr President, I would like to join those who have drawn attention to double standards and inconsistency, and I would like to draw Mrs Flautre's attention to point 22 of the report, concerning the substantiation of the country reports and the legality of sanctions or of a sanctions policy. In September 2004, this House made a decision to send a fact-finding mission to Vojvodina, the northern part of Serbia, which is not only a human rights matter but also a solidarity matter since there are very many Hungarians, and also Romanians and Germans, living there who ended up there through the storms of history. We examined the grave human rights situation there. And this decision said that the Subcommittee on Human Rights would investigate it. This has not happened, even after three and a half years. I would therefore ask that the subcommittee investigate this grave situation in accordance with the decision, because it is only then that Parliament will be able to draw the attention of the Council and the Commission to the actual situation and to assume a role in the sanctions policy.

Jean-Pierre Jouyet, President-in-Office of the Council. - (FR) Mr President, ladies and gentlemen, I would like to begin by responding to Mrs Flautre, also to Mr Romeva I Rueda and to those who spoke of the need to have an appraisal, to have an evaluation and impact assessments. This does indeed seem very important to me, and the Council shares Parliament's concern to be able to take these sanctions decisions, and to update them, on the basis of the best possible information. The existing measures are regularly re-evaluated on the basis of impact assessments and the Council bases its decisions as often as possible on reports from the heads of mission in the country, who are best placed to judge their effectiveness.

The Council has also considerably developed its consultations with local and international non-governmental organisations, and today Parliament has shown that it has a very important role to play in this evaluation.

What is also true, however, is that sanctions are an instrument that must remain political in nature. We do need to have a strategy from the point of view of methodology, but we cannot fence ourselves in, nor can we give the process an automatic nature – I just want to say that as clearly and responsibly as possible here – therefore there will always be differences in our assessment. To answer Mrs Koppa as well, whose speech was very sophisticated, sanctions remain a political instrument. They are not the only instrument for promoting human rights. There are two other instruments which stigmatise the countries they are targeting less, but which are also a tool for promoting human rights, and these are the conditionalities provided for in the enlargement policy of the Stabilisation and Association Process with the Balkans and the Neighbourhood Policy, and mandatory human rights clauses in all the agreements that the European Union enters into with third countries or groups of countries, the violation of which can lead to the suspension of these agreements.

I would like to reassure Mrs Koppa that there is no embargo on pharmaceutical products, but a system of control where these products have dual uses and are therefore subject to the non-proliferation regime. The Council shares the view of many that sanctions should remain targeted and should not affect civilian populations.

Mr Cappato and Mr Gawronski also raised an important issue, and several speakers came back to the question of environmental damage. At the moment, damage to the environment does not feature among the objectives of the common foreign and security policy, so it is true that from that point of view, it is not taken into account and we should be thinking about whether to include damage to the environment where it constitutes a threat either to international security or to the rights of people, to human rights. That is a discussion we need to start. I would also like to say to Mr Cappato that in the cases mentioned, energy sanctions have already been used by the European Union and this has been in a variety of circumstances.

I just wanted to go over a few cases that several of you mentioned: recent events, obviously. Concerning the war between Russia and Georgia, I would say very clearly here that sanctions cannot achieve their aim if the consequence is to break off all contact with the country concerned, in this case Russia. Finally, we also need

to think about whether imposing sanctions in this case would be in Georgia's interest. I would ask you all to think about that.

I will also come back to what has been said about the benchmarking process. It was mentioned by Mrs Saks. It is a very important issue, particularly as regards Uzbekistan; it is true, having been there for a conference on Central Asia and the European Union's presence in Central Asia. When I was there I also met Mrs Tadjibaeva, a political prisoner, who has now been released; we hope that her health will improve and she can be given the proper care, but I was also able to see that a good benchmarking policy meant that progress could be achieved and that there was commitment from the authorities to meeting more fully the criteria defined by the European Union. As it happens, we will be returning to the country in October.

As regards Cuba and those who mentioned it, I would like to remind you that the sanctions against Cuba were lifted in June 2008, which is not stopping us from keeping up rigorous monitoring of human rights developments in the country.

Those were the clarifications I wished to make at the end of this extremely detailed and rich debate, which demonstrates the necessity of Parliament's involvement.

Benita Ferrero-Waldner, *Member of the Commission*. – Mr President, I think this was a very useful discussion which highlighted a number of very important issues that we have to reflect upon when we opt for sanctions, because sanctions are just one of our foreign policy tools. We always have to apply them, after careful overall reflection, in conjunction with all other tools, including development work or political and economic reform in third countries. With all these tools we want to achieve one thing: upholding and promoting human rights.

Mrs Flautre's report clearly shows that we need to refine this instrument further and make sure that our system of sanctions is in itself fully in line with international law, and does not violate fundamental human rights we all subscribe to. I believe that our courts – as indeed the European Court of Justice has done today – contribute substantially to developing our sanctions system while at the same time safeguarding fundamental principles like the rule of law and due process. Again, we should promote human rights and save the wider population, not punish them, either economically or otherwise.

This is very important. I shall repeat, therefore, that we must target sanctions at those responsible for human rights violations and – as Mr Rack said – opt for instance for freezing accounts and visa bans so as to deprive those leaders or those responsible for human rights violations of any positive possibilities.

A number of speakers, indeed Mrs Flautre herself, have also asked for a proper evaluation of EU sanctions and have suggested the development of a certain methodology. I think Jean-Pierre Jouyet has already briefly referred to the work done in this respect in the Council, which I would like to support, and in particular I think we should improve somewhat on the *ex ante* evaluation before imposing sanctions. Here I could also offer again the services of our delegations because they are *sur place* and they have a very good knowledge of what is going on; contributions by civil society and human rights organisations are certainly very useful there.

With regard to coherence I would like to say that sanctions are an important tool, but they must be complemented with a proactive approach in our development work: support for human rights institutions, political reform, promoting of civil society. Burma/Myanmar is a good example of that. Sanctions are there while, at the same time, keeping open the possibility of working with NGOs and human rights organisations. I think this is one important way forward.

Hélène Flautre, *rapporteur*. – (FR) Mr President, I am pleased that this discussion has been held and about what each of you, and the President-in-Office of the Council and the Commission, have contributed.

I believe that through this discussion, something resembling a common philosophy is emerging. I have heard many calls for a more consistent policy, a more credible policy, which avoids double standards, and it seems to me that these are the issues we need to keep working on. I learned a lot in writing this report, through discussions with various people. I truly believe there is still a lot of work to do, and that the basis of this future work shall and must be a comprehensive and exhaustive evaluation of the current sanctions policy because, when the question is asked – and we see it today with Russia – things immediately get very heated, and the media are instantly on the lookout. We therefore need a very solid philosophy and we really have to be in step and in agreement about our procedures and policy.

I think that to do this – I am coming back to the question of the network of experts – it is not a matter of using technical expertise to replace sensitive political decisions, but of ensuring that the sensitive political

decisions are based as far as possible on objective information. When you engage in a sanctions policy, you have to see it through and to respect what many of you have called 'completely objective benchmarks', which let you measure the real effectiveness of the sanctions.

I believe we are making really concrete progress. There are still a few points to be clarified – you will all have realised this from several of the speeches – and these were the reason for my abstention in the Committee on Foreign Affairs. I think, ladies and gentlemen, that we cannot sell ourselves short on requirements for full respect for human rights and international law in drawing up blacklists, in putting people's names on these lists or taking them off. The Court of Justice judgment you have just talked about, Mr Jouyet, fully encourages us to pursue this.

Ladies and gentlemen, I invite you to adopt, not a perfect report, but a very honourable report of which we can be proud, and which will be a good working tool.

President. – The debate is closed.

The vote will take place on Thursday 4 September 2008.

Written statements (Rule 142)

Desislav Chukolov (NI), in written form. – (BG) Mr. Pöttering, Ms Flautre, most of you have been in opposition at one moment or another of your political career. You are familiar with this experience – the incumbent pretend that you do not exist while you denounce them for their thefts and [shady] deals. In Bulgaria, however, heirs to terrorists and outright fascists are currently in power.

These are the parties that constitute the three-party coalition in Bulgaria: godless individuals who bombed churches to make an impression on the Comintern, such as the Bulgarian Socialist Party (BSP) is; a party compiled around the heir of Boris III who involved Bulgaria in World War II and did not miss kissing with Hitler - these are the thieves from the Simeon II National Movement (SNM) - and, finally, the anti-constitutional Muslim party of the Movement for Rights and Freedoms (MRF) which consists of terrorists who blew up railway carriages for mothers with children just about twenty years ago.

On 30 July 2008 these incumbents beat up my colleague Dimitar Stoyanov. A medical examination established 34 injuries sustained from the thugs in police uniforms.

Against the backdrop of the EU effective policy for the application of sanctions in cases of gross violation of human rights, about which you speak in your report, I insist that this Parliament and each of its Members voice an opinion in respect to this shameful for all of us incident, and severely condemn the governing mafia in my country.

Urszula Gacek (PPE-DE), in writing. – The criminal justice system serves to punish, deter and to rehabilitate the offender. In the same way sanctions broadly serve the same purposes. Our criminal justice systems may punish, but how successful they are in deterring and rehabilitating is open to question. Likewise, sanctions often have limited impact on deterring and rehabilitating nations which break international law and violate human rights.

Research based on the effectiveness of over 100 instances of economic sanctions since World War I has shown that they are most likely to be effective if: the change we demand is modest; large powerful nations or groups of nations act against a weaker nation; the target nation is truly dependent on trade with those imposing the sanctions; sanctions are imposed quickly and damage to the imposer of sanctions is limited.

When the EU does impose sanctions they should be precise and well targeted. Measures to consider include: freezing of financial assets, ban on transactions, investment restrictions; trade restrictions on particular goods; travel restrictions; diplomatic constraints and cultural and sports restrictions.

It is vital that the EU reviews its sanctions policy, not only with the aim of achieving the desired changes in offending nations, but also to ensure its own credibility.

Bruno Gollnisch (NI), in writing. – (FR) The European Parliament, playing at being the UN, is claiming to establish the reign of human rights throughout the world. It would do better to keep its own house in order.

In France, Belgium, Germany, Austria, thousands of citizens, including academics, public lawyers and elected representatives chosen by their fellow countrymen, are tried, sentenced, ruined, removed from employment, imprisoned and accused of racism for criticising immigration, accused of xenophobia for defending legitimate

national preference, accused of revisionism for criticising the 'official' but changing truths of contemporary history, accused of homophobia for expressing a legitimate preference for natural families, which are the only ones capable of passing on life.

This political and judicial persecution even extends to lawyers. In Germany, Sylvia Stolz was arrested for defending her client's views in court. In France, the Council of the Paris Bar Association, by rejecting the honorary membership of retired lawyer Eric Delcroix instead of taking his defence, brought dishonour on itself.

Judges like Estoup in Versailles, Schir in Lyon and Cotte in Paris are vying to get these arbitrary laws extensively applied out of disregard for any principles that protect freedom. Most of all, however, some of those responsible for this freedom-killing legislation sit in this Parliament. It is at them that our indignation should be directed first of all.

Tunne Kelam (PPE-DE), in writing. – The European Union is based on values, such as democracy and respect for human rights. Protecting and speaking up for these is the core of any policy made in the European Union.

Human rights have been mainstreamed into the EU's foreign policy. Nevertheless, all too often the EU is not speaking with one voice and lacks the ability to react fast and efficiently on massive violations of human rights.

Sanctions are part of the human rights policy, yet they are not applied equally. The EU should not turn a blind eye and make exceptions for big countries, such as Russia and China, which is in fact trading human rights for economic benefits.

Economic relations with third countries have to be carefully considered in cases of continuing human rights violations, which have to be met with sanctions and the freezing of further negotiations.

Therefore, I strongly call upon the Commission and the Council to react with determination, unity and strength. Furthermore, I call on the EU to apply the human rights policy equally and to set sanctions on every country where massive human rights violations are proven.

Eija-Riitta Korhola (PPE-DE), in writing. – (FI) Mr President, I wish to thank the rapporteur, Mrs Flautre, for a balanced and worthy report, whose insistence on the re-evaluation of EU sanctions and research as part of the EU's wider human rights policy is only right and proper. As long as we lack information based on large-scale research, the debate on the effectiveness or ineffectiveness of sanctions will remain a fruitless task.

Sanctions can be of significance in human rights policy in two complementary ways. On the one hand, they are a moral message from the European community of values and, as such, a valuable signal. On the other hand, they can have a tangible impact on the development of the target state. Both these aspects have definitely been important in cases where actual lasting results have been achieved, for example in the dismantling of South Africa's apartheid policy.

It is probably obvious, however, that sanctions alone cannot achieve results like this. For a country's human rights and political situation actually to change permanently, the coordination and comprehensive use of the instruments of human rights policy are required. Parliament has stressed before how important it is to have a more effective assembly for human rights policy.

In order to avoid human catastrophes, we should look into the possibility of more focused sanctions, which target, in particular, a country's leaders and groups who violate human rights. We should be wary, in particular, of the sort of crippling measures that destroy chances for small and medium-sized enterprises to grow.

My own question here is what criteria should be used to impose sanctions. It is regrettable that all too often, behind the evaluation of sanctions, one can discern a concern over how appropriate they might be, which is based on the Union's commercial interests.

14. The Millennium Development - Goal 5: maternal health (debate)

President. – The next item is the statements by the Council and the Commission on the Millennium Development Goal 5: maternal health.

Jean-Pierre Jouyet, *President-in-Office of the Council*. – (FR) Mr President, Commissioner, ladies and gentlemen, like the European Parliament, the Council attaches great importance to achieving all the Millennium Development Goals throughout the world by 2015 and particularly the one that aims to reduce the maternal mortality rate by three quarters between 1990 and 2015.

In this respect, the European Union recalls that lasting progress in this area requires respect for and promotion of the rights of women and girls by guaranteeing them access to health services, notably as regards sexual health and by protecting them from the AIDS virus. The three EU institutions have made clear their collective desire to improve maternal health in the developing countries, particularly through the signature on 20 December 2005 of the European Consensus on Development, which puts maternal health among the priorities for the EU's development policy. We now have the necessary financial instruments to implement this goal, particularly within the framework of the partnership between the European Union and Africa on the Millennium Goals. As you know, regarding health, there are still considerable challenges to be met. They were mentioned in the United Nations annual report. 500 000 women still die each year from complications in pregnancy or childbirth that cannot be treated. These deaths cannot be avoided at this stage if we do not make any progress. The probability of a woman dying of these maternal causes is 1 in 16 in sub-Saharan Africa compared with 1 in 3 800 in developed countries. Therefore, in view of the scale of these challenges, in view of this totally unacceptable situation, the Council has taken the decision to accelerate and strengthen its action. In June, it adopted an Agenda for Action. The Agenda states that the EU will urgently support the attainment of the target set in 2005 regarding universal access to reproductive health and well as 2010 milestones to save – as you know – 4 million more children's lives each year, 2 million of which in Africa, and to have 35 million more births attended by skilled health personnel each year, 13 million of which in Africa. If we want to reduce maternal mortality by three quarters by 2015, it means that 21 million more births will have to be attended by skilled health personnel each year by 2010.

The EU will provide support to reach the target of 50 million more women in Africa having modern contraceptives by 2010, and more generally to have access to family planning. The Agenda, which was implemented by the Council, also states that the EU will contribute to helping to bridge the financing gap to achieve these targets by 2010. I can tell you that the financing gap is today estimated at more than EUR 13 billion by the World Health Organisation.

If – and the Commissioner will tell us if this is the case – the European Commission believes that, to bridge the financing gap, we need to increase EU support by EUR 8 billion by 2010, of which EUR 6 billion would be destined for Africa, it is essential that both partner countries and donors are stakeholders in dealing with the challenges facing us.

In this context, the Presidency is therefore convinced that reinforcing the health systems of the developing countries remains a key priority of the Millennium Development Goals. Several concrete actions are planned, which I will list: the Presidency and the Commission are preparing a joint paper on covering health risks; development ministers are going to meet during the informal meeting, which will take place on 29 and 30 September, regarding the conclusions of the November Council meeting and the forthcoming presidencies for universal access to healthcare; and finally, the Council will examine the Commission report on the EU programme for action to tackle the critical shortage of health workers in developing countries – and I have made a note of how crucial this task is.

Mr President, Commissioner, ladies and gentlemen, you can be sure that the Council will continue to act and do everything it can for the European Union to continue driving improvements in maternal health in developing countries, particularly Africa.

Benita Ferrero-Waldner, *Member of the Commission*. – Mr President, the right to health is probably the basic right with the most inequalities in the world today. Those in greatest need, at greatest risk of ill health and premature death, have the worst access to health care – often zero access. This poses enormous challenges to the European Union and to the world community as a whole.

The European Union is very committed to the implementation of the Millennium Development Goals (MDGs), including MDG 5 on maternal health, which is the subject we are discussing today.

We are aware of the fact that scaling up sexual and reproductive health and health funding in general requires a far more coherent and multi-sectoral approach, also involving other MDGs. Health results cannot be achieved without adequate investment in the systems that deliver better health. Health policy needs to be embedded in broader social and economic development planning. Countries need long-term predictable aid

from external donors. Donors need to see a clear link between financing and results, and mechanisms to hold all partners accountable for their performance against international agreements are badly needed.

Poor people – women, men and children – living in developing countries encounter a wide range of interrelated sexual and reproductive health problems. These include HIV/AIDS, sexually transmitted diseases, unplanned or unwanted pregnancy, complications encountered in pregnancy and childbirth, genital mutilation or cutting, infertility, sexual abuse, unsafe abortion and cancer of the cervix, among others. Together, these conditions are responsible for much suffering and many premature deaths. Exacerbated by poverty and the secondary position of women in society they are basically due to the lack of access to appropriate health services, lack of information and inadequate availability of skilled professionals and supplies of reproductive health commodities.

Therefore, improving maternal health and reducing maternal mortality have been key concerns of the European Commission's work in health and development. However, despite our efforts and the MDG targets, MDG 5 is possibly the goal which is most off-track globally – especially, as has already been said, in Africa. This is very serious, all the more so because most maternal deaths occur at home, far removed from the health services, and often go unrecorded. So the actual maternal mortality figure might even be much higher than the half million a year that we are aware of according to the statistics.

From a political point of view, there is another issue which causes concern. This is the increasing tendency not to prioritise sexual and reproductive health and rights policies in programmes because of sensitivities to abortion. By doing so, we are forgetting about the unequal position of women in many of our partner countries who have no say about the number of children they want or are forced to have sexual relations, sometimes even with a partner who is likely to be HIV-infected. Let us not forget about the many victims of rape, the young girls and women who, on top of their injuries and trauma, often get rejected by their relatives and communities.

Under the 10th European Development Fund and the Commission budget, we are therefore programming direct support to health in 31 developing countries. Many of these countries have very high maternal mortality rates and very weak health systems.

In this regard, budget support linked to health outcomes becomes another important instrument to address maternal mortality. To make this aid more predictable, the Commission is introducing in a number of partner countries a new financing modality called 'MDG contracting', under which budget support will be made over a longer term, linked with agreed outcomes which contribute towards the achievement of the MDGs. This will allow governments to support recurrent costs of health systems, such as the salaries of health workers. This is critical to increase access to basic healthcare, including safe deliveries and progress towards MDG 5.

However, we know that what is being done in support of maternal health at the moment is not sufficient and that more efforts are needed to change the present situation. This is why on 24 June 2008 the Council of the European Union adopted the EU Agenda for Action on MDGs, whereby the Commission and the Member States commit themselves to increase their support to health by the additional EUR 8 billion which has been mentioned, and EUR 6 billion in Africa, by 2010.

Regarding MDG 5, the Agenda for Action on MDGs mentioned two important targets by 2010: firstly, 21 million more births attended by skilled health workers and, secondly, 50 million more women to have access to modern contraceptives in Africa.

We the Commission – but also the Member States – will now have to make it happen together. We have made the commitment and we are determined to improve the situation of women in poor countries giving birth, which I think is the most natural thing in the world. I am glad that, as the Commissioner for External Relations today, in place of Louis Michel, I can say that, because, as a woman, I feel very much in solidarity.

(Applause)

Filip Kaczmarek, *on behalf of the PPE-DE Group.* – (PL) Mr President, Commissioner, Millennium Development Goal 5 is a very important objective, touching as it does not only on the quality of life, but on life itself, its initiation and continuation. The importance of Millennium Development Goal 5 is all the greater in as much as its successful implementation does not cost very much in monetary terms. There are programmes and projects that are already being put into effect around the world that have significantly reduced perinatal mortality, and their cost has not been particularly high. Despite this, in some regions the achievement dynamics of Goal 5 have been poor or very poor. Moreover, in some regions, particularly sub-Saharan Africa,

there has been no improvement since 2000. This is a very worrying phenomenon, as it means that implementation of Millennium Development Goal 5 on a global scale is seriously threatened.

Unfortunately in some developed countries we still see a tendency to ideologise the problem and concentrate on one really quite controversial issue, namely that of reproductive rights. This has already been mentioned today. However, one of the most important causes of death among mothers is hazardously performed abortions. However you look at it, it is logical that limiting the number of abortions would bring about a fall in mortality among mothers. Surely, then, it would be easier to limit the number of abortions than to increase the number of what might be called 'safe' abortions.

It is therefore difficult to agree with the assertion that reproductive health should be a priority in development policy. It is important, but surely the priority should continue to be the fight against poverty (I agree with the Commissioner), improving the position of women and keeping the promises made by developed countries. This choice of priorities is very important, because a poor choice of priorities could lead to actions that might be unfavourable. For example, we include the example of exchanging experience and best practice in resolutions as standard, but if the objective is inappropriate, an exchange of experience and best practice could be ineffective or downright undesirable.

It is also worth remembering that imposing our norms and standards on other countries and societies is morally ambivalent. In matters of ethics, countries that benefit from our aid should take their own decisions on what is good and acceptable. We should not, for example, say that abortion is a good solution. That would be inconsistent and it would be unjustified interference: inconsistent, because we ourselves wish to increase the birth rate in Europe, while promoting its restriction in other countries; unjustified interference, because no-one has authorised us to influence decisions on ethical matters in other states.

In my opinion, therefore, we should concentrate on what is not controversial, especially as there are very many things that are not controversial and on which we are all agreed: education, strengthening the position of women, protecting motherhood, good nutrition, access to skilled medical assistance and obstetric care. These are areas on which we can jointly concentrate, and thus facilitate the achievement of Millennium Goal 5.

Alain Hutchinson, *on behalf of the PSE Group*. – (FR) Mr President, President-in-Office of the Council, Commissioner – to whom I would like to wish a happy birthday today – I am not going to refer to the text I was planning to read to you here on behalf of my group because I believe we are in the midst of a particularly important discussion.

By noting the failure to meet this Millennium goal, the fifth goal, which is very important because it concerns women and their suffering during pregnancy, we have to abandon the extremely hypocritical attitude and analysis we make in Europe when we know, see and can testify to the situation in Africa, on the ground, in villages, in countryside and in the bush. I was rather annoyed by what our fellow Member Mr Kaczmarek has just said, and that is why I am not going to read my paper. We cannot claim that abortion is a miraculous remedy for all the problems of women who have to give birth. Absolutely not. We have to devote the necessary means to ensuring that these women can have everything they need: an education, proper family planning, contraception and, where necessary, voluntary termination of pregnancy under proper conditions – but we are not going all-out for that. It is extremely difficult to say things clearly in Parliament because there are some people who, in the name of morality and sometimes in the name of conservatism, keep stopping us from taking proper measures, effective measures, for the benefit of women in the countries concerned.

Beniamino Donnici, *on behalf of the ALDE Group*. – (IT) Mr President, ladies and gentlemen, we have worked on the joint motion for a resolution on maternal mortality, taking account of the fact that Goal 5, 'Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio', is far from being achieved and requires a strong initiative, a strong and concrete initiative by the international community, which a Europe of rights and values can only interpret and guarantee.

We acknowledge the reassurances given by Mr Jouyet and Mrs Ferrero, but we need to move swiftly from words to actions. After all, maternal mortality, together with infant mortality, is the most important indicator of the level of human development, and it is unacceptable, as we have already said, that today more than half a million women still die each year during childbirth.

As we all know, the majority of these women live in sub-Saharan Africa, where there is one death every minute. As we have said, the same risk for women living in the developed world is one in 3 700. These figures appear even more dramatic if we look at the encouraging progress made during the same period by some

middle-income countries in Eastern Asia, South East Asia, North America, Latin America and North Africa, which prove that this awful situation can be overcome.

In our opinion, therefore, this resolution is well-timed, articulate and comprehensive, and identifies strategies that can address this outright global health emergency, in recognition of the fact that access to an adequate level of healthcare is a fundamental human right.

To conclude, I hope that the valuable compromise reached between the groups on such an agonising issue can garner the widest consensus in Parliament and that the adoption of the joint resolution will bring forth concrete action from all of our institutions and nations, as well as adequate investment in infrastructure and transport, medical equipment, training for equipment operators, education, safety and policies for the emancipation of women, so that this crucial goal for civilisation can be reached by 2015.

Ewa Tomaszewska, *on behalf of the UEN Group.* – (PL) Mr President, mortality during the perinatal period continues to be a very disturbing phenomenon, and one that is not justified by the state of medical knowledge. Improving the state of health of pregnant women is an even more serious problem at a time of demographic collapse.

It is worth remembering what a serious mutilation an abortion is for a woman. We cannot have the dilemma: if you agree to the killing of your child, you will have a chance of survival. A 75% reduction in perinatal mortality by 2015, relative to 1990, requires a general improvement in women's state of health and an increase in the money spent on health care and education aimed at prevention.

The situation is at its worst in southern and sub-Saharan Africa, and also in Asia. Each year half a million women there pay for their desire to have offspring with their lives. In the case of women infected with HIV and malaria, besides the danger to the mother's health, there is also the danger that the children will be infected. It should be emphasised that one important negative factor here is poverty, and financial means should be addressed to solving this problem. This situation very specifically indicates the value of solidarity between people. Recognising women's health – the health of mothers-to-be – as a priority and the mobilisation of international forces in order to improve health care for pregnant women is a serious challenge.

Kathalijne Maria Buitenweg, *on behalf of the Verts/ALE Group.* – (NL) Mr President, I have now been a parliamentarian for nine years and, in that time, have had two children. They are now aged two and almost eight. Pregnancies are always full of suspense, of course – you always wonder whether the child will be born perfectly healthy – but I can honestly say that in neither of those pregnancies did I ever wonder whether I myself would survive. What a tremendous luxury that is!

The figures have already been cited. In Europe, fewer than 1 in 3 800 women die from pregnancy-related causes, but the figure is very much higher in some African countries: 1 in 16. The figure of 1 in 7 has been mentioned for Niger. One reason for this is unsafe abortions. I do wish these were not a reality, but this would require changes such as the provision of contraception or restraint on the part of men. Further reasons are a lack of medical assistance or delays in providing such assistance, and too many pregnancies one after another and at too young an age.

The wide discrepancies between the situation in Europe and in a great many of these other countries show that investment pays off. It is self-evident: investment in health care reduces maternal mortality. Yet very little is happening in this regard. In 1987 approximately half a million women a year died in pregnancy or childbirth and this figure was unchanged in 2008 – this is most disappointing. I make no secret of my cynicism. My feeling is that much more attention is paid to combating AIDS because this claims the lives of men, too. However, I am encouraged by what Commissioner Ferrero-Waldner and also the President-in-Office had to say, and wish to thank the Commissioner most warmly for her speech.

There is a clear link between maternal mortality and self-determination. According to recent research, approximately 200 million women in developing countries would very much like to bear fewer children, but half of these have no access to contraceptives and sexual information. This results in 52 million unwanted pregnancies a year, and this is something we must be concerned about. According to Kofi Annan, the fight against hunger and poverty is doomed to failure from the outset if the international community does not succeed in strengthening women's rights. We, the European Union, are in a unique position to strengthen the call for equal rights for women worldwide. We do want this, but are actually shirking our real responsibility.

Therefore, I should like to put the case for a European Envoy for Women's Rights. The majority of this House has already welcomed this, and I would also ask for the Commissioner's support. This will be a top diplomat

who can raise her voice on behalf of the EU or mediate in cases of violence towards women, who will submit proposals to the Council of Ministers and the European Commission and who will be accountable to the European Parliament. It is a driving force that we need, someone who ensures that all our proposals take account of women's rights, as this is so crucial.

Mr President, I have already presented this proposal to a representative of the French Presidency. He said that he considered it interesting. I should like to ask the President-in-Office what he is going to do about this. I have the proposal here, including in French and German. I shall hand it over to him, and I sincerely hope that this Envoy for Women's Rights will be introduced, as we really need this driving force to effect real change.

Feleknas Uca, *on behalf of the GUE/NGL Group*. – (DE) Mr President, Commissioner, President-in-Office of the Council, the current statistics show that, overall, MDG 5 is way off track and maternal mortality is even on the increase in Africa and South Asia.

Every year 536 000 women die as a result of pregnancy and childbirth. Of those deaths 99% occur in developing countries. In Africa one in 16 women dies during pregnancy or childbirth. In industrialised countries there is considerably less likelihood of this happening. The most frequent causes of death are haemorrhaging, infections and illegal abortions. Approximately 68 000 women die every year as a result of unsafe abortions and millions of women incur life-long injuries or other damage to their health. In fact, 97% of all unsafe abortions are carried out in developing countries.

Every minute a woman dies somewhere in the world as a result of pregnancy or childbirth. We have a moral obligation and an opportunity to prevent this. In developing countries, particularly in rural areas, women urgently need universal access to general health care, medical assistance and advice on pregnancy and childbirth.

I am also calling for family planning, including access to effective contraceptives and safe abortions. The improvement in reproductive health and the abolition of any kind of discrimination against women are key and extremely important preconditions for achieving the Millennium Development Goals by 2015.

Nils Lundgren, *on behalf of the IND/DEM Group*. – (SV) Mr President, the UN's statement on the Millennium Development Goals really deserves every support from us rich Europeans. It is both a tragedy and a scandal that so many people in this world live in extreme poverty, that so many women die in pregnancy and childbirth, that so many newborn babies die at birth, that so many people have no access to safe contraception and that so many people are infected with HIV/AIDS and do not have access to antiretroviral drugs.

The reason for this horrific situation is not a lack of resources, technology or medical knowledge. We know how these issues can be solved. This is clearly shown by the fact that many countries solved them a long time ago. What this is about is getting poor countries to change their social institutions in order really to make development possible in these areas. Progress has been made in several poor countries, for example in Egypt and Bangladesh.

The member states of the UN have undertaken to work towards these goals after careful analysis and in-depth political debates. But these are global issues and belong at UN level.

So why are they turning up here in the EU? Global issues should be addressed at global level, in the UN, where all the EU countries are members. The EU must deal with those issues which are common to its Member States, i.e. cross-border issues within Europe. The thing the EU can and should do to reduce poverty and thereby maternal mortality is to abolish its agricultural policy as soon as possible.

Irena Belohorská (NI). – (SK) I worked for three years as an obstetrician in Africa, so this problem means quite a lot to me. Also, during my time at the Council of Europe, I was a rapporteur for a report on maternity in which it was found that, in the developing countries and also in Europe, women were often not given basic protection during pregnancy.

There are many conventions and declarations, whether from the UN or the ILO, relating to the legal protection of women and their health which are not observed and often not ratified. As regards basic care in developing countries, the entire health care system is very weak. Only 10% of the population of Africa has access to health care services. Maternal mortality is therefore very high. In Africa, there is a lack of qualified professionals and doctors, and AIDS is still a cause of maternal death. Despite the protests of the world's public, female circumcision is still practised.

In Asia, the problem of maternity comes up against religious and caste obstacles. Comprehensive investment support is required here to boost health care and in particular mother and child care, but we know that child mortality too is very high. Instead of big targets, we propose caution and monitoring of the resources we provide.

If European funding is to serve a purpose, the targets must be clear, understandable and concentrated on a small number of objectives, but they will only be successful if we monitor them well.

Colm Burke (PPE-DE). - Mr President, there has been no advancement on Millennium Development Goal (MDG) 5 on improving maternal health since 2000, particularly in Sub-Saharan Africa and South Asia, and before 2000 progress was practically non-existent.

In September 2000, world leaders adopted the United Nations Millennium Declaration, committing their countries to reducing extreme poverty by 2015 through the objectives of the MDGs. The figures for maternal health, which is one of the eight MDGs, are the same now as they were 20 years ago. More than half a million women die in pregnancy or childbirth every year, which is one death every minute. Of those deaths, 99% are in developing countries. In parts of Africa, the maternal mortality rate is as high as one in sixteen. In the least developed countries, only 28 in 100 women giving birth are attended by trained personnel. The objective of MDG 5 is to reduce the ratio of women dying in childbirth by three quarters between 1990 and 2015.

I call on the Council and Commission, ahead of the United Nations High-Level meeting on the MDGs in New York this September, to prioritise action to meet the MDG targets and to fulfil MDG 5 in particular. I will be travelling to the UN in New York at the end of this month as part of the delegation from the European Parliament's Committee on Foreign Affairs, and intend to underline the importance of EU Member States renewing their commitments to achieving the MDGs by 2015.

Now that we are at the half-way mark regarding MDGs, it is critical that EU Member States continue to progress to 0.7% GNI by 2015. Given the fact that there has been a drop in EU aid figures from 0.41% of GNI in 2006 to 0.38% in 2007 – a decrease of EUR 1.5 million – I urge EU Member States to refrain from reneging on funding commitments. Those not currently on track must increase their efforts. I call on the presidency of the Council to take the lead and set an example by ensuring that adequate predictable funding is available, and also to scale up their efforts, so that lives can be saved.

Glenys Kinnock (PSE). - Mr President, may I at the outset thank the Commissioner very much indeed for her strong and audacious statement, which was very much appreciated.

May I also say to Mr Kaczmarek that he should be aware that 19% of maternal deaths are caused by unsafe abortions. Surely this is something that has to be seriously addressed, and there should be no pretence that it can be dealt with in any other way.

As we focus on sexual reproductive health rights, we hear from the other side that they have problems with the vocabulary used in this resolution. Apparently they do not even like the word 'rights' to be used; they do not like the word 'services' to be used. These semantics would not go down very well, I fear, with the thousands upon thousands of grieving motherless children in the developing world, or with those children whose mothers have died in agony because there was no anaesthetic, or with a mother bleeding to death because there is no thread for stitches, or a mother dying because there is not the three cents to buy the magnesium sulphate that would save her from death through haemorrhaging. Tell them that the vocabulary used in this resolution matters. Try telling them that it all costs too much. Those lives are precious and no woman should die giving life.

We also have to take into account that some people say the reality is that women have low status and low value, and therefore that we cannot change things. That is absolute nonsense. We have to change things. We have to deal with the kind of misogyny that leads to this suffering and grief.

We also demand change from the presidency. We demand action from the presidency on the commitments it has made on the MDGs. We liked the fine words from the presidency of the European Union, but we need to see more action.

Meeting MDG 5 means building health systems and ensuring that we address financially the fact that 40% of women globally give birth without any skilled assistance. We look to the presidency to take the lead. For instance, in France between 2006 and 2007, aid to Africa actually declined. France is off track in its commitments, and we need to know that the presidency is going to reflect on the call to action and make the kind of commitments that are needed before 2010.

Will the presidency state whether those budgetary commitments will be made? Will it deliver on that promise? We know that there is a need to fight maternal mortality. We know how much it costs. We know too, sadly, what it costs not to do it.

Toomas Savi (ALDE). – Mr President, the condemnation of the use of contraceptives and the prevention of legal abortion has been one of the most malicious crimes committed against humanity, as some contraceptives also provide protection against sexually-transmitted diseases such as HIV. They also improve maternal health when combined with sufficient sex education. Legal abortion prevents unwanted children from being condemned to poverty, hunger and disease. By denying women the freedom of choice, we are receding from the fulfilment of the Millennium Development Goals. In order to improve maternal health in developing countries, the European Union must condemn the US global gag rule, as well as the ban on the use of contraceptives advocated by some churches.

Carlo Casini (PPE-DE). – (IT) Mr President, Commissioner, President-in-Office of the Council, ladies and gentlemen, we are absolutely duty-bound to act so that women can realise their maternal function in optimum health conditions. This much is clear. Therefore, the hope expressed in this sense by the motion for a resolution that we have been discussing deserves our support.

However, I cannot hide the discomfort I feel when I hear the inappropriate use in international circles of the expression 'reproductive health services': we want reproductive health services, but we cannot allow this to include elective abortion, turning the tragic suppression of human beings at the very beginning of their existence into a social service.

Whatever views each of us has on the legalisation of abortion, I believe that in a document on maternal health, we must not forget that maternity concerns two people, and not just one. I therefore welcome the fact that the compromise resolution includes a reference to both the Declaration of and Convention on the Rights of the Child, which use the term 'child' even for unborn children and call for special services for both the mother and child.

I believe that it is only right that in documents designed to ensure the safety of motherhood, there should be references not only to these instruments but to other pro-life instruments. It should be about welfare, economic, social and psychological support and education on respect for life. Conversely, where this is limited and where the emphasis is placed only on the use of contraception, including abortion, we will not achieve the desired results.

There are countries in Europe, such as France and the UK, where there is no doubt that contraception is much more widespread than in other countries, and yet where according to official reports the number of abortions is steadily rising. I would just like to ask my fellow Members to give a moment's consideration to these points.

Anne Van Lancker (PSE). – (NL) Mr President, Commissioner, President-in-Office, I should like to thank the Commissioner most warmly for her very strong statement. It is true that maternal mortality illustrates the most distressing inequality between women in the north and south. It is clear that a number of our fellow Members in this Hemicycle still do not get it. Mr Casini, every year, 50 million women have unwanted pregnancies because they lack access to contraceptives; 42 million of these women have an unsafe abortion, 80 000 of whom die. These are the hard facts. The vast majority of these women live in sub-Saharan Africa; thus the West has absolutely no reason to lecture these women.

This is a disgrace, as maternal mortality is entirely preventable if women are just given access to health care and sexual and reproductive health. According to the World Health Organization, the cost of providing basic health care is EUR 34 per person per year. This is achievable – if, on top of the pledges of the developing countries themselves, the European Union were to spend 15% of development aid on health care, including sexual and reproductive health. That is just where the shoe pinches, however. There has been a continuing decrease in Member States' investment in health care over recent years. The budgets for family planning have almost halved since 1994. Even in the European Development Fund scarcely 4% is spent on health care, compared to 30% on infrastructure and budget support. It is clearly time, therefore, that the Council's words and the Commission's promises were turned into clear projects, for example to link budget support to clear results with regard to Millennium Development Goal 5 and to saving women's lives in Africa.

Sophia in 't Veld (ALDE). – (NL) Mr President, I shall be frank: I find it hard to give a coherent speech here after hearing what was said by the gentlemen on that side of the House. This is something that particularly tugs at my heartstrings, including as a woman, as it also concerns me and the other women in this Chamber. After all, what we are talking about is not a medical problem, nor a financial one (although I am grateful for

assurances concerning increased funding); it is a social problem. It is a problem concerning society's attitude towards women; a society that still regards women throughout the world as second-class citizens.

To be frank, I find it incredible that these two Members can say what they said, knowing that this costs the lives of half a million women each year. It beggars belief. There is not one woman who wants an abortion – not one! If faced with no other choice, however, she must at least be able to have it done safely and legally. This is a woman's right. Incidentally, I am delighted that this has the support of the Council of Europe. If we fail to recognise this right we are all just weeping crocodile tears here. I would therefore appeal to everyone in this House to vote in favour of the amendments condemning the United States' 'global gag rule' and also the Vatican's ban on condoms – I shall just come out and say it – as these two things are directly responsible for millions of deaths and must, I believe, be condemned by this House.

Mairead McGuinness (PPE-DE). - Mr President, our policies on maternal health in the developing world are failing. We know that from today's debate because no progress has been made in reducing the horror of women who die during and at birth. In Ireland, if a woman dies in childbirth there is an outcry and a full medical investigation, because the situation is rare. I am grateful that is the case but it is still shocking. That one in sixteen die in childbirth in the developing world is a frightening statistic and, while we debate here in our comfort zones, there are pregnant women in Africa in villages who know that their lives are at risk and that they may not live to see their child born or indeed to nurture their other children.

Maternal health is part of overall health, and that includes access to food, and the issue of food security is an important one. But can I address another issue which has not been raised here yet? I thank the Commissioner for her comments on the need to train health-care workers. A huge number need to be trained but – let us be honest – the developed world is stealing trained workers from Africa to look after us here, both in the US and in the EU, and we need to be honest about this. We can afford to pay them and they want to come and work, but we are robbing those countries of their own people who have training. I would like you to perhaps address that in your closing remarks.

There is pain, suffering and death involved in this issue we are debating here. I have mentioned the children who are left behind. In India, just before Christmas, as part of the India delegation, we witnessed a very useful project being funded by the EU, where women of the villages – because there are no trained doctors and nurses – are given some training to help with infant mortality. There has been great success in that very small-scale programme because it is working from the ground up. Perhaps we need to mirror that type of programme to address maternal deaths, while we know that we do need all of these very trained and skilled workers.

Neena Gill (PSE). - Mr President, I am pleased that this Parliament is holding a debate on MDG 5 because, as I speak, at this very moment a woman is losing a life to give a life somewhere in the world. Shocking as this is, the progress on this MDG has been negligible, as we have heard, and it is the only MDG with no improvement – and in some regions it has worsened.

Some would argue that this issue has had such little attention because it affects women, and because 99% of the deaths occur in the developing countries. This is one of the biggest social inequality issues in the world and I believe that the EU – whilst I recognise the Commissioner's personal commitment – has been very slow in addressing it.

So I would like to ask the Commission and the Council what they are going to do to ensure there is increased funding to ensure that this budget line is not diminished. When you are looking at heading 4, where short-term crises and natural disasters tend to take precedence, we need to ensure that it is prioritised not only internally within the Union but also internationally. I would ask the Commission and the Member States to look at delivery of these programmes with renewed scrutiny to ensure that the eight programmes are not beset by poor quality of service, corruption and lack of accountability, which is why the programme has not progressed in some countries. Well-thought-out programmes are what is needed.

As Ms McGuinness pointed out, we saw in India a project, with very little funding, for providing mobile phones and as little as two days' training for a link person who could recognise the danger signs in pregnancy and post-pregnancy, and this, combined with education, very basic-level personal hygiene and just the need to boil water, meant the difference between living or dying. So, in this year the UN has called the Year of Action for MDGs, we cannot be complacent for much longer and we must make sure that we take away the tragic divide between the rich and the poor world.

Edite Estrela (PSE). – (PT) Mr President, Commissioner, I enjoyed listening to you. Your diagnosis was correct and you put forward concrete measures. We need action plans, financial aid and assessment of the results. So more action and less speechifying! We also need to make up for lost time, as thousands and thousands of women die in developing countries every year because of lack of information and lack of access to sexual and reproductive health. The statistics are not merely numbers, they are family tragedies, they are children who are left orphans, they are people who die who could have been saved. Does thinking about this, knowing that this is happening in the world, not keep us awake at night?

Sexual and reproductive health must be a priority. It is regrettable that some seek to bring sexual and reproductive health down to just abortion. However, it is important that abortion is legal and safe, as well as exceptional, as this is the only way to combat illegal abortion. All women on all continents have a right to access to sexual and reproductive health. Without the right to sexual and reproductive health, there is no gender equality. The Commission and the Council must take the appropriate measures.

Françoise Castex (PSE). – (FR) Mr President, Commissioner, President-in-Office of the Council, ladies and gentlemen, the failure of the fifth MDG affects us all, in that it epitomises our failure to move forward with the emancipation of women all over the world. We agree that it should be made a major political objective because it also lies heavy on our consciences. However, we should also have the courage to say that thousands of women are also the victims of ignorance, neglect and misinformation. Neglect because the majority of the 500 000 cases of maternal mortality could be avoided through prevention and basic healthcare. Distributing impregnated mosquito nets, for example, could prevent fatal cases of malaria for thousands of women. Ignorance, in that all too often, girls and women are still prevented from gaining a basic education, which would simply enable them to read and understand simple health and hygiene recommendations. Lastly, misinformation: a certain conservative idea of religion and tradition, which still keeps women in a state of intolerable dependence, marriage when very young, pregnancies in close succession, and taboos over female contraception. Consequently we are taking action; networks of parliamentary representatives for the developing population, from Europe and Africa, are working together within the UNFPA. We are speaking out in favour of health, reproduction and women's control over their fertility and, in addition to the necessary financial support for this, we have to change attitudes and the position of women. This is a key political goal for the development of all these countries.

Marusya Ivanova Lyubcheva (PSE). – (BG) I congratulate you on your opinion, Commissioner. There are many problems to which the problem of mothers' health belongs. On the one hand, this is the system of health care, on the other hand are the social systems, related to care for motherhood in general. The health, mental and physical condition of not only the mothers but the children as well depends on the manner in which these two systems are synchronized. In the third place, motherhood is indelibly related to the demographic problems of each country and it is generally known that this is a grave problem.

Part of the problems of mothers' health are related to financing. The countries should be called upon to set aside sufficient funds, while those that cannot receive aid so that the death rate among new mothers and children could be reduced and the necessary prophylactics could be applied, for every life is a gift, and provisions should be made for a maximum number of health services and social services for women.

The protection of motherhood also depends on the remuneration of the medical staff in maternity wards. This is a problem which exists in many countries, including in European Union countries, and one that has to be resolved.

Danutė Budreikaitė (ALDE). – (LT) The European Parliament has begun discussions on the Commission's incentive to attract highly qualified specialists from third countries to the EU labour market – the so-called Blue Card. The Member States are asked not to drain skilled workers from the sensitive sectors of developing countries – education and healthcare – although some Member States, including the UK, are not prepared to do this. Talk about giving with one hand and taking away with the other! If we drain specialists from the healthcare sector, short-staffed as it is, women's health, the health of all members of society in general, will be endangered and in an even worse state. I would like to suggest that we ensure that the legal acts we are adopting do not contradict each other and that our policies are consistent with our principles.

Proinsias De Rossa (PSE). – Mr President, I intervene in this debate first of all to thank the Council for its June action plan, but more particularly to welcome the very forthright statement by Commissioner Ferrero-Waldner.

It is shocking and scandalous that this Millennium Development Goal is failing and that we have made no progress since 2000 and no progress over the last 20 years. Millions of women have died and tens of millions of children have been orphaned needlessly.

We know what is causing the deaths and we know how to prevent the deaths. We have the resources, and indeed the knowledge to prevent them, and yet it is not happening. Why? Why are we failing? It seems to me that we are allowing the conscientious objectors to block progress on these issues. We have to push past the conscientious objectors – those who reduce this issue constantly to the issue of abortion and the provision of condoms. Why anyone should see a condom as some kind of evil instrument boggles the mind and boggles reason!

I would urge those who are in a position to make decisions, and to pursue decisions, to ignore the conscientious objectors and get on with it.

Zbigniew Zaleski (PPE-DE). - Mr President, just a little reflection on this issue that has political, psychological, physical and moral aspects and so is very complicated. When Mrs Kinnock says that this side does not like even the term 'service', I would object. There are so many 'services' but among them there is one which is very controversial: abortion. I think the side to my right wants to cover it with some very beautiful semantics, using terms like 'reproductive health'. I think you know the position of most of that side of the House, but there are so many other 'services' that you want to approve, use and support as much as is financially possible, and this will, I hope, diminish the ratio of deaths at those different moments that we discussed today. So this accusation is not very proper, although we know there are some moral problems related to just one 'service'.

Catherine Stihler (PSE). - Mr President, I think the fact that a woman a minute dies giving birth – one of the most natural things in the world, as the Commissioner described – is shocking and scandalous. Equally, the fact that we are failing to meet this Millennium Development Goal, and failing the most vulnerable women and children in our world, is also shaming.

I would like to ask both the French presidency and the Commission to report back to the House what is decided upon in New York at the end of this month, and that they will personally make it a priority over the next weeks to secure change, not just at Member State level, but at international level, to put this higher on the political agenda.

Jean-Pierre Jouyet, President-in-Office of the Council. – (FR) Mr President, ladies and gentlemen, I am not going to go over again what the Commissioner said with so much emotion, though I fully share her convictions regarding the scandal facing us. For this reason, the Council has developed an action programme. It is late in the day for it to be getting involved, it is true, but this programme is ambitious. I am not going to go over it again.

The Presidency, where it is concerned, will give priority to the promotion and defence of women's rights, to be very clear about this. Our programme includes, in particular, the preparation of guidelines for combating violence against women, which will be used as actions for the European Union in international settings and, at the end of this month, in high level meetings at the United Nations on Africa's development needs within the framework of the Millennium Development Goals. We also have the initiative on women and armed conflicts, aimed at taking better account of the specific situation of women in places where the European Union is implementing external security and defence policies, taking the initiative, as the Presidency, of a new resolution in the United Nations General Assembly with the Netherlands on violence against women. Since I have mentioned our national position, although I am here to represent the Council, I should say that all the Member States are welcome to be associated with this resolution within the United Nations framework. Finally, in December 2008 there will be a forum for

non-governmental organisations on the situation of women.

As regards maternal health and everything you have said, I can only share the commitment and indignation of those who have spoken, particularly as regards the links with the HIV virus, and say that the EU is going to finance the Global Fund to fight AIDS to the tune of EUR 91 million in 2007, as the leading donor to this fund for that year.

As regards the comments made by Mrs Kinnock who, as a committed European, can surely not be confusing the Council Presidency with a nation state – or else she is not who I think she is – I would like to say that as regards the European Union's budgetary commitments, the amounts given by France are going to increase

in 2008. To be precise, the amount allocated to health grew between 2006 and 2008, from EUR 820 million to EUR 930 million. I do not think this is the place for us to fight our usual battles.

On a more personal note, having heard your debate, I must say that the Presidency will be looking very carefully at the proposal made by Mrs Buitenweg, which she has submitted to me. For the Presidency, I would very much like the fight against poverty to go hand in hand with improving the situation of women and respect for women's rights, everywhere. I would very much like there to be intervention when women's health is systematically under threat, and I would like us to have the necessary resources, all the necessary resources, under legal and safe conditions, to bring this scandal to an end; consequently, we cannot refuse to provide any of these resources, regardless of our convictions.

We need to forge ahead if we are to bring to an end what is truly a scandal as regards the situation of women, particularly in the poorest countries. Consequently we need to reach agreement, I repeat, regardless of our convictions. For its part, the Presidency has decided to take action itself, particularly in Africa, using all the resources at its disposal.

Benita Ferrero-Waldner, Member of the Commission. – Mr President, we have heard some very important statements. This is an emotional question on which there are different points of views. I believe we should go back to the Programme of Action of the International Conference on Population and Development, held in Cairo, which clearly indicates respect for national legal frameworks. We in any case reject coercive abortion, forced sterilisation, infanticide and other human rights abuses, which are clearly not in line with that policy.

At the same time, it is also very important to understand that childbirth is not without its complications. As Mrs Buitenweg said, it is a luxury in our countries, but the luxury is not there in other countries. The principle of voluntary choice should therefore guide this programme of action, which seeks to provide universal access to a full range of safe and reliable family-planning methods – which, of course, is the priority – and to reproductive health services which are not against the law.

The aim should be to assist individuals and couples in making their own choices and achieving their reproductive goals, giving them the full opportunity to exercise the right to have children by their own choice. That is what we have to achieve.

In no case will abortion be promoted as a method of family planning. Governments are committed to dealing with the health impact of unsafe abortions as a public health concern – because they happen and we have heard how many women are dying from them – and to reducing the recourse to abortion through improved family planning services. When abortion is not against the law, it should be safe and part of a comprehensive reproductive health service. That is most important.

On the other hand, it is true that health-care systems should be better, as they are weak, and we are now looking at strengthening those systems by training more health-care personnel and through a system of health insurance, which is an initiative of the French presidency.

It is true that much money has gone, for instance, into combating HIV/AIDS in recent years, but unfortunately ever more women are becoming HIV/AIDS-infected in Africa: one out of four girls aged between 16 and 24 are now HIV positive. That is awful. The Commission is aware of this, and is encouraging initiatives through the Global Fund to be more geared to women and to be more gender sensitive.

Finally, on the question of migration, this could go in the wrong direction. This so-called 'brain drain' is one of the issues that will have to be tackled when addressing migration as a whole. It has both positive and negative sides and we have to find the right balance.

IN THE CHAIR: MR DOS SANTOS

Vice-President

President. – I have received six motions for resolutions⁽¹⁾, tabled in accordance with Rule 103(2) of the Rules of Procedure.

The debate is closed.

The vote will take place tomorrow.

⁽¹⁾ See Minutes.

Written statements (Rule 142)

Cristian Silviu Buşoi (ALDE), *in writing*. – (RO) The EU has committed to achieving the Millennium Development Goals, such as reducing the maternal mortality rate by 75% by 2015.

Although, on the whole, the EU countries are on the right path, slow progress is recorded in the field of maternal health. The European Commission's initiatives to allocate funds for the health systems reform in order to improve the quality of prenatal and postnatal services, as well as of the access to such services, the support of research in the field of reproductive medicine and the training of medical personnel were opportune for achieving goal No. 5.

The Charter on enhancing the performance of health systems, adopted in Tallinn, in June 2008, is also important progress. Nevertheless, there are developed countries, such as France, Great Britain or the Netherlands, with a very low mortality rate, for which the 75% reduction by 2015 seems difficult, since evolution is slower than in the countries with a higher maternal mortality rate. Also, there are still disparities as regards the progress made in the EU states and even in the regions of various countries.

Therefore, in order to manage to achieve the goal set for 2015, the rapid modernisation of the European health systems is necessary, with a special emphasis on research for improving prenatal and postnatal services, as well as more efficient sanitary education and family planning.

Monica Maria Iacob-Ridzi (PPE-DE), *in writing*. – (RO) The European Union is a firm supporter of the Millennium Development Goals adopted by the United Nations and which established the targets to be achieved by 2015 as regards peace, security, development, governance and human rights.

Out of the 8 goals, special attention should be given to the improvement of maternal health, since over half a million women, mostly from Africa and Asia, die during pregnancy or childbirth.

The main cause leading to the increase in mortality rate at world level is the absence of qualified personnel to provide maternal assistance both during pregnancy and delivery. This situation must be remedied by investing important funds in the underdeveloped countries, both in training specialized personnel and in medical equipment.

The targets for Romania, as regards the improvement of maternal health, are the reduction of mortality rate to 10 maternal deaths/100,000 births by 2015 and ensuring universal access to health services.

At present, Romania has negative natural growth, with a mortality rate of 12%. By social assistance and information programmes, mother and child services, as well as additional financial support from the EU, the birth rate needs to resume its ascending trend and Romania to remain in the European Union's demographic strategy.

15. Question Time (Commission)

President. – The next item is Question Time (B6-0457/2008).

The following questions have been submitted to the Commission.

Part One

Question No 35 by **Stavros Arnautakis** (H-0546/08)

Subject: Food crises in the EU and protection of European consumers

Following the repeated food crises in Europe, has the Commission decided on specific measures to provide effective consumer protection?

Androula Vassiliou, *Member of the Commission*. – (EL) Mr President, I should first like to thank Mr Arnautakis for his question on the ever topical issue of food safety.

The Commission has many ways of ensuring that consumers and European citizens are protected against a possible food crisis. Firstly, the Commission ensures that the competent authorities in all 27 Member States are promptly and simultaneously warned via the Rapid Alert System for Food and Feed (RASFF).

Secondly, the Commission's Food and Veterinary Office (FVO) carries out systematic inspections in the Member States and in third countries.

Thirdly, the Commission carefully examines all information received from the European Food Safety Authority (EFSA), the international media or other sources.

Where necessary, and especially when food or feed might seriously threaten public health and that risk cannot be dealt with effectively at Member State level, the Commission takes the necessary measures at EU level.

For example, in the case of the Ukrainian sunflower oil contaminated with mineral oil, the RASFF received notification from the competent French authorities on 23 April 2008, which was received by all the Member States. The Commission, through the RASFF, at once notified the other Member States of this incident, and on 10 June 2008 it issued Decision 2008/433/EC imposing special conditions governing the import of sunflower oil originating in or consigned from Ukraine due to contamination risks by mineral oil. Investigations were also launched to locate the source of the contamination.

In addition, the traceability system provided for in Regulation (EC) No 178/2002, better known as the General Food Law Regulation, makes it possible to carry out targeted, accurate product withdrawals or recalls, to supply adequate information to consumers and food business operators, and to evaluate the risks and avoid unnecessary disruption to trade.

The Commission also systematically checks the ability of the Member States' competent inspection authorities to ensure compliance with food legislation, both within and outside the EU.

In Malaysia, for example, the Commission's Food and Veterinary Office identified significant problems in relation to compliance with the requirements for the export of fish products. In the EU, the Commission reacted immediately, prohibiting the import of fish from Malaysia. This is just one of many examples of how the Commission effectively manages to protect the consumer and prevent a food crisis.

The Commission therefore believes its existing legislation provides the necessary mechanisms for effective management of food crises and effective consumer protection.

At the same time, however, we are taking care to ensure a steady improvement in the channels of communication and cooperation with the Member States for this purpose. For example, we are providing new guidelines on using the RASFF, which the Commission is to adopt shortly.

Stavros Arnautakis, *author*. – (EL) Thank you, Commissioner, for your report. Let me say that what European consumers are now experiencing is a loss of confidence. Their confidence has been shaken.

We therefore need to see, from the Commission's side, what actions need to be taken to inform consumers. Indeed, you may very rightly be doing everything you said you would do, and deserve congratulations. However, in Greece, for example, we had the Ukrainian sunflower oil, some of which was consumed by half the Greek population. How can the consumer be protected, and what actions do you intend to take?

Androula Vasiliou, *Member of the Commission*. – (EL) Let me point out that the increasing stir this issue is causing and the warnings given through the RASFF prove that the system is really working.

In the case of Greece and the Ukrainian sunflower oil, a general warning was indeed issued 23 April 2008 that this contaminated sunflower oil was on the EU market. On 5 May 2008, when the Swiss authorities issued a specific warning to our centre here that this sunflower oil was on its way to Greece, Italy and Turkey, among other places, the Greek authorities made the necessary investigations and began to give us the information and withdraw the products.

I wish to stress, however, that we should not confuse the measures the European Commission has the authority to take, and is taking, with the obligations of the Member States, as these are internal affairs.

Of course, you will ask me whether any checks are carried out. Yes, they are. The FVO service, which makes periodic visits to various Member States, checks that the departments are operating, identifies any shortcomings and points them out to the Member States. Naturally, this happens both in Greece and in other countries.

Mairead McGuinness (PPE-DE). – Commissioner, the EU has done a great job in its farm-to-fork system, and consumers should have confidence in it but, as an ancillary point, what about protecting EU producers?

I do not believe that we put the same rigour on imported food products as we do internally. For example, we allow substances to be used externally that we ban within the European Union, and with the new plant protection products legislation we are going to do that increasingly in cereal production. Could I ask you, Commissioner, to address that particular concern, because we might be consuming food in Europe that you could not actually produce in the European Union?

Danutė Budreikaitė (ALDE). – (LT) I would like to ask: what is a food crisis? Could the appearance of an unsafe food product on the EU market be considered a food crisis? In that case, we could be talking about a toy crisis, as toys not complying with safety requirements are known to be sold, as well as a whole range of other unsafe products. How can we define a food crisis? Could it be defined as relentlessly increasing food prices that affect all consumers?

Androula Vassiliou, Member of the Commission. – Let me start with the second question and say that we cannot call it a food crisis if we find a defective commodity in the market. It could be a food crisis if we allow this commodity to circulate freely within the European Union. Then we could have a crisis, because we could endanger the health of our citizens.

But with the system that we have in force and which we apply very carefully and meticulously, we try to avoid these crises. We have managed on numerous (and also on recent) occasions to avoid food crises.

Regarding the controls on products and foodstuffs produced outside the European Union, I have to say that we demand from our trading partners that they apply exactly the same controls as we apply to their internally produced foodstuffs.

That is why, for example, I mentioned Malaysia, where we sent our FVO and they found that the system was not really working properly, and we banned the importation of fish from Malaysia. The same was done in the case of beef from Brazil and, on many other occasions, from Bangladesh.

So we demand from our partners that, if they want to export to the European Union, they abide by the hygiene rules that we apply within the Union.

President. – Question No 36 by **Bilyana Ilieva Raeva** (H-0548/08)

Subject: Road safety

The number of killed and wounded in road accidents is a major humanitarian, health, ecological, financial, social and demographic issue. Additionally, the expenses originating from this tragedy have multiple negative implications for the quality of life, sustainable development and global warming.

In this context, policies should be developed, encouraging Member States to keep the number of victims of transport accidents to levels not higher than the average for the EU.

How would the Commission initiate more decisive measures, such as Community legislation, widening the existing common standards – in particular by introducing a common EU indicator for road accidents threshold to be strictly respected by Member States?

What are the prospects of the Commission studying the possibility of developing a uniform approach to supervision, control and sanctions on EU territory? Can we believe that a future common road safety policy of the European Union will also lead to a common road policing policy, which will improve the quality of road safety control and monitoring?

Jacques Barrot, Vice-President of the Commission. – (FR) Mr President, because Mr Tajani has been held up by a Council of Ministers meeting, I am happy to respond to Mrs Raeva, particularly because the subject to which her question relates is a matter I have had very much to do with personally and which I hold very close to my heart.

In 2001 the European Union set itself the target of halving the number of road accident victims by 2010. This target was recognised by the European Parliament and by the Council. In 2003 it was the subject of a European Road Safety Action Programme, which defined 60 measures aimed at encouraging road users to behave more sensibly, using technical advances to make vehicles safer, improving road infrastructure, making commercial transport safer, improving the treatment of victims and developing the analysis of accident data. To monitor changes in the road safety situation, a number of performance indicators were set up by the Commission: the number of victims per million inhabitants; the rate of seat belt and helmet use; the number

and percentage of people under the influence of alcohol involved in road accidents; the number and percentage of people exceeding the speed limit.

In the area of Community legislation, I should mention the new directive on the driving licence, adopted by the European Parliament and the Council on 20 December 2006. This directive was to improve road safety for young road users and the free movement of citizens within the European Union. We also have a directive on the safety of road infrastructure, adopted after agreement at first reading in June 2008. Then we have the proposal for a directive on controlling traffic offences, submitted by the Commission in 2008 and currently under negotiation in the European Parliament and the Council.

The Commission is also trying to encourage the exchange of road safety best practices as much as possible between Member States. As part of the call for proposals it is participating in funding road safety campaigns and innovative projects in this area, which include several Member States.

Similarly, the Commission is giving financial support to the research plan for projects likely to improve knowledge in specific areas and to give rise to future legislative proposals on reliable scientific bases. The DRUID project (Driving under the influence of Drugs, Alcohol and Medicines) is one example of this, while the fight against driving under the influence of psychoactive substances is becoming a priority in new Member States. Finally, Mrs Raeva, a new European action programme is currently in preparation for the period 2010-2020. This action programme will be the subject of a public consultation at the start of 2009 and will then go through the process of adoption by the Commission.

This was the information that Mr Tajani wanted to provide in response to your question.

Bilyana Ilieva Raeva, author. – (BG) Commissioner, I am extremely happy to congratulate you for the efforts you have made to date in your recent capacity as Commissioner responsible for transport in the European Union, one that you have made in the last few years. Also, thank you very much for the presentation of the summary in respect to the Common European Policy for road safety.

It is precisely in this direction that I would like to ask: „At the existence of indicators, at the definite existence of a very serious initiative on the part of the European Commission concerning road safety in Europe, how is control of the execution of these indicators provided and in what way is it truly guaranteed that we in Europe will have a reduction of fatal cases by at least 50%?“ Because for a country like Bulgaria this indicator is too high. We in Europe definitely need sanctions in case of violation of these requirements.

Jacques Barrot, Vice-President of the Commission. – (FR) Mr President, honourable Member, the supervision, controls and penalties for offences obviously lie within the competence of the Member States.

However, I would just like to remind you that on 21 October 2003 the Commission adopted a recommendation on enforcement in the field of road safety, which defines best practices for controlling traffic offences, and I would particularly like to mention that we have an opportunity, with the European Road Safety Day, to assess each Member State. This assessment highlights the record of some Member States and the weaknesses of others. I believe European Road Safety Day is an excellent way of really shedding light on the performance of the different Member States.

It is true, and you are right to point it out, we have not achieved the performances we had hoped for. We have many concerns about the target, which was to halve the number of victims by 2010. It may be that in the next multi-year programme, which will cover a 10-year period, we can further increase the constraints on Member States.

I would also like to take the opportunity, Mr President, to remind you of how much importance we are attaching to the vote on the directive, which will enable offences committed by motorists in a Member State other than their own to be punished. Impunity for drivers who do not obey the rules when they are in a Member State other than their own is currently too great, and I think this will be a good way of making European citizens behave better on the road.

Thank you for asking this question. I know my successor, Mr Tajani, is also very committed to the issue of road safety, and I can tell you that all your suggestions and action will help us to bring an end to this terrible scourge.

President. – As the author is not present, Question No 37 lapses.

Part Two

Question No 38 by **Emmanouil Angelakas** (H-0525/08)

Subject: Information and education for young consumers

It is a fact that young and adolescent consumers account for a significant part of the markets in goods and services. Young consumers are bombarded by, frequently misleading, publicity campaigns promoting school articles, games, clothes, food, drinks, audiovisual material, etc.

Apart from the Europa Diary, which is already in operation, does the Commission intend to devise a pan-European campaign to inform and educate young people of consumer age about matters which concern them and what methods and means will it use to organise such an initiative? With particular regard to the Consumer Scoreboard, what methods will the Commission use to process the data obtained concerning young people of consumer age and how will the relevant information reach them?

Meglena Kuneva, *Member of the Commission*. – Mr President, the Commission welcomes the concerns expressed by the honourable Member and would like to draw his attention to the fact that existing Community laws on consumer rights already offer considerable protection of young people. For example, the Directive on Unfair Commercial Practices (UCP) aims at protecting consumers, including young people, from practices that harm their economic interests, such as misleading advertising or aggressive practices. Vulnerable consumers, among others younger citizens, are specifically taken into account when assessing unfair commercial practices. The Directive also includes a black list of commercial practices which are prohibited in all circumstances across the EU. For example, the inclusion in an advertisement of a direct exhortation to children to buy products is banned across the European Union.

The Commission will launch a communication web campaign on the UCP Directive in September 2008. This is quite a new directive and will also target young people. The campaign will make use of a dedicated website, including animations, illustrations and quizzes, in order to explain UCP rules in a more interesting and interactive way. To attract consumers' attention, banners and fake advertisements will be disseminated in several key consumer websites. There will be portals for specific categories of consumer, such as young people, virtual communities, music websites and blogs. The information will be circulated on the internet over a period of one month and, although it is difficult to predict for how long this data will be hosted by the partner websites, we expect the information to be available on the web for at least a few months.

The UCP dedicated website which is being created will be accessible to consumers for an indeterminate duration. For the time being, the Commission has no intention of launching a special pan-European campaign to inform and educate young consumers. However, besides the Europa Diary, it is also developing a web-based consumer education tool called Dolceta which contains a teaching module aimed at primary and secondary teachers.

As regards the consumer scoreboard, at the current stage our data do not distinguish between different groups of consumers. It is not possible for the scoreboard to address in detail all markets or all different types of consumer. However, where we have specific data covering younger consumers, for example students, such as Eurobarometer surveys, we will publish the data for this group.

Emmanouil Angelakas, *author*. – (EL) Mr President, Commissioner, thank you for your full and detailed answer. How very reassuring and gratifying that this campaign is being launched online, now, in this month of September.

Let me just ask a supplementary question: is the Commission thinking of prohibiting television commercials directed at children, as has happened in some Member States, where certain children's television advertisements are forbidden until after a certain time – 10 or 11 p.m., I think – before which children watch television?

Meglena Kuneva, *Member of the Commission*. – This information is well known in my DG as well, but actually this falls rather more within the scope of my fellow Commissioner, Viviane Reding, because it is also related to the freedom of information which comes very broadly within the scope of the activities of her DG.

What I can tell you is that we have the TV Without Borders Directive, which tackles such issues, and we have our black list in the Unfair Commercial Practices Directive. The reason why we have such a tool as a black list is that, if there is a need, and if we have enough evidence, we can add a practice to the black list when we agree that it is something which we need to target and ban all over Europe. Of course, such action needs to be evidence-based. So we are fully aware of the problem.

It is not directly part of Unfair Commercial Practices (UCP) but we are ready to look at it if there is a practice which we could consider as meriting inclusion on a black or grey list, and Commissioner Reding is doing her best to be certain that the TV Without Borders Directive is tackling issues like these.

Danutė Budreikaitė (ALDE). – (LT) 55% of food advertisements on TV market unhealthy food products. 80% of kids ask their parents for exactly the same brands of food for breakfast that they have seen in TV advertisements. My question would be: should the European Union shift its focus from advertisements, which are commissioned by manufacturers? Could we find a way of encouraging their manufacturers to produce and subsequently advertise healthier food products?

Meglėna Kuneva, Member of the Commission. – I believe that producers can be induced to produce healthy foods through market tools. If there is a demand from the market, they will respond to this demand. We can say what the producers should produce, but this is not exactly how the Commission should tackle the problem. What we can do is make the information 100% available in a very understandable way. The Commission is working very hard on this so as to have proper information about food-related products.

You say that some of the advertisements are false or expose children to danger. If, for example, a product claims that it could cure you or could all of a sudden make you 10 years younger (which of course is not possible), then it is in my scope and I could deal with it through the Unfair Commercial Practices Directive. Otherwise, when you are talking about the healthy side of food, I should again remind you that this is part of the portfolio of Commissioner Vassiliou. She is doing an excellent job in having this food labelling properly done, through which consumers can make their own choice. That is what we are targeting: having well-informed consumers, and through the educational campaign in which my DG is also very much involved, we can improve market awareness.

President. – Question No 39 by **Marie Panayotopoulos-Cassiotou (H-0530/08)**

Subject: Consumer protection and education

Education policy is the responsibility of the Member States. Nevertheless, products relating to education, training and lifelong learning are objects of commerce, in particular cross-border commerce, and therefore concern consumers. Will the Commission, therefore, say how European policy is formed to protect consumers in regard to the quality and price of such products?

Meglėna Kuneva, Member of the Commission. – The Commission does not have the power to set prices or define the quality of educational products. Otherwise, I really find the question quite relevant. However, consumers are protected under EU laws against misleading or aggressive practice when they purchase educational products.

Under the Unfair Commercial Practices Directive, which I have just talked about, traders must not mislead consumers with false or deceptive information as regards, for example, the benefits of a product, the results to be expected from its use, or the results of tests or checks carried out.

The Directive also includes a black list of practices prohibited in all circumstances: claiming that a product has been approved or endorsed by a public or private body (such as, for example, stating that an educational book has been approved by the ministry of education when this is not the case) is banned outright across the EU.

Furthermore, traders must provide consumers with all the information they need in order to make an informed choice. The Commission has, for example, received a complaint relating to courses to be purchased on an English-speaking website, which were then delivered in another language. Omitting to inform the consumer of the language used for the courses can be considered a misleading practice. It is, however, up to the national authorities and courts in charge of enforcement of the Unfair Commercial Practices Directive to determine, subject to the free movement principles enshrined in the EC Treaty, what information is material on a case-by-case basis, in line with European law.

Marie Panayotopoulos-Cassiotou, author. – (EL) I thank the Commissioner for her answer. Price distortion in relation to product quality is a matter of concern to the consumer. I am not talking about setting the price, but about defining the relationship between price and product on the basis of competition, and also the transportation of educational products from one Member State to another, and cross-border consumer protection.

Do you have any information on cross-border protection when educational products are transferred from one Member State to another?

Meglena Kuneva, Member of the Commission. – Concerning cross-border problems with teaching materials, we have European Consumer Centres whose work is based on consumer cooperation regulation and which are good ambassadors for consumer rights all over Europe.

In the event of a cross-border disagreement between a consumer and the provider of an educational service, book or material, the consumer can approach a Consumer Centre. If the consumer cannot solve the issue directly, the Consumer Centre in his country can help him get a satisfactory solution in the country of origin of the educational services or material.

I do not have with me a full record of all the different experiences and cases in the various Member States, but can tell you that these European Consumer Centres meet together several times per year. It is already a very enhanced and good network, and most of the Centres are very active and able to solve the issues raised by consumers.

Since the question referred to the education sector, the Centres could be asked for information on how they have solved such issues. However, the basic principle is the same, and this regulation is functioning really well.

Paul Rübzig (PPE-DE). – (DE) I would be interested to know how things actually look with regard to online learning. With regard to complaints, would it be possible for the Commission to set up a homepage showing which institutions offering distance learning are associated with problems so that there is greater transparency here?

Reinhard Rack (PPE-DE). – (DE) Time and again we have the problem where very many people in Europe are asking the question: where is European value added? Now, the European Union is admittedly not responsible for educational issues, but we are responsible for quality assurance and consumer protection issues. On this we are also agreed. Would it not be possible for schools and perhaps even the low levels of education to be very consciously addressed here as recipients in the context of the Commission's general information activity? With projects and competitions we can show how Europe provides European value added here. We could perhaps – and in connection with the previous question – thus bring this subject to the attention of the very young.

Meglena Kuneva, Member of the Commission. – I fully and gladly recognise the value of your suggestions and your input. Opening up a little more the scope of my answer, I would like to say that we are at the stage of completion of the internal market, which really is a foundation of the Union. However, so far the market has been very much oriented to business and to having the right conditions for business, and quite rightly so. Now, though, we need to complete the internal market with a second stage in which consumers feel everywhere equally welcome and equally well protected. That is the consumer policy for the 21st century.

I am very glad to report back to you that, in the Consumer Strategy 2007-2015, education aimed at empowering consumers is the first and very basic pillar of the consumer strategy. I cannot tell you more now, but we have tools like Europe Diary, which precisely targets teenagers, and we have Dolcetta, which is a complement to teacher education, but we are very much reliant on the efforts of the Member States.

We need to see this policy from the point of view of subsidiarity. There are countries which are ready to invest more in consumer education and to support the overall Commission efforts. I have written to all the relevant Ministers asking them for their support, because we are at a really crucial stage as regards having an equally well-performing consumer market all over Europe.

In the future we will talk more about how consumers feel in this internal market. That is one very basic remark. Another is that we need to tackle consumer complaints more, and more broadly. We do not have a common base in the European Commission for consumer complaints. Like you we receive many complaints, some of which are despatched from Parliament to the Commission, from your constituencies, but what we need to build on is how to deal with those complaints. The Commission cannot repeat the efforts of an Ombudsman or of a Member State, but if there is a persistent problem in one or other area of consumer policy, we need to tackle it, including with legislation.

There are good examples which show that consumer complaints could really reorient the mainstream of consumer policy. What we are trying to do now is gather such kinds of information using the consumer market scoreboard. The first edition of the consumer market scoreboard took place at the beginning of this

year. We have a special indicator: consumer complaints. We compare the Member States to see how many complaints they are tackling and in what kind of areas. I eagerly await the information from the Member States for the next edition of consumer market scoreboards at the beginning of next year. So, step by step, we are heading in the direction of one internal market for citizens.

President. – Question No 40 by **Giovanna Corda** (H-0545/08)

Subject: Consumer complaints about e-commerce

The findings of a recent European Consumer Centre (ECC) survey have highlighted an extremely large number of disputes involving online purchases (in 2007, 2 583 disputes and 8 834 complaints).

Does the Commission not consider that, in view of the exponential development of e-commerce, it should launch information campaigns to warn consumers against the risks arising from this new form of commerce, and set up urgent and effective procedures to settle such cross-border disputes, especially in the most frequent cases, i.e. non-delivery or delivery of unsatisfactory products?

Meglena Kuneva, Member of the Commission. – This is about the internet, which is a very important issue. The internet presents an enormous opportunity for consumers. It gives them access to better information and expands the size of the market they operate in, giving them access to more providers and more choice.

Already, 150 million EU citizens – a third of our population – shop over the internet. The rapid growth in the number of EU citizens buying online is not matched by the growth in the number of those who do so cross-border, however.

This shows that the Commission is right in addressing the issue, which is linked to consumer confidence with a range of information measures. The online digital user's guide, which is being prepared by the Commission, has to be mentioned. It will be published online by the end of 2008. As a follow-up to the guide, one could consider drawing up guidelines on how to implement the unfair commercial practices legislation with regard to unfair commercial practices emerging online.

Another tool about which we have already talked is Dolceta, which is geared towards educating consumers, for example on distance selling and consumer redress. Educating young consumers who are particularly active online is crucial. The Consumer Diary, with a record distribution of 2.8 million copies (and this information might also be interesting for Mr Angelakas) in more than 18 000 schools this year, includes information on internet use and cross-border redress.

The Consumer Policy Strategy 2007-2013 foresees actions related to consumer information as part of its priority – better informed and educated consumers. The main tools the European Commission uses to inform citizens and stakeholders about consumer policy in this framework are a website, the *Consumer Voice* newsletter and information campaigns. The letter contains e-commerce as a major campaign theme in several newer Member States.

Concerning the second question, which concerns enforcement and redress, the Commission strongly believes that, in order to make the internal market work, European consumers must be confident that they can enforce their rights and obtain redress across the European Union. Complaints relating to e-commerce, including complaints regarding non-delivery of products or delivery of unsatisfactory products, may be addressed under the current EU redress framework that we have already set up for European consumers. This framework includes the ECC-net, the two Commission recommendations on alternative dispute resolution, the recently adopted Mediation Directive, and the regulation establishing a European small claims procedure.

The Commission is also in the process of considering whether an EU initiative on consumer collective redress is necessary and, if so, what type of initiative that should be. I am fully convinced that the screen is a new marketplace.

Giovanna Corda, author. – (FR) Mr President, Commissioner, you have already partly answered the question I was going to ask, about the problems experienced when buying.

The procedures are long, complicated and costly. The damage suffered is particularly great in that it often affects the most disadvantaged among us.

Given that there is a legal void, do you think that European consumer centres have the means to engage in these procedures, collectively perhaps, but also individually, instead of the injured consumers?

Paul Rübzig (PPE-DE). – (DE) It is simply a matter of our being concerned with future possibilities for publicising complaints transparently. If cross-border operations are repeated, the courts and prosecution services also gain access. Do you believe that it is possible to set up a database here?

Justas Vincas Paleckis (PSE). – (LT) Commissioner, in your speech you have very persuasively referred to the expansion of e-commerce and I am quite sure that this expansion is happening much quicker in the older EU states. I would like to ask what is being done to encourage e-commerce within the Member States that joined the European Union in the 21st century, how consumer rights are being protected and what measures are being developed to level off that proportion. One more thing, regarding abuse: are cases of abuse more frequent in the older Member States or the new ones?

Meglana Kuneva, Member of the Commission. – The suggestion of European Consumer Centres going to court on behalf of European consumers is an idea we will discuss in our communication on collective redress before the end of the year. So far, my concern has been to keep our minds open and to have a diversity of opinions before arriving at a final proposal.

We really need to see the whole picture and to use all the instruments at our disposal, including the Directive on Injunctions, which is also one of the tools we can use cross-border in Europe.

I fully agree about the database, which I firmly support. We need it in order to make better policies and better legislation.

My firm conviction is that we need to be evidence-based whenever we are proposing legislation or having our common enforcement actions.

I will continue with enforcement actions in all 27 countries at the same time – the so-called ‘sweeps’ on issues such as airline tickets or ring tones. Websites are normally very good clients in such kinds of cross-border enforcement actions.

Each country is different. We need to have broadband penetration, and we need to have more than a given percentage of the population using whatever kinds of tools they use to enjoy e-commerce, which is usually the internet. I also believe that we can enhance this penetration through cohesion policy, regional policy and the Cohesion Fund. New Member States will have a unique possibility to catch up really fast and sometimes to avoid some of our previous mistakes. They need to go in leaps.

If you have good, targeted legislation which is fully harmonised in all Member States, this will have a tremendous impact in raising both consumer confidence and the level of consumer performance in all Member States. E-commerce is one of the tools for getting a better deal and for having more choice. It is not merely a market tool, but also a very important democratic tool.

President. – Question No 42 by **Colm Burke** (H-0537/08)

Subject: Internal market scoreboard

The full implementation of internal market legislation benefits consumers and industry across the EU. The internal market scoreboard is an effective way of displaying the relative performances of Member States in implementing this legislation. Accordingly, how does the Commission propose fully to communicate the results of this scoreboard to consumers and industry?

Charlie McCreevy, Member of the Commission. – Mr President, I thank the honourable Member for his positive comments about the internal market scoreboard. I agree that the scoreboard results need to be widely communicated. All editions of the scoreboard are available on the Europa website. Paper versions were sent to the permanent representations of the Member States and to the Commission representation offices in the capitals of the 27 Member States. In addition, copies were circulated to other EU institutions as well as the national administrations. Following the publication of each scoreboard, a press release is issued in 21 languages and the results are communicated during a press conference to ensure that they are easily accessible to the national media.

Colm Burke, author. – Thank you, Commissioner, for dealing with this question. I welcome the work that has been done in this area, which relates to the whole issue of the perception of the European Union in Member States.

In Ireland we had a particular problem during the debate on the Lisbon Treaty since, whenever something negative arises, we tend to blame the European Union. Can I just raise one typical example of an area in

which we have no comeback: that of a Member State failing to act on a European Union directive. In Wicklow, in my own area of Cromane, there was a case about eight years ago where funding was made available, under a directive, from Europe to the Irish Government, but no action was taken, and as a result 50 families are now not able to carry out their normal work of mussel harvesting. The local papers blamed the European Union. We have no redress...

(The President cut off the speaker.)

Charlie McCreevy, Member of the Commission. – We have a range of tools available to us for late transposition of directives, which primarily the EU scoreboard deals with. If the Member States continues to be late in transposition, we then of course have the ultimate sanction of taking the case further. But we try to avoid all of that by doing the following: if a Member State has difficulties in transposing a directive, we organise meetings with them, we have seminars and we try to deal with specific questions and difficulties they might have. So we do our best to try and get the transposition effected as quickly as possible.

I agree with Mr Burke when he says that this is true not just in Ireland but in other EU countries as well. There is a marked tendency for all governments to take credit for themselves for the good things that happen, even though they might be inspired from Europe or by an originating idea from Europe. I am sure that those of us who have served in the Irish Parliament or government have often been guilty of that as well. But then when there is anything negative that has any kind of European orientation, of course we blame Europe. So I agree with Mr Burke that there should be more positivity about the good things that we do here in Europe.

When a Member State fails to act in a particular area, we do take the appropriate action but we try to avoid these things if possible by encouraging Member States to get their house in order as quickly as they can.

President. – Question No 43 by **Jim Higgins** (H-0539/08)

Subject: Banking sector in border areas

Can the Commission specify if it is going to investigate the issue of supplementary charges for ATM, debit and credit cards used across border areas, especially in light of the fact that many banks have operations on both sides of the border between Northern Ireland and the Republic of Ireland?

Charlie McCreevy, Member of the Commission. – Users of debit and credit cards in border areas can face three categories of charges associated with card payments. These are: usual charges related to the use of cards independently of the geographic location or Member State; charges for currency conversion if the payment is made between Member States using different currencies, for example the euro and sterling; and third, charges at the point of sale of a cash withdrawal at an ATM.

Looking at the first category, i.e. the normal charges for card users, regulated at European level as far as payment in euros are concerned: according to Regulation (EC) No 2560/2001 on cross-border payments in euro, when a cross-border payment in euro is made between two Member States, the charges levied for such payment should be the same as the charges for a corresponding payment in euro within the Member State in which the card was issued. At the same time, payments by cards linked to non-euro accounts, for example sterling accounts, are not subject to this regulation.

When a euro payment is made between a euro-area Member State, such as Ireland, and a non-euro-area Member State, such as the United Kingdom, supplementary charges may be applied for the currency conversion for payments by cards. The Payment Services Directive regulates the conditions under which the currency conversion shall be offered. However, it is yet to be implemented by Member States.

Finally, card payments can also be subject to a surcharge at the point of sale or to an additional withdrawal fee at privately-owned ATMs. The issue of surcharging or offering a discount on a given payment instrument is, according to European legislation, left to the discretion of the merchant. At the same time nothing impedes the Member States from banning or limiting such surcharges. This is explicitly confirmed in the already mentioned Directive on payment services in the internal market.

The Commission has therefore no legal basis for intervention in the matter of supplementary charges on cross-border payment services in the UK and Ireland. However, the Commission believes that competition on both sides of the border will keep costs at a reasonable level. If market players would reduce or limit competition, the competent national authorities shall intervene in the best interests of the citizens.

Jim Higgins, *author*. – Like myself, the Commissioner is totally au fait with the Irish situation, where 18 000 workers cross the border every day from one jurisdiction to another and where 5 200 students and 1.7 million people either take holidays or go shopping from one side of the border to the other.

I know the Commissioner has said that it is up to national governments and that the banks are not subject to Regulation (EC) No 2560/01, but surely it should be possible to introduce regulations to ban these surcharges. We had a very good example where your colleague, Commissioner Vivien Reding, Commissioner for Information and Media, took a very tough stand with the mobile phone companies – and we can see the result to the benefit of the consumer. It seems wrong that this should be allowed to continue, particularly when there are sister banks on both sides of the border.

Charlie McCreevy, *Member of the Commission*. – This question of additional or supplementary charges on cross-border services has, I agree with Mr Higgins, given rise to some anger in particular quarters.

However, it is up to national authorities to address that issue because – and this was explicitly confirmed in the recently-enacted Directive on payment services – national authorities, in the compromise we reached, wanted to have that issue left to themselves. So the national authorities of the relevant Member States can address this issue if they want, but at that particular stage there was no majority of Member States in favour of action at EU level. That is where the matter rested at that particular time. Like all things in political and economic life, maybe this will change in the future.

So, as recently as the debate on the Payment Services Directive, there was no majority among the Member States to take action, but who knows what proposals will be put forward in the future – maybe a majority will emerge.

President. – Question No 44 by **Dimitrios Papadimoulis** (H-0553/08)

Subject: Sale of the Hellenic Telecommunications Organisation (OTE) and refusal to make a public takeover bid

The Hellenic Parliament has adopted a law ratifying the agreement between OTE and Deutsche Telekom without regard to the provisions of Directive 2004/25/EC <http://www.europarl.europa.eu/sides> concerning the protection of minority shareholders. In refusing to take those provisions into account, the government based its argument on Article 8(g) of Law 3461/2006, which exempts government-owned enterprises which are in the process of privatisation from the takeover bid requirement.

Given that the government owned only 28% of OTE before the agreement, does the Commission consider that OTE was a government enterprise? What is the minimum percentage stake that the government must hold in an enterprise for that enterprise to be considered government-owned? Does the exemption provided by the above law protect the rights of minority shareholders? Are the principles of clarity and transparency respected at Community level in the case of public takeover bids? In the Member States, do the shareholders of companies in which the government has a stake have fewer rights than those of other companies in which the government has no stake?

Charlie McCreevy, *Member of the Commission*. – I should firstly like to underline that the protection of the interests of minority shareholders in listed companies is one of the key objectives of the Community rules on takeover bids. In the event of a change of control in a listed company, all shareholders should be afforded equivalent treatment and minority shareholders should be protected. The Commission is very much attached to this fundamental principle.

Minority shareholders in state-owned companies which are listed are entitled to exactly the same rights as minority shareholders in companies owned by private parties. This principle normally implies that persons acquiring control of a listed company should launch a mandatory bid over the capital held by minority shareholders. However, the Community rules allow Member States to derogate from the mandatory-bid rule in order to take account of circumstances determined at national level.

Greece has made use of this discretion. Its national law foresees that the mandatory-bid rule should not be applicable in certain situations. This includes, in particular, the case where the privatisation process of a company is ongoing. This exemption is general in nature but, as usual, the devil is in the detail.

The Commission does not challenge the fact that the Greek national telecommunications operator, OTE, about which the honourable Member is enquiring, was a state-owned company. Although the state held only 28% of the company, the company was fully controlled by the Government. The real question at issue

here is: how long can a privatisation process be ongoing? In the case of OTE, the privatisation procedure appears to be long. In fact, it seems to be very long indeed. The process, which is apparently still ongoing, started 12 years ago. How long can a company be kept out of the scope of application of the mandatory-bid rule of the Takeover Bid Directive? The Greek supervisor, the Hellenic Capital Market Commission, has decided that OTE is still undergoing a privatisation process and that, in consequence, no mandatory bid was necessary.

In conclusion, when Member States derogate from the mandatory-bid rule, they must nevertheless respect the general principle of protection of minority shareholders and ensure that they benefit from a treatment equivalent to that of majority shareholders. I have yet to see how the Greek authorities will ensure such protection in the present case. Therefore I have asked my services to enquire whether such protection has been achieved and to examine whether the rules of the Takeover Bid Directive have been respected by the Greek authorities in this case.

Dimitrios Papadimoulis, *author*. – (EL) Commissioner, this is precisely the problem. I cannot understand what you have been looking for all these months. The Greek authorities are contravening Articles 3 and 5 of Directive 25/2004/EC; they reject equal treatment and public tendering on the laughable grounds that a company, OTE (the Hellenic Telecommunication Organisation), in which the state has a 28% holding, is a state-owned enterprise.

Will the Commission continue to break the law, contravening the directive on equal treatment and protection of small shareholders? Perhaps, Commissioner McCreevy, you have not read Directive 25/2004/EC, just as you did not read the Lisbon Treaty.

Charlie McCreevy, *Member of the Commission*. – As I have indicated, we are investigating the Greek law and its compatibility with internal market rules, in particular with regard to the free movement of capital and establishment and, if necessary, the case may be proceeded with further.

In this investigation, different Commission services maintain close coordination to ensure that there is a comprehensive analysis of the situation. I can assure the honourable Member that, when we have concluded our investigation, we will take, at that time, the appropriate action if – and only if – our investigation proves that there is a case to answer by the Greek authorities. That is the proper and legal way in which we conduct our business with every Member State, and it is no different now, when we are dealing with the Greek authorities.

When the investigation is complete, we will make the appropriate decisions at that time and pursue it further if it is deemed necessary to do so at that particular stage.

President. – Question No 48 by **Georgios Papastamkos** (H-0526/08)

Subject: Black Sea Synergy

A year has passed since the launch of the Black Sea Synergy initiative. Does the Commission consider that a broad, cohesive, strategic approach to the region has been established? In this context, do the development of sea links and road transport and corridors together with cooperation in the energy sector and the promotion of sustainable development constitute the main objectives of the EU's initiatives? How does the Commission intend to make use of the presence of Member States (Greece, Bulgaria, Romania) in the region?

Benita Ferrero-Waldner, *Member of the Commission*. – The Commission adopted a report on the first year of implementation of the Black Sea Synergy on 19 June 2008. This describes the accomplishments in a wide variety of sectors and formulates proposals to develop the Synergy into a regional cooperation process. The latter include the setting of long-term measurable objectives, and also the selection of lead countries' or organisations to coordinate actions to meet those objectives, and the creation of sectoral partnerships to co-finance the necessary projects.

As the Commission stated earlier, bilateral policies applied in the region – mainly the European neighbourhood policies – provide the strategic framework, and the Black Sea Synergy complements them at a regional level. Neighbourhood policy is at the bilateral level, and this is the first regional complement.

The sectors mentioned in your question are high on the Commission's agenda. These are proposals to establish Black Sea partnerships in several fields, including transport and the environment, and Member States present in the region are particularly active in promoting those initiatives.

The coordination between the Commission and the three Member States has been reinforced both in developing the Synergy and in working with the Organisation of the Black Sea Economic Cooperation (BSEC).

Further progress of the Synergy requires the active involvement of a growing number of Member States and Black Sea partners, and the Black Sea Member States can and do play a crucial role in this.

Georgios Papastamkos, *author*. – (EL) Thank you for your answer, Commissioner. Black Sea Synergy does indeed bear your personal stamp, but you are also aware that the Organization of the Black Sea Economic Cooperation (BSEC) is now a mature institutional structure for regional organisation; its cooperation is indeed intensifying and broadening. This is especially so because Europe and Asia meet here, and they do so at many levels.

I should like to know one thing: beyond this Black Sea Synergy initiative, does the Commission intend to plan the structure of inter-regional relations between the EU and Black Sea countries within a stricter institutional framework, so that an institutionally safeguarded form of inter-regional cooperation emerges?

Benita Ferrero-Waldner, *Member of the Commission*. – On the Black Sea synergy, the idea was to have the eastern partners – all of our eastern partners – plus Turkey and Russia and, since they were already in this Black Sea economic cooperation, we felt this was the right way.

But you also know that we have been asked by the European Council to have a specific eastern partnership as well, and we will be working on that – indeed, my services and I will, in late autumn, propose something more specific only with the eastern partners, without Turkey and Russia. But I wanted to say again that I was in Kiev on 13/14 February, where the first ministerial meeting took place. You must understand that this was the launching of the conference. Of course it always takes time for projects to be finalised and to make real progress.

You will remember how long we have been working on the Barcelona Process and you know how slowly things develop, so I think there is still scope for the Black Sea cooperation on the one hand, but there will also be this narrower scope of the eastern partnership.

President. – Question No 49 by **Robert Evans** (H-0533/08)

Subject: EU election observation missions

The Commission spends considerable sums of money on election observation missions around the world, performing a hugely valuable role in some of the most challenging countries.

What long-term assessment of these missions does the Commission make? How can we better help and support countries in addressing deficiencies noted in one election so as to assist preparations for the next?

Benita Ferrero-Waldner, *Member of the Commission*. – I would agree that EU election observation missions (EOMs) everywhere in the world represent money well spent. Over the past eight years EU observers have been reporting on crucial elections, thereby contributing to reducing conflict over the electoral outcome or highlighting areas requiring urgent electoral and political reform. As such, these are achievements which have an impact in the longer run.

The European Union is now widely seen as one of the most credible international election observers. I know Mr Evans himself has just come back very recently from the Sri Lanka elections. I think he will also have his own ideas on what worked well, and maybe on what has to be done for the future. The Commission will therefore continue to prioritise the EU EOMs, and as long as I am there I will try to do that.

Having said that, however, election observations are not and cannot be actions standing on their own. Election observation is not an objective in itself but should also contribute to addressing deficiencies in the electoral framework, and also to triggering institutional and democratic reform in the longer run.

The reports of the EOMs are a key entry point for addressing deficiencies in the electoral framework. They have a long-term perspective by definition. The recommendations of the EOMs usually identify possibilities for electoral change, for instance in the regulatory framework or in the management of the elections. They are increasingly embedded in a broader electoral support strategy, thereby enhancing the long-term impact.

With reference to other recent EOMs, I can confirm that, for instance in Rwanda, in Cambodia or in Yemen, we have been giving support to the respective electoral commissions. These projects resulted, then, directly from previous EU EOMs, which had identified a number of deficiencies in the electoral framework. But, in

the same context, over the past years the Commission has also substantially increased the financial contributions for electoral assistance, thus building on the recommendations of the EU EOMs. This is now EUR 400 million since 2000, so this is quite a good amount.

A lot of valuable work setting the stage for electoral reform in follow-up to an EU EOM is also done by delegations of the European Commission in the country, and of course by the chief observers when they return to the country to present their final report.

Finally, as electoral reform is often very political in nature, it does not always happen very easily, and requires different actors and continuous involvement. I believe that, in addition to the chief observer, Parliament can play and very often does play a relevant role addressing electoral reform in the follow-up to the EOM.

I would therefore encourage the regular EP delegations to a country to get more involved in the matter as well, by then addressing deficiencies in the electoral framework in a context of broader institutional and democratic change. This has been the content of a first seminar between the Commission and Parliament and there will be another one later this year, I think it will be in December, between Commission and Parliament.

Robert Evans, author. – I thank the Commissioner, and agree with her that the election observations are some of the most useful work that the European Union does. It is high-profile work in those countries, and almost without exception it is money well spent. I have been very proud to go on a number of election observation missions over the years, most recently in Pakistan. I was actually in Sri Lanka for a delegation visit.

But I wonder if I can push the Commissioner slightly on one point: during the four or perhaps five years between one election observation mission and the next, does the EU actually offer specific help and suggestions to address any deficiencies or areas where we think that there may be a need to improve and that we can offer ideas, support and perhaps finance to make sure that countries do not repeat in one election the errors they may have made before?

Martin Callanan (PPE-DE). – Mr President, I would also like to agree with Mr Evans on the value of election observation missions. I too was honoured to be appointed by the Commissioner as the chief observer in the recent elections in Cambodia. I thought that the missions – as do all of the election observation missions – proved a very useful aid to the Cambodian authorities in the conducting of their election missions.

My request to the Commissioner is that she look to the resources that she has available to do even more of these missions in the future, if possible, because I also agree that they are an extremely valuable, attention-raising measure. They are highly valued by the countries where they take place and also by the heads of state in the various missions.

Benita Ferrero-Waldner, Member of the Commission. – Firstly, may I just say that recommendations for the long term and for the next elections are precisely the area on which we should all work together more.

This is because some countries have taken up those recommendations while others have not, and the recommendations should enter more into our country reports and into the evaluation by the delegations and by the European Parliament delegations.

In response to the second question, if there were a much bigger budget, then we would go to many more countries, but I have to make a selection. I try to make a selection according to the budget, which has to cover Africa, Asia, Latin America and, as long as we are invited, the countries of the Maghreb and Arab countries, where I think we should go more often, because owing to our – in principle – objectivity, we have a very good standing.

President. – Question No 50 by **David Martin** (H-0543/08)

Subject: Israel withholding Palestinian tax funds

What action has the Commission taken to stop Israel from withholding Palestinian tax funds?

Benita Ferrero-Waldner, Member of the Commission. – I believe the honourable Member is referring to the delay in the monthly transfer of customs revenues which Israel collects on behalf of the Palestinian Authority. The last delay dates back to the month of June, and it followed almost immediately the sending of a letter by Palestinian Prime Minister Fayyad in which he objected to the ongoing discussions on the further development of relations between the EU and Israel.

At the time, the delay in transferring tax and customs revenues was raised at the highest levels, and I myself also raised this question with the Foreign Minister.

I asked Israel to execute the payment which was due to the Palestinians and, finally, I must say – and I can say – the transfer was made a week later than normally.

Since then, no further instances of delays in transferring tax funds have been reported to the Commission.

David Martin, author. – I thank the Commissioner for her reply and for the fact that she did take action, and the action came after I put down the question. She will understand that there is a long delay between putting questions down and getting answers.

But I want to reinforce the point that this money is Palestinian money. It is not under any circumstances Israeli money for them to withhold. Holding on to it is tantamount to theft, if not of the money then of the interest. It is used regularly as blackmail against the Palestinians, and I hope the Commission will continue to press the Israelis to release this money as soon as it is due to the Palestinians, rather than using it as yet another political tool.

Reinhard Rack (PPE-DE). – (DE) It is good that this problem was apparently able to be resolved quickly and promptly. Just one query: on many occasions at that time we had the problem of the Palestinian Authority using money in a way that possibly conflicted with the intentions of the donors. Have these problems also been sorted out in the meantime?

Benita Ferrero-Waldner, Member of the Commission. – In response to the first comment, there have indeed been long delays in recent years regarding Palestinian money – and I agree with you that it is Palestinian money – but I have always tried when it was necessary – and very often the Palestinians asked me to do so – to intervene personally in order to get the money unblocked. This could take a long time and there were periods when it was really very difficult, but I always tried. I agree with you that this also has to be done in the future.

Mr Rack, I can definitely assure you that the method by which we send our money to the Palestinians – previously through what is referred to as the TIM, the Temporary International Mechanism, and now through the PEGASE financial mechanism – is designed to give us full control. I believe this was also the substance.

Incidentally, even the Israelis have now used this Single Treasury Account in order to transfer Israeli money. With Salam Fayyad as both Finance Minister and Prime Minister, we also have someone here who has the confidence of the international community. However, we have carried out our own inspections in the main and I am giving this matter a lot of attention, as far as I am personally able. My delegation has built up its own system and its own team here so that no irregularities occur.

President. – Questions which have not been answered for lack of time will be answered in writing (see Annex).

(The sitting was suspended at 7.10 p.m. and resumed at 9 p.m.)

IN THE CHAIR: MR MAURO

Vice-President

16. Trade in services (debate)

President. – The next item is the report (A6-0283/2008) by Syed Kamall, on behalf of the Committee on International Trade, on trade in services (2008/2004(INI)).

Syed Kamall, rapporteur. – Mr President, firstly I would like to pay tribute to the shadow rapporteurs and their group advisers for their useful input on this report. I think we had some very interesting debates and we did not always agree. But at least we managed to conduct the discussions in a very civilised manner.

I would also like to thank the International Trade Committee secretariat for their input and, while I am on my thank-yous, I would like to thank all the DG Trade officials for their useful advice and suggestions.

Clearly the European Union, as the largest exporter of services, has a strong interest in opening new markets for services. However, my personal interest in this subject is more focused on how services can be used as a tool to help the poorest people out of poverty.

But before we do that, let us remind ourselves of the importance of services. Services represent 75% or thereabouts (there is some debate/disputes over the exact numbers) of the EU's GDP compared to only about 2% for agriculture. In Africa, services represent 52% of GDP and rising compared to 16% for agriculture. So, given these figures, it is a real shame that so much emphasis was placed on agriculture in the DOHA development round when it is really the opening of trade and services that promises to take so many people out of poverty. That is why I was prepared to accept amendments stating that negotiations on trade and services would not only serve the interests of the EU, but the economic growth of the poorest countries.

We should not forget what development actually means: it is taking people out of poverty, and we can achieve this by encouraging entrepreneurs to create wealth and jobs.

In many of the poorest countries, entrepreneurs tell me that they are desperate to tackle poverty. But what they really need are banking services for getting that cheaper loan to be able to expand their business and employ more people and create more wealth locally; insurance services, making sure that when their life or their business is ruined and something goes wrong, they have something to fall back on; legal services, enforcing those contracts made with partners; and communications services, knowing the best prices at local markets, deciding when to go to local markets and actually get into local markets.

However, we should all recognise that where governments through no fault of their own are unable to provide basic services such as health, education and water to the poorest citizens, then entrepreneurs must have a role to fill in the gaps in service provision.

Unfortunately, trade in services only accounts for about 25% of world trade but has a potential to create so much more wealth and jobs. But let us turn to some of the contentious points in the report.

One of the points of debate has been over the so-called 'services of general economic interest', but we should remember that different countries define these in different ways. Some countries believe that health, education and water should only be provided by the state. Others have turned to non-state players. In Ethiopia, Nigeria, Kenya and Uganda, more than 40% of people in the lowest economic quintile receive their health care from private providers. Surely we should be encouraging more investment in these sectors.

In education, I urge my colleagues to look at the work of Professor James Tooley of Newcastle University. He began his research at the London-based Institute of Education with the belief that private education was actually an abomination. However, he soon found out, perhaps counter-intuitively, that private schools could provide a better education to the poor. When a survey was conducted of state schools in India, some were simply shut. In some, teachers did not turn up and in one case a teacher made his students make tea for him all day long. So the working poor voted with their feet. They saved up to pay for private education, not in a steel and glass tower, but usually a simple room above a shop. These schools then subsidised free education for the non-working poor.

What is wrong, I ask, with encouraging trade in these services when it helps the poorest? Now I hear some Members of this House who believe that only the state can provide these services and it should be on a monopoly basis. And even where there is state failure or where the state collects insufficient revenue to provide these services, they do not believe that non-state players should be allowed to fill in the gap. Would they rather see the poorest people have no access to water? Would they rather see the poorest people have no access to education? Would they rather see the poorest people have no access to health care, rather than go to a private provider?

The next point of contention has been over sovereignty. Now, I agree with those who say that we should not force the opening of trade and services down the throat of our negotiating partners. But surely we should agree that where a country decides to liberalise what we may consider to be a service of general economic interest, we have no right to tell them not to liberalise their markets.

I have to say, though, I have been disappointed by some of my colleagues: some Members of this House believe that we should actually tell developing countries to close their markets. It should not be about private versus state. It should not be about local versus foreign providers. It should be about what works. Instead I believe we should all work together to bring down trade barriers that condemn the poor.

We should work together to end state monopolies that leave many of the poorest without essential services and we should be always be a friend to those entrepreneurs who want to tackle global poverty by creating wealth and jobs through increased investment in services.

Peter Mandelson, *Member of the Commission*. – Mr President, I am grateful to the European Parliament for this report. As it reflects, services account for the largest share of GDP in developed countries. The liberalisation of trade in services is therefore of key importance for our economic growth, as it is for developing countries, where services are not sufficiently advanced.

I largely share the views that are expressed in this report. They are in line with our global Europe strategy. It is built on an ambitious multilateral agenda and on a carefully crafted set of bilateral agreements. We are fully committed to the development dimension of the multilateral trade round and, as the report affirms, we see a multilateral deal on services as positive, both for the interests of the EU as well as for those of poorer countries.

I welcome the encouragement of the report for an ambitious level of commitments in the ongoing and upcoming negotiations for bilateral and regional agreements. We take careful note of the recommendations of the report for the different ongoing negotiations that generally touch upon the sectors that our services industry considers of importance.

Allow me to make a general reflection on the negotiation of services agreements which is applicable to both bilateral and multilateral deals. There is no easy fix for negotiations in services, no simple formula that can apply across all service sectors and all countries. These negotiations involve addressing the complex and often detailed set of regulatory frameworks of countries in areas as diverse as those reflected in the last section of your report – from financial services to health care or education. We ought to do that in a non-intrusive way that preserves the right of third countries to regulate the different services sectors domestically as they wish, while opening them to external supply if competition is favoured. There should be no discrimination.

We acknowledge that some services sectors account for a larger share of GDP than others and that, to this extent, the liberalisation of their trade may have a larger impact on our overall welfare. However, in prioritising any given sectors, we also have to take into consideration, amongst other factors, the relative specialisation of our EU countries and regions in different sectors.

Finally, let me offer a reflection on the multilateral process. Your report welcomes the announcement of a signalling conference on services as part of the DDA ministerial negotiations. We actually pushed very hard for this event, which took place in July in Geneva. It was a relative success. We did not hear all the signals that we would have liked, but we heard enough to say that WTO members and several of our target countries understood the importance that we attach to a satisfactory market access outcome in the services sector.

I have no crystal ball to see where the multilateral talks in the DDA will go from where we left them in July. We are in the situation where one issue – the special safeguard mechanism in agriculture for developing countries – has provided the proximate cause of breakdown, even if there are other issues that also need to be resolved. So support for the outline modalities deal as a whole is very fragile and not just a question of the US and India resolving their differences in agriculture. I feel as if we have a priceless, wafer-thin vase of great craftsmanship in our hands, but which now has to be carried from here over a very slippery floor. One false move and the whole thing could crash into many pieces. So we need to be careful of the moves we make. We cannot stand still but, equally, it is difficult to move forward.

We stand ready to re-engage at whatever level is useful to make sure that we do not lose what we had achieved and which remains on the table. But there has to be genuine political commitment by others to participate in a negotiating process. In this context, the progress made at the Services Signalling Conference will not be lost. The signals made threw some light on the flexibilities that our key trading partners have in the services field, and this is precious information.

The best contribution that we can all make in the current circumstances of the breakdown in negotiations in Geneva is to be realistically positive and explain how big an opportunity we may miss if we fail altogether. Your report, therefore, is timely, for it sends a clear and balanced message on the importance that the liberalisation of trade in one of the key areas of a DDA deal – services – would have, both for us and for our partners. I look forward to continuing my cooperation and dialogue with Parliament, both in this area and other areas of trade policy.

Olle Schmidt, *draftsman of the opinion of the Committee on Economic and Monetary Affairs*. – (SV) Mr President, trade in services has today become a necessity for all economies. It is impossible for any country to achieve economic success with an expensive and ineffective service infrastructure. Therefore I would like to express my great thanks to Mr Kamall for an excellent and important report.

Producers and exporters of textiles, tomatoes and other goods will not be competitive if they do not have access to an efficient banking system, efficient insurance companies, accountancy firms, telecommunications and transport systems.

The opinion of the Committee on Economic and Monetary Affairs emphasises that access to financial services such as micro credits, access to basic banking services and international bank transfers are necessary for individuals in developing countries to engage in basic economic activities and start companies.

The Committee also maintains that the particular nature of the financial sector demands considered solutions in a globalised world. This is also something which Commissioner Mandelson himself was talking about. If our partners in the negotiations, primarily the developing countries, say no to the opportunity of opening up the service markets, this will impair their chances of economic development.

To those of you here in this assembly with doubts, I say: look at how your own countries have developed! Development of trade in goods has gone hand in hand with the development of trade in services. To the advantage, Mr President, of all citizens!

Zbigniew Zaleski, *on behalf of the PPE-DE Group*. – Mr President, behind the socialistic approach to non-liberalisation of this market is the fear that if the service is given into private hands the state will lose power over it, and something would be wrong. Fifty years of Communism has shown that this is not the case. Competitive services in tourism, finance and transport – to make things available – and in education and training are a big challenge, and a hope for helping poor countries to develop.

How do I see that help for development if we compare the market for goods – tangible things – and services? Services are people doing activities. They give the chance to transfer knowledge. It is not about giving a fish but a fishing rod, as we used to say in this House. What is more, it gives the chance to release personal initiative, innovation and more involvement in various activities. Also, the services market is more capable of adapting to cultural demands, it is more flexible and it can adapt more easily to the exigencies of local regulations, which would have to be observed in any country. Through this it can diminish unemployment. On the social level it can achieve greater involvement of people from different backgrounds and social classes.

We are talking about water, education and health, and why not? The 50 years of Communism and recent changes in my country prove that liberalisation is a force for good rather than for bad, and I strongly support it.

Françoise Castex, *on behalf of the PSE Group*. – (FR) Mr President, Commissioner, ladies and gentlemen, I would first like to thank the rapporteur for the quality of her report. It has given us the opportunity for a new in-depth debate on trade in services. We have been able to define convergences and identify some points for discussion. We will see whether these constitute serious divergences at the end of the debate and the vote.

Whether we are talking about the internal market or external trade, we agree on the fact that the services market accounts for the largest share in the creation of wealth and a quarter of world trade. It is indeed possible that this economic sector still has growth potential for the European Union. It is therefore legitimate to include the services market in bilateral and multilateral trade negotiations. However, we will have to define the principles and terms of the market for trade in services.

The first point my group wishes to highlight is that a distinction must be made between the services market and the goods market. Services are not like goods, for a number of reasons. Firstly, services are not of the same nature; some are linked to fundamental needs and rights. We very much believe in the need to make a distinction between commercial and non-commercial services, whether in healthcare or education. Vital services such as water and energy must also be thought of as having a special status.

Services are not like goods because trade in them often very directly involves human endeavour and not just the virtual trading of a technology. Although they potentially create jobs, they are also the sector in which we find the most informal employment and the greatest precarity. I am therefore delighted that the report states that the rules of trade must respect the employment standards drawn up by the ILO. In our development goals we must also fight against precarity and poverty.

Finally, we have not lost sight of the Doha objectives and international trade as a vector of development. This notion commits us to taking account of the differing interests of the Member States and developing countries when negotiating commitment schedules and economic partnership agreements. The European Union must take account of the stages of development, pace and wishes of countries when opening up services markets, particularly when liberalising some of their services. I am thinking particularly of financial services. Exerting pressure on third countries over their way of conceiving of and regulating their services is out of the question. The sovereignty of these countries must be respected when it comes to issues as sensitive as public services and financial services.

I do not know if we will reach a total consensus on this question. It is possible that this is a subject that divides right from left in this Parliament.

Ignasi Guardans Cambó, *on behalf of the ALDE Group*. – (ES) Mr President, this report clearly highlights the importance of services in our economies, and the importance of gradually liberalising them.

The truth is that it has been interesting for this shadow rapporteur to follow this debate, which has confirmed why some of us are sitting in the centre of this House and not at one end or the other, why some of us sit here, in the middle.

What is it that really differentiates us, putting it kindly, from people who continue to hold to a strict idea of what services are, of what can and cannot be privatised, from people who are still allergic to the idea that some services can be provided very efficiently by the private sector, often more efficiently than by the public sector, often even irrespective of how developed the country is, from people who still want to force the State to carry a great deal of weight in less developed countries, as if the answer to all their problems were for the State to be in charge of it, without taking into account that the State carrying this great deal of weight is often what is behind the enormous power that corruption has in those countries?

A few notes, a few strains of mistrust towards free competition, free enterprise, and the possibility of citizens receiving services through society itself via the free economy.

This is what we have heard in this debate. However I would also like to make it clear, and this is why we are in the centre, that we also do not entirely agree with the feeling that we sometimes get that the rapporteur — although subsequently he was generous in accepting amendments from other groups — does not really have, or at times may not have had sufficient sensitivity to assess what the general interest means, to understand that not everything is subject to the rules of the market, to understand that the Member States do of course have to have and retain the freedom to protect certain services outside of the pure market, in a regulated form or by providing them solely through the public sector.

What are those services? We cannot say. Even in Europe we are not unanimous about what the general interest is: there are different solutions to the weighting of the public and private sectors in waste collection, education, water, funeral services, cemeteries, public transport and the postal service even within Europe. However, it should be understood that education, health, etc. have a dimension that cannot be submitted purely and strictly to private enterprise.

Let us therefore promote the liberalisation of services; let us understand that by doing so we are improving the services that citizens receive. It is important for the European Union to take the initiative on this in all of its trade agreements, especially when we are seeing the collapse — which we do not know whether it is temporary or permanent — of the Doha Round, and of the multilateral framework as a whole in this area.

The European Union therefore has a considerable responsibility in demanding this increase, in practically forcing the liberalisation of services, even in less developed countries, but of course respecting their freedom and understanding that this needs to be accompanied — and I will conclude here Mr President — by very strong regulation. In many cases liberalisation needs to be accompanied by regulation, and clear rules, respecting the freedom and autonomy of each of the Member States to decide on what, for them, due to tradition, the reality of the population, or the reality of the circumstances, should continue to be part of the public sector.

Cristiana Muscardini, *on behalf of the UEN Group*. – (IT) Mr President, ladies and gentlemen, on behalf of the Union for Europe of the Nations Group, I would like to congratulate Mr Kamall on his excellent work. The services sector — as he himself acknowledged — is the most important sector almost all over the world. Even in Africa and Asia it is the most important component of GDP. However, this strategic sector must now be the driver for economic growth, particularly in countries where there is still a lack of development.

The report does well to comment on the significant growth in trade in services as a vehicle for greater welfare and stability, particularly for countries that still need to develop. Trade in services also means a knowledge transfer between countries and citizens. The freedom to carry out such trade, provided that it is contained within a set of shared and respected rules, is therefore fundamental for any growth strategy. However, no one should try to export or import models for others: each developing country must adopt the proper timescales for its own growth capability.

Therefore, the new road to liberalisation must take into account the fact that governments must satisfy the needs of citizens and not – as has sometimes happened in Africa, unfortunately – sell the opportunity to provide services to public companies linked to the governments of other countries when they are unable to provide their own people with basic services such as water or energy, because clearly there is the risk then of economic, political and security problems, even at international level.

The failure of the Doha Round has unfortunately punished everyone: the European Union, industrialised countries, but above all – we believe – the poorest countries. Therefore, we hope that with this report we can send out another strong message that we are embarking once more on the harmonious development of the whole of society.

Caroline Lucas, *on behalf of the Verts/ALE Group*. – Mr President, let me start by thanking the rapporteur for his openness and cooperation. However, having said that, our group will not be able to support this report in tomorrow's vote, partly indeed because of this presumption that trade in services is essentially exactly the same as trade in goods. As Mrs Castex has already said, that simply is not the case. We cannot agree with that, not least because trade in services almost always requires changes in national legislation or in implementing regulations, which often go to the very heart of the social fabric of a society, especially if it concerns basic services on which people depend.

It also goes against the evidence that WTO members themselves increasingly distinguish between trade in goods and trade in services. At the last WTO ministerial meeting just a few months ago in July in Geneva, a group of Latin American countries even circulated a proposal to remove health care, education, water, telecommunications and energy entirely from the WTO, exactly on the basis that these are essentially public services and they are human rights which should not be treated as tradable commodities. Finally, the report does quote quite selectively some positive national examples of liberalisation and basic services, but it does not refer at all to the very many devastating examples which could equally well have been cited and which we ought to be mindful of as well.

The issue that I want to focus on is the problem of the liberalisation of financial services. No issue has dominated the headlines more this year than the global financial crisis. It is widely agreed to have been facilitated by a lack of adequate regulation in financial markets. Yet, in the WTO negotiations on services, further deregulation and liberalisation of financial markets is being sought by richer countries, and indeed this report entirely supports that proposal. It does seem a bit ironic to me that the WTO Director, Pascal Lamy, has called for a conclusion to the WTO agenda as a solution to the global financial crisis when its actual policies would, by any objective estimation, probably be much more likely to contribute to further financial instability.

I am disappointed that all our amendments that would have required at least a pause in further liberalisation of financial services until the financial stability forum has issued its recommendations about some basic new regulations such as capital requirements and cross-border liquidity – this was just a fairly mild request that we should wait for that – have actually been rejected. For that reason we have retabled those amendments and we would certainly ask you to support them.

Helmuth Markov, *on behalf of the GUE/NGL Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, the report's consensus is the common conviction that a multilateral system of standards and regulations is important and necessary, that trade and development must not show any contradictions and that the European Union has a particular responsibility, given its economic weight in shaping international economic relations.

There are fundamental differences in approach, however. Admittedly, it is important essentially to improve worldwide access, quality and the choice of services, particularly in developing countries. This cannot be achieved, however, with a blanket concept of competition, liberalisation and privatisation, especially in the public sectors (water, health, education, energy and passenger transport).

Much less is the deregulation strategy, which the Commission is pursuing in multilateral and increasingly also in bilateral negotiations, the right way to boost global sustainable development, because this mainly

targets worldwide access for European enterprises operating transnationally and concentrates far too little on small and medium-sized enterprises.

One further point: the European Union would like to conclude free trade agreements, which also apply to foreign investments, with countries like China, Korea, India and the ASEAN and ACP countries. Germany, in contrast, is currently introducing a law by which the proportion of foreign voting shares in a German enterprise can be limited to a maximum of 25%. When Bolivia thought that the far higher proportion of foreign capital in its natural gas production had to be limited, Europe screamed blue murder.

My group is convinced that every country has to decide for itself when, according to which rules and to what extent it wants to open itself up to global competition. President Arias said today: we need an asymmetrical approach. That is the bottom line.

Georgios Papastamkos (PPE-DE). – (EL) Mr President, as the rapporteur and Commissioner Mandelson have said, services are one of the most dynamic sectors in both the European and the global economy. However, we must acknowledge that there is considerable scope for strengthening the international services trade, with the benefits that this would bring, both for companies and, even more so, for the consumer.

In terms of export trade, the service sector is also particularly important for the developing countries. The progressive opening up of their markets, based on the principle of differential treatment, may contribute to the transfer of technology and know-how and to an improvement in their infrastructures.

The primary targets for the EU are the binding consolidation of at least the status quo as regards access to markets, and their further liberalisation. What is needed, in my opinion, is a reduction in the obstacles encountered by European companies, and the securing of greater transparency and predictability in foreign markets.

The level of offers and the general course of WTO negotiations have so far been disappointing in the service sector. Bilateral or interregional negotiations on ambitious free-trade agreements are becoming a necessary addition to the multilateral framework, especially since the failure of the negotiations in July.

In the negotiations on the further opening of the markets, it will be necessary to secure the regulatory right of the EU itself and of its trading partners, especially in the areas of public services and services of general interest.

Carlos Carnero González (PSE). – (ES) Mr President, I would like to say to Mr Zaleski and Mr Guardans that, as they know, there is a famous painting by Goya entitled 'The dream of reason brings forth monsters', and sometimes the dream of liberalisation, with the strict rules of the market, can bring forth inefficiency and inequality. When we are talking about services, we need to keep this very much in mind.

Let us imagine, for example, a poor country in which education is not functioning well, where it is decided that external actors will come in order to supposedly provide the children of that country with a quality education. How can we be sure that those private companies will not do this with the aim of becoming a monopoly, or an oligopoly, or fixing prices that are not accessible to the consumers, in this case the pupils, and also end up providing poor quality education? Who can assure us of this? Because it could happen. In that case we would not be in a situation of free competition, but in a situation of entirely regulated competition in private hands.

We therefore have to say a very clear yes to the privatisation of trade in services, while distinguishing public services and services of general economic interest, ensuring that criteria and rules on accessibility and quality are fulfilled, and that, of course, the social criteria are clearly present.

Strengthening economies means strengthening the Member States – those that are open to the rules of the market, but without putting citizens solely at the service of those who are more capable of applying them.

Mieczysław Edmund Janowski (UEN). – (PL) Mr President, Commissioner, I would like to acknowledge Mr Kamall on account of his very good report. Congratulations!

It should be stressed that market access and free trade in services are of fundamental importance for economic growth and reducing unemployment. Our states and regions are benefiting from this solution. This benefit also covers partners from outside the EU, especially poor countries. Negotiations under the Doha agenda should lead to the appearance of a harmonised services package, including financial services, in respect of which the EU is most open and transparent.

This openness should, however, go hand in glove with mutuality and respect. In this context we should also take a look at what are known as 'tax havens'. Regulations that are adopted should bear in mind the need to encourage competition, thus lowering prices and raising the quality of services, while on the other hand combating corruption and market monopolisation.

Here I would like to point out that trade in services more and more often includes high technologies, IT, cultural goods, etc. Services provided via the Internet need special care. Intellectual property rights and personal data protection must be guaranteed and there must be protection against fraud, trade in pornography and other criminal actions. An ageing society and the disabled require increasing volumes of health and care services. We must therefore envisage an increasing number of immigrants working in these fields. The current political situation should also draw our attention to energy and communications services.

We have heard that everywhere in the world services play a very important part in GNP. The global trade in services reveals a growing trend and already accounts for a quarter of services. Let us hope, then, that we can manage to create a system of clear and fair rules that ensure that all parties are treated equally. This will not be easy, but then, who said we should only have easy tasks to deal with?

Jens Holm (GUE/NGL). - (SV) Mr Kamall calls for the far-reaching opening up of the service markets in developing countries. Unfortunately this is entirely in line with the EU's current trade policy. For example, Mr Kamall wants what is currently carried out by local companies or the public sector in developing countries to have competition from multinational European companies.

This is a policy which has already been tested in Europe. My country, Sweden, was one of the first countries to deregulate its energy, electricity, rail and postal services markets. Today we see the result: higher prices, poorer maintenance, and also often poorer service. A few monopolies can now extract unprecedented profits from what was previously under common ownership.

Is this a development model we should sell to the developing world? No! Fortunately there are countries which do things differently! Norway, which is independent of the EU, has withdrawn all demands under GATS to liberalise the service sectors of poor countries. In general, Norway has raised its voice against the laissez-faire policy which the EU pursues within the WTO. This inspires hope. The EU should put the needs of poor countries first, instead of calling for deregulation and privatisation.

Daniel Varela Suanzes-Carpegna (PPE-DE). - (ES) Mr President, I would like to congratulate my colleague Mr Kamall on his report, in which he highlights the need to develop an international services market that takes into account the different situations of developing countries, without forgetting that the conditions must be fair for all parties.

On the one hand, there is the great potential for the European Union to open up its services sector to new markets, in which it has a major comparative and competitive advantage at global level: the development of new channels for the sector, one of the main tools with which Europe can face up to the challenge of globalisation.

On the other hand, it has many advantages for developing countries.

Firstly, benefiting from the European Union's knowledge and skills in this field, which they need in order to develop their own economies, especially in basic and cross-disciplinary sectors such as financial services. It would therefore facilitate the transfer of technology from European institutions and businesses. The existence of a more favourable economic framework would cause a 'call effect' of investment from other parts of the world; therefore the benefits for their economies would be multiplied.

Secondly, the progression of the negotiations would improve conditions, both for those who want to provide services and for businesses who want to establish themselves in Europe.

I would like to highlight in the report the need for the ILO's fundamental rules to be complied with, especially with regard to child and forced labour, because there should be openness with asymmetry, yes, but while respecting the rules of fair competition and fair play; never forgetting the interests of our businesses.

We need to ask for more commitment, in particular from the big emerging economies, China, India and Brazil, always within the framework of the World Trade Organisation. The report mentions specific situations with different trade blocks such as ASEAN, the Gulf States, India and Korea. There is one area missing from the report, whose level of development and economic situation are ideal for developing our services sector. I am talking about Mercosur, and within it, particularly about Brazil; I was rapporteur for a report on the

status of the negotiations with that country in Parliament. Therefore, even though it does not expressly appear in the main points of the report, I did want to mention it so that it would also be included.

Glyn Ford (PSE). - Mr President, I would like to acknowledge the enormous amount of work my colleague, Syed Kamall, has put into this report on trade in services, but I am afraid I cannot unreservedly congratulate him on his work, as I have fundamental disagreements with some elements of his approach.

The key issue is services of general economic interest. Here, normally in the European Parliament, between the Socialist and the Christian-Democrat groups we reach a point of compromise that reflects the political balance of forces in this institution. But I am afraid, here on this occasion, that compromise has not been reached: in fact, we have heard some comments from his colleagues that suggest that some of his own group members, those with a more developed social conscience, are squirming and feeling rather uncomfortable with the approach that has been taken by the rapporteur.

This must be the most liberal report – and I say that, in case there is any confusion, in the pejorative sense of the term – that the International Trade Committee has ever passed to the plenary. It makes no effective distinction between commercial and non-commercial services, and I and a large majority of my group will only be able to vote in favour of Mr Kamall's report if Amendment 2, Amendment 11 and, in particular, Amendment 5 are adopted, which will protect universal, accessible and high-standard public services for all.

Reinhard Rack (PPE-DE). – (DE) Mr President, services are an essential part of our economic future. This is true not only for the highly developed economies here in Europe, but also and in particular for the so-called developing countries. Because this is true, we have to show that the deregulation we achieved in the past in the goods transport sector is also our aim in the service sector. It is perhaps even more important in many instances here.

Both the rapporteur, Mr Kamall, whom we have to thank for the report, and Mr Zaleski have pointed out what is possible in the service sector: knowledge transfer, better qualifications, jobs and better infrastructure. These are things that we should all in fact jointly support. Looking at matters from this angle, we ought to be encompassing many of the ideologies over which we have been fighting here in Europe in recent years and centuries, without looking backwards quite so much.

'Yes' to special needs in certain sectors, but 'no' to these surrogate battles that some Members of this House want to fight on the back of the developing countries.

Harald Ettl (PSE). – (DE) Mr President, we all want to have open borders for the provision of services. I would like to address two points in this regard. In 2006 the European Union made its position on the provision of public services clear and did not even subject the sensitive area of public services to open competition.

Now, of course, the attempt is being made under GATS to liberalise this sensitive sector through the back door. We cannot use the same approach here as for commercial services. The reverse also applies for developing countries, of course. The EU should not be putting any pressure here on developing countries and forcing them to liberalise public services. They must be able to decide to do this themselves.

A second delicate point concerns the financial services market. Since the 1980s, the financial services markets have featured enormous growth spurts on the most extensive globalised market sectors, even for financial transactions. The currency markets have an annual turnover of USD 360 trillion. Involvement in globally expanding markets is, of course, an economic freedom and developing countries therefore display a high degree of vulnerability towards external shocks. The liberalisation of financial services should therefore [take account of] the development status of the particular ...

(The President cut off the speaker)

Zbigniew Krzysztof Kuźmiuk (UEN). – (PL) Mr President, there are two issues in this debate to which I would like to draw attention. Firstly, it is true that in 2007 the services sector in the European Union accounted for as much as 75% of GNP, and the export of services from the EU represented more than 28% of total world exports, but there are still numerous barriers to the free provision of services within the European Union itself by service providers from the new Member States. I would like to express the hope that the EU will take some major steps forward in this matter in the near future.

Secondly, strong opposition should be mounted to the solutions proposed in the report whereby the EU, as part of the WTO negotiations, should unilaterally reduce agricultural payments and subsidies in order to obtain, as it is put, a reward in the form of additional profits from the trade in services. This approach, which has already been taken many times by the EU, has led to a restriction of production, and sometimes even to the elimination of many sectors of agricultural production within the European Union, which has significantly weakened food security for EU countries, and in recent months has also led to a marked rise in the cost of agricultural raw materials.

Roberto Fiore (NI). – (IT) Mr President, ladies and gentlemen, I wanted to draw your attention to the fact that there has been talk of liberalising the banking system, but we all know that after Basel II a monopoly emerged in this sector and we saw entire businesses, entire economic units wiped out precisely as a result of the monopolisation of the financial system.

Therefore, I believe that we must in some ways resurrect the old system, the cooperative system, which in rural areas and in so many other parts of Europe has provided the lifeblood for small private initiatives and families to grow. Let us talk and act, then, truly in terms of liberalisation, instead of a monopoly, in this crucial banking sector, which affects the lives of families and businesses throughout Europe.

Paul Rübzig (PPE-DE). – (DE) Mr President, ladies and gentlemen, I believe small and medium-sized enterprises are very specifically in demand even in the area of financial services. We have 25 million enterprises in Europe. I believe many of them would definitely be able to achieve equivalent success on the international market.

Finally, one of the fundamental issues even in the least developed countries is also how income can be generated. Commissioner Mandelson therefore thinks it is particularly important not to back down in the WTO negotiations, but to create fresh impetus here. We need trade facilitation, we need the corresponding commitment and I hope we shall achieve this soon.

Peter Mandelson, Member of the Commission. – Mr President, I certainly intend to press on with determination in the negotiations to complete the Doha world trade deal. It is very important indeed and I am grateful to the honourable Member for reinforcing that.

I did not actually intend to comment on or respond to this debate. The reason I do so is because I feel that, in some of the contributions that have been made, there has been demonstrated not only a bit of a misunderstanding about the provision of services in the 21st century, particularly amongst developing countries, but, beyond that, a false ideological boundary is being put in place through the remarks of some of those who have contributed to this debate between what they call 'commercial' and 'non-commercial' services. I have to say that spending most of my time as I do in the world and amongst developing countries, this distinction and this ideological boundary that has been described in this debate is increasingly fading without trace. It is not the case, as Mrs Lucas has suggested, amongst WTO members that developing countries increasingly see trade in services as quite different and separate from trade in goods. Actually, the exact opposite trend is occurring in the WTO and in trade negotiations. Increasingly, developing countries are bringing trade in services into these negotiations. I think that it is wrong – and I speak as somebody who is a social democrat of many decades standing who, I think and I hope, has a developed social conscience – to put forward a proposition in the case of services that state provision is good and that private provision is bad. This is not only out-of-date thinking; it is contrary to the interests of developing countries and to the very needs of the poorest members of those countries and those communities who we should be seeking to stand up for with our values as Europeans and our principles as Europeans.

So I hope that we will not follow and not reinforce, if I can respectfully suggest, this extraordinary equation that you can put the needs of poorest people first by denying to developing countries the opportunities to supply not only water and energy and telecoms more efficiently and more cheaply for consumers, but also supply health care and education using investment, technology, management skills and techniques from a variety of international sources on a competitive basis.

This most certainly does not mean that these services therefore should go unregulated. I do not support monopolistic behaviour, price-fixing and cartels, but this goes to the very point that the honourable Member was making. Regulation by national governments in developing countries is, of course, essential in relation to these services, but please let us not create or give support to what I believe is, as I have described, a false ideological boundary between the commercial and the non-commercial. Both are equally valid if properly regulated and if properly serving the needs of the people who are desperately in need of more services of this kind, more efficiently provided and more cheaply in many cases.

Syed Kamall, rapporteur. – Mr President, I really do not know where to start, as everyone has been so kind. I thank everyone for their contributions to the debate, welcoming every single contribution.

I would like to tackle some of the issues that were raised, in the couple of minutes I have been afforded. It is not often I get up to speak, so you will have to allow me some self-indulgence.

Mr Markov talked about 'one size fits all'. It is made quite clear in this report that, at the same time as we should not be imposing liberalisation on other countries, we should also not be imposing protectionism on other countries, or state monopolies. That is the point I have tried to make, so it is far from 'one size fits all'. We recognise that there is a diversity of solutions for different countries, but let us allow them the option of liberalisation. Many people in poorer countries have said to me they are sick and tired of not having a choice, of having to go to a state monopoly that performs badly or to a private monopoly that they all know has links to the ruling elite. What they really want is access, in the first place, or a choice through which they actually have some sort of access.

Regarding a pause in financial services liberalisation, there is a difference between the financial crisis, seen globally, and bad lending and bad debts. Poor African entrepreneurs have said to me they want access to capital markets in order to borrow money to buy a tractor so that they can plough the fields and create more wealth locally, so let us give them that ability and access to capital.

Finally, I was condemned by my colleague, Glyn Ford, which I actually take as a compliment. I am very happy to hear that this is 'the most liberal report' and hope that will be on my tombstone one day – though not immediately. I want to point out that there is a difference between a social conscience and a socialist conscience. A social conscience means looking at what actually works and how we can really help the poor, rather than clinging to an outdated socialist ideology which, as Mr Zaleski said, lost its legitimacy after being imposed on Central and Eastern Europe for so many years.

President. – The debate is closed.

The vote will take place on Thursday 4 September 2008.

Written statements (Rule 142)

Pedro Guerreiro (GUE/NGL), in writing. – (PT) Again in July we saw the failure of another attempt to conclude the 'Doha Round', which aims to take trade liberalisation a step forward, and Parliament is already seeking to approve an own-initiative report which strives to such a sickening extent for the worldwide liberalisation of trade in services either within the WTO or through bilateral or multilateral agreements with third countries promoted by the EU.

What we have here is an authentic primer laying out the road towards liberalisation of all services, including public services, which it dubs 'public and general interest needs'.

Among other examples, it aims for greater liberalisation of health care, water distribution, education, cultural services, tourism or financial services.

The report takes the trouble to explain that 'the principles of GATS do not prohibit either privatisation or deregulation' and stipulate that after the entry into force of the WTO Agreement, periodic negotiation rounds should be held 'with a view to achieving a progressively higher level of liberalisation'...

With the objective of breaking the current 'deadlock' in the WTO, it insists on and welcomes new initiatives – such as the 'signalling conference' – which aim to make an agreement possible in the near future.

Big business in Europe could not write it any better themselves...

17. Code of Conduct for computerised reservation systems (debate)

President. – The next item is the report (A6-0248/2008) by Timothy Kirkhope, on behalf of the Committee on Transport and Tourism, on the proposal for a regulation of the European Parliament and of the Council on a Code of Conduct for computerised reservation systems (COM(2007)0709 - C6-0418/2007 - 2007/0243(COD)).

Peter Mandelson, Member of the Commission. – Mr President, the proposal the honourable Members are debating today seeks to modernise rules adopted in 1989 on the market for the distribution of airline services.

Computerised reservation systems (CRS) act as intermediaries between airlines and travel agents in the sales chain for air tickets. In the early 1990s, computerised reservation systems were practically the only channel for the sale of airline tickets. In addition, all the CRS were controlled by airlines. The latter were therefore more tempted to abuse their position in the CRS, for example, by biasing displays in their favour.

The code of conduct for the use of CRS establishes a number of safeguards to prevent abuse. It complements competition law since it adds measures to deal with sector-specific risks. It requires that all companies participating in the system are treated on a non-discriminatory basis. For example, the same fee is to be paid by all airlines. The Code also lays down special obligations for parent carriers – i.e. those which own or control the CRS.

The code of conduct has been very effective in preventing all kinds of abuse. However, since the code of conduct was introduced, the market for the sale of air tickets has changed considerably as alternative sales channels have developed. Today, nearly half of all reservations no longer go through a CRS but are made on internet sites or through airline call centres. The competitive pressure of these alternative sales methods has significantly reduced the risk of abuse through a CRS.

The new situation also requires an adjustment of the code of conduct. The rules laid down in the code of conduct significantly restrict the margin for negotiation between the CRS and airlines. The CRS are therefore not genuinely in competition with each other, and the fees paid to them by airlines and passengers are escalating.

The Commission's proposal seeks to allow for more negotiation and, in particular, the possibility to set prices as regards the fee for the use of a CRS. This will enable airlines to negotiate the reduction of rates with the CRS. Boosting competition between the CRS will help to reduce costs and to improve the quality of the services they provide.

At the same time, the proposal maintains and strengthens the safeguards for the prevention of abuse and protection of consumers, and in particular the neutrality of information provided and the protection of personal data.

In addition, the proposal continues to impose special obligations on CRS parent carriers. The definition of 'parent carrier' has led to heated debates, since the obligations imposed on those companies are very burdensome.

Modernisation of the code of conduct will make it possible to reduce the cost of distribution of their services while guaranteeing the protection of consumers' interests. This is urgently required from the viewpoint of the competitiveness of our industry, as our companies' competitors already benefit from a liberalised environment and lower sales costs.

I am therefore pleased at the speed with which Parliament has taken up this issue. I wish to express my appreciation of the work performed by your rapporteur, Tim Kirkhope, and the TRAN Committee, as well as the committees which expressed their opinions.

Timothy Kirkhope, rapporteur. – Mr President, I am really glad we had the opportunity to debate this important matter tonight, and I am proud to present this new proposal to enhance the position of European consumers.

The revision of the CRS code of conduct and the deal we have on the table represent a chance for an early and successful conclusion to an important piece of work. The new code is designed to re-energise the travel sector, so the sooner it is introduced, the sooner we see the benefits of that – lower air fares, more choice and greater transparency. CRSs should, of course, be able to negotiate freely the conditions of the distribution of air services but, under my revision, CRSs will have to compete more aggressively with each other for air-carrier participation, on the basis of lower booking fees and better quality of service. This will have great benefits for European consumers.

Firstly, choice: consumers will get more choice and should get better service from their travel agents. Greater competition will also provide a boost to the quality of information available to travel agents and, thereby, the consumer.

Secondly, price: this in turn should mean that the price of airline tickets, kept artificially high by the present system, could go down by as much as 10% as a result, according to the Commission's research.

Thirdly, transparency: through tougher safeguards, travel agents and consumers will be better protected from market abuse and distortion. Two main safeguards are built in. One concerns audit provisions. I deemed it necessary to rethink those provisions and, as a result, they will prove more effective, and hence the regulation provides the Commission with an important tool to monitor the activities of CRSs.

Fourthly, the definition of who is or is not a parent carrier. This issue has dominated the whole report and my work on it. It is important to get this right, because we do not want airlines investing in CRSs for the purpose of influencing the running of the business to the possible detriment of others.

Let me say to my colleagues who have worked so hard on this report that I believe that, within the deal we have on the table, we have a robust but flexible test, one which deals with all the concerns you have expressed. Some have suggested tabling a split vote tomorrow but, frankly, this could leave us with too broad a scope of definition. I repeat what I have said in writing to those people. Deleting the reference to 'decisive influence' does not provide the useful clarification of the elements in Amendment 12 that it was designed to do. Indeed, following such a deletion, it might be interpreted that any investor would be deemed to be a parent carrier, as 'any other governing body of a system vendor' could mean literally anything. Should any air carrier participating in a CRS with rights to merely receive information, for example, of annual decisions or just the annual accounts, be defined as a parent carrier? Surely not.

On the suggestion made by the ALDE Group that the question should be referred back to the committee – that we should carry out a close examination of the ownership and governance structure of the concerned CRS – the Commission would need a new regulation to do that. When the Commission states that it needs to examine this on a case-by-case basis, I do not see this as proof that we have a weak definition. On the contrary, we discussed this at length in committee, and an independent study was commissioned by me to help the committee. I made sure the shadow rapporteurs were fully informed at all stages on the state of informal contacts with the Council. They specifically agreed to what is in the deal. I purposely held this matter back for a month while I made sure that all views were taken fully into account – environmental issues, Mrs Lichtenberger; full liberalisation, Mr Evans.

So, tomorrow, I am asking for your support. We must vote for lower air fares, more choice and greater transparency. All of us have a duty to protect and inform the rights of consumers and get them the very best deal possible. That remains the priority. Gesture politics is not my priority, but it is my priority to get the best deal for all those consumers we represent here in Europe.

Wolfgang Bulfon, *draftsman of the opinion of the Committee on the Internal Market and Consumer Protection*. – (DE) Mr President, European consumers are groaning under the weight of high food prices and I think one of the causes of the exorbitant price increases is the concentration in the retail market on a few big players.

I have grounds for concern that a similar development could also occur in future in the case of travel agencies. The liberalisation of the Code of Conduct for computerised reservation systems proposed by this report should ensure greater competition on the market. I fear, however, that only the large tour operators will be able to survive in future, by concluding several CRS provider contracts. This will be necessary, however, to offer customers a comprehensive choice. The small operators unable to afford several contracts with CRS providers will fall by the wayside.

Whenever the United States is called upon as an example of consumer-friendly competition in this context, I have to remember that there are no airlines in the Member States that still participate in a computerised reservation system. I would therefore advocate a rigid definition of the term 'parent carrier'.

Georg Jarzembowski, *on behalf of the PPE-DE Group*. – (DE) Mr President, ladies and gentlemen, on behalf of my group I should like to thank the rapporteur, Mr Kirkhope, most sincerely. He has presented a very balanced report and has worked very closely with the shadow rapporteurs. His version, which he has negotiated with the French Presidency, affords consumers better protection against dubious flight and rail offers based on clear regulations on transparency and at the same time ensures fair competition between rail companies and airlines.

Incidentally, the recast version documents the fact that the Group of the European People's Party (Christian Democrats) and European Democrats as the first group had rightly stopped the Commission's attempt in 2005 to abolish this regulation as obsolete. We need it – and we shall prove it by the way we vote – to protect consumers. Even if more and more travellers do in fact reserve their tickets directly with the airlines or on the Internet, the majority of consumers will continue to rely on their travel agencies, which for their part must be able to rely on non-discriminatory, genuine bargain offers in the computerised reservation system.

The prices indicated must in future include all taxes and charges so that the travel agencies can pass genuinely transparent and comparable offers on to the consumer.

The parent companies should also be subject to tighter regulations on transparency and competition in future in order that the systems are prevented from making preferential offers to the disadvantage of other airlines and to the disadvantage of consumers.

I must come back here to the rapporteur and appeal to my fellow Members. I believe the version we have agreed with the French Presidency in relation to parent companies offers adequate protection against positive discrimination in favour of certain airlines. Any change made by the famous amendment to Amendment 48 is therefore totally superfluous and if this goes through tomorrow, it would delay the adoption of the whole thing or even call it into question. I appeal to you to take a clear, final decision tomorrow in order to protect consumers.

Robert Evans, on behalf of the PSE Group. – Mr President, I too would like to thank Mr Kirkhope for his unfailing cooperation and support for all members on the committee.

Two years ago I looked at an internet-based travel agency, a travel website, for a ticket from London to San Francisco. The website, or the computer, told me that there were no direct flights from London to San Francisco and recommended a connecting flight via New York with, I think, United. Of course there are direct flights, but it was not just in that particular website's domain to issue them.

But it highlighted to me, in a simplified form, the problem that we are trying to address with this revision: as Commissioner Mandelson said, a revision that goes back some 20 years or more.

We must recognise the real changes that have taken place in technology over that period. Now a large majority of people, and indeed all travel agents, have access to the internet, and I agree with the previous speakers who have said we have a duty to ensure fairness and equal access to the market and, as Commissioner Mandelson said, fair rules, effective rules, and protect the consumers and ensure competition. But, Mr Mandelson, you also said that you are pleased with the speed at which this has all gone through. Whilst I share your aims and always want to do things as quickly as we can – and Mr Kirkhope's aims of price transparency and consumer protection – I think that, in our speed to get this through, we have drifted away, certainly from the position that the Committee on Transport adopted at the end of May, and that the position that Council has come up with, the so-called compromise position, is different from the position that we went for in the Committee on Transport. In the Commission's clarification yesterday, he speaks about 'all past analyses will have to be done again under a new perspective, and the Commission will have to examine each case on a case-by-case basis'. That, I think, means it is not clear enough, and we have not got to a position where, certainly, a lot of Members on this side and in other groups would like to be, where we can say with absolute certainty that the position Mr Kirkhope hopes he has achieved has actually been such. That is why I will be recommending to my group to support a proposal that Mrs Lichtenberger, I believe, is going to make shortly.

Eva Lichtenberger, on behalf of the Verts/ALE Group. – (DE) Mr President, Commissioner, ladies and gentlemen, if we had had to cope with the correspondence that this report has generated over recent weeks using a horseback messenger, we would have exhausted a few horses – without a doubt. Modern communication has allowed us to stay in constant touch and to keep up to date at all times.

The greatest credit for this, however, is due to Mr Kirkhope, who in a truly exemplary manner has kept Members informed, has always corresponded with the shadow rapporteurs and has actually done everything he can to convey the Committee's requests to the Council. The Council, however, has not made his work easy. Quite the opposite. Wording was proposed – we were able to follow proceedings well – which actually would have done nothing other than cover up distortionary competitive practices more effectively – and I object to this!

I must honestly say that even the home countries of the distortionary competitive airlines would do well here to take consumer protection more seriously by providing fair information as well as following our suggestions to ensure this happens. The Code of Conduct is not the strongest instrument we have at our disposal. We must be clear about this. Even more important is clear wording, which assures us that another back door will not be opened.

Together with my colleague Mrs Hennis-Plasschaert, I should also like to guarantee this clarity by referring it back to committee. I consider this to be a major issue. We have to stand by the fact that we are protecting consumers and also have to accept the obvious consequences of this.

I thank my fellow Members, however, particularly the rapporteur, that the concerns regarding environmental protection have found echoes in this report, as far as was possible in this sector. My sincere thanks once again to my fellow Members and the rapporteur.

Stanisław Jałowiecki (PPE-DE). – (PL) Mr President, Commissioner, my colleague Mr Liberadzki and I submitted an amendment to this report. Its aim was that airlines should withdraw from the airline ticket central reservations system within three years. This amendment was seen as radical and did not gain the required majority. Note that this radicalism is, after all, nothing other than implementation of the principle, which appears to be generally recognised in the European Union, of equal opportunities in a competitive market.

The Committee on Transport and Tourism recently adopted a version that may be regarded as transitionally very good. Transitionally, on the way – yes, that is right – to a full withdrawal of involvement. At the same time the matter underwent a change in the Council: the amendments submitted, still more than in the version originally presented by the European Commission, strengthen the position of three carriers – that is to say, Lufthansa, Iberia and Air France. We hear that it is a success and that they are gaining customers because of this.

It is probably a further success that the rapporteur stood up to enormous pressure from lobbyists. This I can imagine, as we had to too, we individual MEPs. Those lobbyists, though, are representatives of companies that are fighting for an even break. They have not got it, however, as the interests of a few national businesses have come out on top. On the other hand we do not call these businesses lobbyists, particularly when these interests are being represented by the country that currently happens to hold the Presidency of the European Union. Then everything is fine and what gets mentioned is the excellent cooperation with the Council.

Is this not hypocrisy? Is it not yet more hypocrisy to call this report a Code of Conduct? To whom is this Code in its amended version supposed to apply, when the new definition of a parent carrier effectively eliminates this carrier?

Gilles Savary (PSE). – (FR) Mr President, there is hypocrisy first of all in saying that consumers are injured. There is not a consumer on the streets of Europe who knows what an airline computerised reservation system is. Not one! All consumers use private booking systems, the internet or the telephone.

What this is about today is the relationship between the airlines and the information they give out about their flights, particularly to travel agents. This text moralises, and introduces very strong transparency and non-exclusivity principles. It is a text that takes the traditional view when it comes to competition law and controlling mergers.

A number of lobbies are using it to try and force off the board of directors those who, in Europe, created the largest computerised reservation system. That would be a very serious matter because we have never done anything here but enact competition rules and methods for controlling them. We have never forced anyone to adopt a particular status, or a particular shareholder base. That is why, ladies and gentlemen, I will vote for the compromise found, skilfully and through a lot of work, by Mr Kirkhope, between the Council, all the Member States of the Council – as I recall –, the European Parliament and the European Commission.

It would be better to vote in favour of this compromise than to re-enter a war with the lobbies, in view of the many interests at stake, and to prevent this text from ultimately being substantially modified, which would do consumers a disservice.

Reinhard Rack (PPE-DE). – (DE) Mr President, the rapporteur, Mr Kirkhope, has already been thanked several times today – quite rightly – for having now reached a clear consensus on a highly complex issue in committee and in cooperation with the shadow rapporteurs as well as with other fellow Members and I hope that this will also continue this morning.

It was said just now that even the term ‘CRS’ was not clear to very many Members at the start of the discussion. Today we know what it means and today we know what important issues we have rightly been discussing. Sincere thanks once again for this fine work on a hopefully good European legal instrument.

We have accommodated a range of content in this report, which now necessarily has an important function beyond the heavily technical nature of this report, even in another context. Consumers are protected while a final total price can actually be displayed by the price display method and this cannot be covered up with various special or supplementary prices.

We have – because our group is always being reproached with this – achieved considerable progress. We have stated that we do not want to talk merely about preferential treatment for rail, but we do want to know for certain with regard to short- and medium-haul flights that rail transport has a fair chance of being included here. As has already been addressed, we have also proved the CO₂ consumption or demanded that it be proved – as well – in order to establish by comparison what we want to achieve and what the consumer can contribute.

Ulrich Stockmann (PSE). – (DE) Mr President, I would like to concentrate on the controversial problem of the definition of parent companies. The purpose of the definition is indeed to prevent airlines with shares in a CRS abusing their position. At present this palpably concerns Air France, Iberia and Lufthansa, which have a minority holding in Amadeus. The current practice of the Commission examining this on a case-by-case basis when abuse is suspected has been proven. Cases of the abuse of influence have been resolved and prosecuted. To date this has occurred on two occasions. There are no reasonable grounds for changing anything in this essentially proven practice.

The definition found of a parent enterprise based on the expression, with regard to competition law, of the determining influence complies with this proven practice. The term has been proving itself for 40 years now. Some Members, however, want every airline with a capital share to be automatically defined as a parent company. For the air transport market this means massive and unnecessary interference in the current competitive situation. Nor would consumers obtain any advantage from this. The four winners would be, for example, British Airways, American Airlines and others that would benefit from such a shift in the competitive situation. In addition, the only European computerised reservation system would have to accept a competitive disadvantage with regard to US competitors on the hotly contested European market. This I consider politically unreasonable, even negligent, and I therefore recommend that the compromise found be accepted.

Marian-Jean Marinescu (PPE-DE). – (RO) The compromise obtained by our colleague Kirkhope is based upon strengthening the principles of non-discrimination, efficiency and transparency, all of them clearly to the advantage of the final beneficiary, namely the European citizen.

First of all, both potential abuses directed against air carriers and potential interferences of the latter with the good operation of the activity of agencies are prevented.

Secondly, transparency is ensured and the misleading of consumer as regards the selection of flights, duration, operators and, last but not least, the price, is prevented, also ensuring the protection of personal data.

Thirdly, beneficiaries are also provided with the possibility to choose the variant of railway transport for short routes, which may bring environmental benefits in time, by reducing the carbon dioxide emissions.

Unfortunately, there are a few aspects that the code of conduct does not regulate and which are not included within its scope. These are the tariff policies of low cost companies, which are not subject to cooperation with the computerized reservations systems. I believe that the healthy principles behind this code of conduct should be adopted by all transport documents reservation and purchase systems, including in the case of low cost companies.

From the consumer's point of view, it is regrettable that these companies are not integrated into CRS, in their turn. Besides the multiplication of options for passengers, this integration would also create positive pressure to ensure the quality of services and the transparency of prices.

On this occasion, I request the European Commission and the Member States to reinforce controls and apply sanctions through the relevant bodies, where necessary, for real protection of consumers, for whom the companies not listed in CRS represent an affordable, yet deceiving means of mobility. I also support and recommend the suggestion that, in the future, CRS should consider the possibility to introduce regular coach services into the systems as well.

Brian Simpson (PSE). – Mr President, in thanking the rapporteur for his report, I recognise his efforts to try and get a first-reading agreement on this important dossier.

A first-reading deal would indeed have been possible if the Council had accepted the Committee on Transport's position. The rapporteur is right. We did discuss it in great detail in the Committee on Transport, and we came to a view in the Committee on Transport. But what happened subsequently is that that Committee on Transport view has been altered.

Alas, the Council's intervention and the subsequent Council amendments not only served to muddy the waters, but caused serious concern for consumer organisations, travel agents and passenger associations.

Subsequently, what is now proposed by the rapporteur via the Council has serious implications, not only legislatively, but internationally also. Never in the field of EU legislation have two amendments caused so much mayhem and confusion to the detriment of the Committee on Transport's democratic position.

Some people do not have a problem with that, but the reality is that the Council's intervention has caused great uncertainty, both morally and legally.

There is a suspicion that the Council is creating loopholes to protect certain major air carriers, particularly as it applies to parent carriers. Also, the undue haste to get an agreement could lead to bad legislation. Therefore, I support the call for this report to be taken back to committee so that we can address all the concerns raised, get this legislation right, not for our major air carriers, but for our consumers, whose representations tell us they dislike the Council's additions.

Zita Pleštinšká (PPE-DE). – (SK) I should first of all like to thank the rapporteur, Timothy Kirkhope, for including provisions on display in the regulation on a code of conduct for computerised reservation systems (CRS). Travel agents use displays, screens, to display CRS information and therefore it is vital that travel agents receive neutral and balanced information.

I believe that the use of impartial displays increases the transparency of travel products and services offered by participating carriers and increases consumer confidence. Travel agents will be able to use fair assessment criteria to offer the most transparent range of options for consumers, for example the main display will make it possible to assess the most suitable travel option offered by a scheduled air or rail carrier.

I appreciate the efforts of the rapporteur to ensure the transparency of prices by direct reference to the PRICE of a product, since the current definition of FARE does not include all the price elements, which is often misleading for consumers.

I believe that this report will contribute to fair competition between CRSs, which will be of benefit mainly to consumers who will obtain travel products with high-quality services at a favourable price.

Silvia-Adriana Țicău (PSE). – (RO) The Regulation on the code of conduct for computerized reservations systems lays down the rules that the air and railway transport operators must comply with when making reservations.

The existing situation indicates that reservations made through the computerized reservations systems used by tourist agencies lead to higher prices. I insist on the need to protect the passengers' personal data. I think passengers should have the possibility to choose the most convenient ticket and, for this purpose, the passenger should be adequately and completely informed.

I insist that the requirement have no discrimination either between the distribution channels or according to the place of residence of passengers of tourist agencies. Certain distribution channels, such as the Internet, comply with the principle of non-discrimination, but the computerized reservations systems require certain conditions from tourism operators, which often lead to higher prices and discriminations based upon the passengers' place of residence.

I consider this regulation to be important; we should always take into consideration the consumer and I insist again on compliance with the personal data protection.

Marian Zlotea (PPE-DE). – (RO) As a fictional Rapporteur for opinion on this file in the INFO Committee from PPE-DE, first of all, I would like to congratulate the Rapporteur on his work, as well as for the report drafted. I would like to emphasize the importance of this report with regard to ensuring real competition in the field of computerized reservations systems.

We should also never disregard consumer rights and we should make sure that they benefit from the amendments to this code of conduct. Consumers should be provided with all the details regarding the trip

they intend to make. It is also very important that they know the exact price of the tickets and are not misled by potential hidden costs.

I would also like to emphasize the fact that what matters the most is that the companies in charge of these websites be no longer part of the boards of directors, because they always have hidden costs.

In conclusion, I would like to assure the Rapporteur of my full support tomorrow, at the vote.

Bogusław Liberadzki (PSE). – (PL) Mr President, I would like to give every support to the position taken by Mr Simpson. He has shown that the new definition of a parent carrier is very unclear. The additional phrase ‘exercising a decisive influence’ prompts the question: does Lufthansa, with its 22% shareholding in Amadeus, exercise a decisive influence? How about Lufthansa, Air France and Iberia, with 44% between them: is that a decisive influence? This needs looking at from every angle: either we adopt Amendment 48, or we send this draft back to the Committee to be re-worked. Otherwise the idea of competition will certainly be harmed.

Inés Ayala Sender (PSE). – (ES) Mr President, I would like to welcome this agreement, which is based on consensus and therefore which not everyone is one hundred percent happy with.

I would like to acknowledge the efforts of the Commission, the Council, and also, of course, Parliament, represented by the Committee on Transport, its rapporteur and shadow rapporteurs.

I think that the concerns of consumers have been answered regarding the problem of Marketing Information Data Tapes (MIDTs), including the new developments relating to trains and emissions, which are ingenious and respond to this new problem.

I think that the controls system, into which competition has been introduced, has been strengthened. Therefore, seeking to now expel three companies from the system would only lead to a reduction in that competition, which, as we are all aware, benefits consumers.

Peter Mandelson, Member of the Commission. – Mr President, I would like to commend honourable Members for the high standard of this debate. I welcome most of the amendments proposed. They clarify several points in a useful way, in particular as regards the neutral display of travel options on the travel agent’s screen and the protection of personal data.

I would like to thank Parliament for having had the courage to raise the thorny issue of parent carriers. I would like to set out the Commission’s position in this regard. We all know that this is an extremely sensitive issue which has given rise to very intensive lobbying. At this juncture, the Commission supports the compromise reached between the presidency and the rapporteur, which was supported unanimously by the Member States.

The new definition, as proposed in Amendment 13, removes any ambiguity or legal uncertainty. The Commission would thus be able to carry out an analysis and determine whether a company controls the CRS and whether a company which has rights and participates in the management of the CRS influences the latter in a decisive manner. This concept relies on the Commission’s long experience in the field of competition, which enables it to ascertain what a shareholder’s real power and influence are, for example by analysing the rights attaching to the shareholding and the agreements made between shareholders. In view of this, I believe that the text before us will enable the Commission, when acting on a complaint it has received, or on its own initiative, to exercise its prerogatives fully, strengthening significantly its powers, and to determine in each individual case, and at any time, which companies are parent carriers and must shoulder the major obligations arising from that status.

With regard to the identification of the travel agent in the statistical data provided by CRS MIDT, I also support the compromise text which strikes a balance between the need to protect travel agents against improper use of the data and the usefulness of the data when it comes to airlines’ strategic planning. I believe that with this text we are establishing a regulatory framework which takes account of market developments and enables travellers to benefit from an injection of competition into the distribution of air and rail tickets, while keeping safeguards in place to prevent any abuse.

On this basis, I really think that it is important to go ahead with an agreement in first reading during this legislature. The new legislation is expected by all actors and will reduce the administrative costs for the operators. In order to meet the concerns expressed with regard to the definition of parent carrier, I can take the commitment that, in the framework of the current compromise, the Commission would issue a formal

notice explaining how it intends to interpret that definition when applying the regulation. Such notice would be similar to those issued from time to time by the Commission with respect to competition matters. This notice would be published in the Official Journal before the entry into force of the regulation so as to provide the necessary legal certainty to all interested parties. I very much hope that you will consider this proposal favourably.

I think I have covered the main points raised during this debate. As usual, I shall send a full list of the amendments and the Commission's position on each of them to the Parliament's Secretariat.

Commission's position on amendments by Parliament

Kirkhope report (A6-0248/2008)

The Commission can accept Amendments 4, 5, 6, 7, 8, 9, 11, 14, 16, 17, 20, 21, 22, 23, 27, 30, 31, 32, 34, 35, 36, 37, 38, 43, 44, 45 and 48.

The Commission can accept Amendments 10, 19, 26 and 28 in principle.

The Commission can accept Amendments 1, 2, 3, 18, 25 and 47 with redrafting.

The Commission can accept Amendment 33 in part.

The Commission cannot accept Amendments 12, 13, 15, 24, 29, 39, 40, 41, 42 and 46.

IN THE CHAIR: MRS ROTHE

Vice-President

Timothy Kirkhope, rapporteur. – Madam President, I wish to thank the Commissioner for that extremely clear exposition of his position and the confirmation that, once we have concluded our proceedings in Parliament (in a positive manner tomorrow, I hope), there is more work than can and will be done by himself and others in the Commission to ensure that what Parliament wants is put into effect.

I wish to thank my colleagues for their contributions, despite the fact that I do not agree with their every interpretation. That is probably understandable because this is undoubtedly a very complex matter. Despite the very open way in which I have proceeded with the work, it is inevitable that some of the interpretations of its outcome will be politicised or maybe even misunderstood.

However, I believe it is in the interests of the consumer and in the wider interests of clarification that we proceed in the way we have agreed. I am proud of the work I have done. I am proud also of the work that others have done to help me. The smiles and acceptances of the shadow rapporteurs during the proceedings gave me confidence that they would support me, not only this evening, but also with their groups tomorrow.

Therefore, I hope that on consideration, and having heard the very sensible and positive contribution by the Commissioner tonight, they will come back tomorrow and allow us to go forward in total unanimity to make sure that Europe is a better place for travellers, a better place for consumers and a better place for enforcing competition policy in future years.

President. – The debate is closed.

The vote will take place on Thursday 4 September at 12 noon.

Written statements (Rule 142)

Christine De Veyrac (PPE-DE), in writing. – (FR) Ladies and gentlemen, the text we are debating this evening was the subject of lively discussions within the Committee on Transport and Tourism, and not without reason, since it is important legislation for the tourism and air transport industry, and also for citizens.

It was not easy to find a balance between maintaining competition between the airlines and guaranteeing the independence of travel agents, while enabling passengers to receive useful, unbiased information.

The text on which the rapporteur and the French Presidency have agreed respects these requirements, and I am pleased about this.

A balanced definition of the concept of 'parent carrier' has been agreed and that is essential for ensuring healthy competition between the various computerised reservation systems.

I hope that tomorrow's vote will approve the text at the first reading so it can be rapidly applied.

Thank you for your attention.

Małgorzata Handzlik (PPE-DE), in writing. – (PL) Computerised reservation systems (CRSs) are mainly intended to serve the customer. That is why it is so important to ensure transparency in the air ticket reservations market, especially in the event that airlines, by having a holding in computerised reservation systems, can limit competition in the market.

Obviously the situation in the airline market has changed significantly over the last few years, and most airlines have disposed of their shares in CRSs, which does not mean that all airlines have done so. The most important thing, though, is that, apart from shares in reservation systems, airlines do not have the opportunity to exert such an influence on the functioning of systems as might give preferential treatment to the routes they operate, and this must be properly reflected in the definition of 'parent carrier'.

A simplification of the Code of Conduct will increase the potential for negotiation between market participants (airlines and CRSs will freely be able to negotiate the level of payment for a reservation taken by the CRS). Currently the provisions increase the CRS cost and restrict the flexibility of the CRS in tailoring its services to the specific needs of airlines and travel agents, through the lack of potential for differentiation of the tariff range for individual CRSs.

I hope that the amendments introduced will bring about greater competition in the air ticket sales market, to the benefit of the customer, especially where expansion of the current range and a lower end price for air tickets are concerned.

James Nicholson (PPE-DE), in writing. – I support this report which recommends that the rules regarding the Computerised Reservation Systems used by high street travel agents to book airline tickets are simplified and modernised.

The current rules regarding CRS only serve to stifle competition and maintain high fares. These proposals will promote competition between the companies which are in charge of providing these systems and will hopefully result in lower fares and more choice for travellers.

At present, usually the most attractive option for consumers is to book directly with an airline. The new code of conduct will result in a greater degree of price transparency, giving the travel sector a boost and ensuring a fair deal for the consumer.

18. European ports policy (debate)

President. – The next item is the report (A6-0308/2008) by Josu Ortuondo Larrea, on behalf of the Committee on Transport and Tourism, on a European ports policy [2008/2007(INI)].

Josu Ortuondo Larrea, rapporteur. – (ES) Madam President, Commissioner, ladies and gentlemen, along around one hundred thousand kilometres of coast in the united Europe, we have more than one thousand two hundred merchant ports, as well as several hundred more dotted along the thirty-six thousand kilometres of internal waterways. 90% of our international trade passes through them, as well as 40% of the tonnes per kilometre of intra-Community trade.

Ports generate half a million jobs and guarantee the development of entire regions. They are also key for the regular passenger and ferry services, which provide social cohesion for the islands and other territories that are more easily and more sustainably reached by sea. There is therefore no doubt that we are talking about a sector that is of great importance for our well-being. Nevertheless, our ports are facing major challenges, including the increase in international demand for transport, which is increasing even faster than the rate of global economic growth.

In this context it is worth mentioning the advances in navigation technologies, logistical telecommunications and exploitation, the commitment to reduce pollution and greenhouse gases, securing new investment and the need to bring training up to date for the staff that manage and deal with these aspects. However, ports also have the challenge of maintaining dialogue and coordinated action with their respective surrounding areas, neighbours, cities and regions, and to develop the best possible connections and convenience in relation to other modes of transport, for their mutual benefit and in order to seek the most harmonious and sustainable planning solutions.

The ports are also part of our internal market, and they therefore have to comply with the relevant Community parameters. The Committee on Transport and Tourism, which appointed me as rapporteur for this matter, wished to produce an own-initiative report, which, having been debated and agreed by the various groups is now being put before the plenary sitting of the European Parliament.

In our analysis we considered that the European ports policy should aim to promote competitiveness in maritime transport and the provision of

high-quality, modern services, promoting safety, fast services, low costs and respect for the environment, creating a European maritime transport space without barriers.

We believe that technological and economic progress and the widening of the Panama Canal will accentuate the current trend towards larger vessels, and will bring about changes in the international routes. We also believe that at the same time, in Europe, where there are not many ports that are deep enough to allow large vessels to operate there, there will be development of intermediate ports and also small and medium-sized ports, thus boosting cabotage and river transport.

For this future we need an integrated European policy to boost regional competitiveness and territorial cohesion, and efforts need to be redoubled to reduce water pollution and CO₂ emissions, therefore we are asking for the current fuel to be replaced by diesel by 2020. We need the port authorities to cooperate with each other and with the local and regional authorities and transport sector associations, not only maritime and river transport, but also rail, air and road transport.

We consider that the legal certainty of the Community legal framework in the maritime field, flowing from the international legal framework, depends on the speedy approval of the Erika III maritime package, and we ask for this to be done with the greatest of urgency and the greatest possible consensus.

European ports are sometimes in competition with ports in third countries that have discriminatory policies; we therefore need a list of bottlenecks. We understand that technological changes will have major financial implications, and that therefore the regions should also be able to use the structural funds in order to finance the acquisition of advanced technological installations, create jobs in innovative fields and rehabilitate urban areas freed up by the transfer of port facilities.

We are in communication with the Commission in order for it to publish guidelines for State aid to ports in 2008, distinguishing between access and defence infrastructures, which should be exempt, and project-related infrastructure and superstructure, and so that aid for environmental improvements or decongestions and reducing the use of roads should not be considered as State aid, or when it is essential, as in the case of islands, in order to ensure cohesion.

We approve the extension of the transparency requirements in this respect, but instead of an absolute obligation we ask for ports that do not reach a reduced minimum threshold for annual revenue to be exempted.

Finally, we support port workers being provided with a recognisable qualification and we ask the European social dialogue committee to address these issues.

Peter Mandelson, *Member of the Commission*. – Madam President, let me begin by thanking the Committee on Transport and Tourism for setting out its vision of ports policy, and Mr Ortuondo Larrea, the rapporteur, for his report. The report acknowledges the efforts made by the Commission in developing a genuine European ports policy, and that is what unites us.

The communication on a European ports policy is a response to the sector's needs and concerns as identified by the Commission following a broad consultation of the port sector from November 2006 to June 2007. The consultation results showed that there was agreement on the challenges faced by European ports: an increased demand for international transport, technological change, commitments to reduce greenhouse gases and other emissions, the need for dialogue, the need to ensure a level playing field.

To face these challenges, we need an effective and efficient European port system. The communication is intended as an inventory of the state of play in the port sector, which is characterised by great diversity in terms of the size, role, traffic and management methods. Parliament's report rightly notes this diversity. As the communication clearly states, the Commission has no intention of interfering with this diversity.

I agree with Parliament that the importance of our ports is linked not only to economic factors but also to the role of ports in society. Indeed, Parliament highlights the importance of ports, not only for maritime

river and intermodal transport in Europe and internationally, but also as a source of employment and a factor in the integration of the population.

It logically follows that the sector lends itself to a Europe-wide approach. The measures announced in the communication, which the industry agrees with and even clearly calls for, need to be implemented: guidelines on state aid, guidance on the application of environmental legislation, the European Maritime Transport space without barriers, and social dialogue. We have already started, and we are striving to achieve tangible results in the near future.

The Commission has adopted a communication proposing a clear framework and an action plan enabling European ports to face the challenges of today and tomorrow, to attract investment, and to contribute fully to co-modal transport chain development.

I am firmly convinced that the communication and the practical measures it will generate will produce positive and beneficial results, ensuring that European ports continue to play a pivotal role in the logistics chain and as centres of growth and employment.

Pierre Pribetich, *draftsman of the opinion of the Committee on Regional Development*. – (FR) Madam President, ladies and gentlemen, as draftsman of the opinion of the Committee on Regional Development, I would sincerely like to congratulate Mr Ortuondo on his main recommendations for the necessary development of European ports. I would also like to congratulate him for taking on board all of our proposals and I thank him on behalf of all my colleagues.

Within the EU, the free movement of goods and people is essential for our growth and also demonstrates our solidarity. The goods transport chain – 90% of international trade and transport – requires that each link, each node, is optimised in view of this rate of flow. The 21st century port is not escaping the impact of this new mobility. As a part of the city, it has to be integrated into the sustainable planning of cities, in accordance with the main stated, proactive, objectives of the fight against climate change. As a part of regional development too, it must be optimised in view of the integrated approach in the Leipzig Charter. The European Ports Policy, which we are pinning our hopes on, must therefore respond to this important need as well as to the objectives set in this report, and must thus be integrated into our general approach.

Corien Wortmann-Kool, *on behalf of the PPE-DE Group*. – (NL) Madam President, Commissioner, ports in Europe are a driving force for the economy. No less than 90% of Europe's international trade takes place via the ports. This must hold appeal for Mr Mandelson, as Commissioner for External Trade. Every year sees the transshipment of more than 3 million tonnes of goods from all over the world. The ports employ more than half a million Europeans. The growth figures are still substantial. Growth brings opportunities, but also problems: available infrastructure, good hinterland connections, environmental capacity. This is the very reason why it is so important that Europe does not hinder ports but help them and solve their problems.

This does not require a Directive on port services, or legislation, but it does require clear guidelines. It is important that the European Commission speed up the process of adopting guidelines on unclear and sometimes even inconsistent environmental legislation. Vague terminology and inconsistent wording make for judicial appeals procedures and bring important projects to a standstill. The Commission has yet to name a date for presentation of these guidelines. Can it provide any clarity on this point this evening?

It is also important to introduce guidelines for state aid. A level playing field between European ports is an essential precondition. Transparency requirements are also important with regard to ports. The Group of the European People's Party (Christian Democrats) and European Democrats supports the European Commission and opposes the enforcement of thresholds advocated by our rapporteur. We shall therefore be voting against these parts of the report. We shall also be voting against the amendments by the Confederal Group of the European United Left/Nordic Green Left, as they are contrary to sound proposals by the Greek Government, and it is wrong for the European Parliament to put paid to these. My Greek colleague will discuss this in a minute.

Emanuel Jardim Fernandes, *on behalf of the PSE Group*. – (PT) Madam President, Commissioner, ladies and gentlemen, I would like to congratulate the rapporteur on the quality of his report and thank the various members for their openness and their contributions, particularly that of Willi Piecyk, who recently passed away. In 2006 Parliament rejected the proposal on market access to port services for the second time. At the time it opted for measures favouring greater transparency, healthier competition, less precarious work, better employee qualifications and improved safety, and emphasised that unregulated liberalisation of the European port system is counterproductive. This report reinforces this position.

As the shadow rapporteur for the Socialist Group in the European Parliament, I have always upheld the following points that are raised in the final report: the need to use existing opportunities in terms of European funding or State aid to develop and purchase advanced and environmentally-responsible facilities and to better integrate them into the European port network; the need for local and regional authorities to make use of the possibilities their ports offer to develop their regions, creating more transport intermodality and competitiveness between ports; the need to improve current social conditions in the maritime sector, in particular through better training, lifelong learning and better safety conditions in the workplace; the need to enhance the European Union's competitive position as a global maritime power, in particular by strengthening regulatory frameworks in the area of maritime safety and financial incentives, rules to aid public or private investors from various backgrounds; improving the adaptation of existing ports to strict environmental requirements, in particular in terms of reducing greenhouse gases; strengthening the current regulatory framework for ports, as variables determining the global equilibrium; adapting the European port system to extremely rapid technological development without disregarding the environmental impact; accepting that some investments by public authorities may not be seen as State aids, for outermost regions and islands, when they are essential to ensure economic, social and territorial cohesion, as long as they do not benefit a single user or operator, and recognising the specific situation of outermost regions as recognised in the Treaty on European Union.

Anne E. Jensen, *on behalf of the ALDE Group.* – (DA) Madam President, the Group of the Alliance of Liberals and Democrats for Europe supports the Commission's new European ports policy strategy. Now that two proposals for the Ports Directive have failed, this must be rethought. In addition, the series of consultations arranged by the Commission, in which all port stakeholders have taken part, has demonstrated the need for clarification of both the government support rules, in order to ensure equal competition between the ports, and the environmental rules. Therefore, it is the correct strategy at present for the Commission to prepare guidelines for state support. Decisions need to be made concerning many details. There may be questions about how far into a port a road is considered a public project and the point at which this becomes the port's responsibility. The guidelines must give clear answers to this type of question. It is important that there is openness and transparency in questions concerning state support and I would like to give my wholehearted support to the rapporteur's recommendations in this connection.

The Commission will also provide clarification on how EU environmental legislation is to be interpreted in relation to port expansion and development. In terms of the overall picture, port expansions improve the environment by promoting maritime transport, which is more environmentally sound. Naturally, the development of ports should not be at the expense of the environment. Greater clarity will also ensure that environmental matters do not arise that in reality are merely aimed at delaying and complicating port expansion – matters that have not been raised out of genuine concern for the environment.

The Commission will promote the development of a port network and ensure the development of good supporting investments. How we get goods to and from ports is a major problem and good traffic links on land should be better reflected in the EU's support programmes in future, not only in regional support but perhaps also in a programme such as Marco Polo.

We will increase the efficiency of the ports through increased use of new technology and by reducing bureaucracy. In addition, I think that it would be a good result for the consultation process if the dialogue between the social partners could be more constructive in future. To be a port worker is to be a part of a culture, but at a modern port it is also a highly specialised job that is performed in a dangerous workplace. This requires a focus on qualifications and training. I also think that it is good that training has become a part of the toolbox launched by the Commission. I would like to wish Mr Ortuondo luck with an excellent report and look forward to the Commission implementing the action plan.

Pedro Guerreiro, *on behalf of the GUE/NGL Group.* – (PT) Madam President, we cannot go along with the assessment of this European Commission initiative, as we consider it is attempting, as a last resort, to promote the liberalisation of port services at European Union level. In its communication, the Commission states how it faced the challenge of the need to reconcile ports' and development management with transparency, competition and the body of EU law in general, as well as the establishment of a real internal market for maritime transport in Europe, for which it will put forward a legislative proposal, that is to say, the objective is to extend the inclusion of port management in the competition rules of the European Union's internal market.

Obviously the Commission does not have the power to privatise. However, it seeks to create the conditions so that when privatisations do occur, they do so within the framework of the European Union through the

liberalisation of port services, for example, as regards service concessions in the ports sector, and I quote, 'so that it does not limit open competition beyond what is required' or as regards public financing for all merchant ports, and I quote, 'irrespective of their ... turnover'.

For this reason, we believe that explicit mention should be made in the European Parliament report of the rejection of any new attempt to liberalise port services at European Union level as regards public financing, port concessions, technical-nautical services or cargo handling services. The ports sector is a public service of strategic importance for economic and social development, the environment, the defence and sovereignty of each Member State, which is why it should not be liberalised at EU level.

Johannes Blokland, *on behalf of the IND/DEM Group*. – (NL) Madam President, I should like to start by thanking Mr Ortuondo Larrea for his report on a European ports policy. I wish to note with regard to the report that the unfair competition between European ports must be stopped. It is unacceptable that one European port should have to support itself commercially whilst another lives on state aid.

My first request to the European Commission is connected with this. Can Commissioner Mandelson promise that he will publish the guidelines for state aid to ports before the end of 2008?

I should also like to urge the European Commission to publish guidelines on the application of Community environmental legislation by 2008. At the moment, the complexity and lack of clarity of this legislation is standing in the way of the development of Europe's ports.

Sylwester Chruszcz (NI). – (PL) Madam President, I am an MEP who comes into contact with the maritime economy on a daily basis. Ports are of major importance not only for transport in Europe, but also as an important element in the economy and a source of employment. Sea transport and sea ports contribute to and bind together the single EU market and the world economy. Their effective functioning and continuing development are of fundamental importance for the competitiveness of the European Union, and for Europe, in a world where globalisation is proceeding. Although the cross-border scope of the sector requires the coordination of a ports policy at European level, the foundations of this policy cannot be laid without reference to local and national needs. In view of this, it is with moderate optimism that I accept the, after all, limited means of influence of the European Union on individual Member States in the form of soft law – in other words, guidelines and the removal of administrative hurdles for an integrated or sustainable maritime policy.

Jim Higgins (PPE-DE). – (GA) Mr President, I welcome the Commission's initial recommendation. It is a very useful document and I would like to congratulate the Rapporteur on his hard work in preparing this report. The report emphasizes that ports are an essential infrastructure. There are more than 1,200 mercantile ports in the European Union employing half a million people directly or indirectly. I would like to welcome the section of the report that emphasizes the importance of good inland connections with the ports. In Ireland, for example, there are hardly any rail connections with the ports and there is no connection with the national airports or with the international airports.

The Minister for Transport in Ireland, who is a member of the Green Party, admitted that the situation in Ireland as regards carbon emission is very bad and getting worse and will no doubt worsen considerably because of the transport situation. This is caused, no doubt, by the absence of rail links between the ports and the airports. Exporters and importers in Ireland have no choice but to use motor vehicles and this is scandalous. I am always very pleased when the Transport Committee publishes reports like this which endorse the European Union's environment legislation.

Bogusław Liberadzki (PSE). – (PL) Mr President, may I take the liberty of thanking Mr Ortuondo Larrea for his report. I do this as one of the instigators, two years since, of the rejection of the draft directive on access to port services.

I am in favour of treating ports as an element of the infrastructure, and thus also of the public sector taking strategic responsibility for port development. Ports do not have to be state-run, but the public sector must take responsibility for them. It also suits me that we are talking about public aid. That may perhaps be something we need, and the rules of the game will undoubtedly serve us well.

I would like to emphasise the importance of stabilising the conditions for port employees. This is a group of people who, along with the port as an infrastructure element, create a source of economic potential. The final element to which I wished to draw attention is the need to modernise access to ports – in other words, roads, railway lines and inland waterways – to establish a multi-modal transport hub.

Siiri Oviir (ALDE). - (ET) I would like to thank the rapporteur and I hope that this report is successful this time.

My home country, Estonia, is also a maritime country and I am pleased that this report focuses on bottlenecks in the port sector in several Member States.

Ports are of great importance to economic and social development and to the competitiveness of the whole European Union, but we will only be able to cope in a world of global competition if we are above average in terms of innovation and best in terms of quality.

In a maritime country, maritime matters are an inseparable part of a complex logistical system and are an integral part of the country's overall economic system. Maritime transport is an important means of transport within the European Union as well, and on that basis I welcome the initiative to establish a single maritime transport space without barriers.

I am of the view that the European Union should not place short-sea shipping at a disadvantage compared to other forms of transport and that Community-cleared goods should not be subject to further customs inspection in Europe.

It is necessary to establish common rules governing the activity of European Union ports. However, by the same token, it is important for the European Union to give greater support to its own ports to counter unfair competition from third-country ports.

One of the important terms in a debate on ports is 'maritime safety'; improvements to this are required and cooperation between maritime rescue coordination centres must unquestionably be improved.

I hope that all the steps highlighted in the report – my allotted time of two minutes does not allow me to address them all of course – help to increase the competitiveness of European Union maritime transport and contribute to the development of a European ports policy.

Hélène Goudin (IND/DEM). - (SV) Madam President, when the Ports Directive was up for debate in 2006, the June List clearly and emphatically voted against it. The reason for our opposition to the directive is that the ports of Europe already work well and are competitive even from an international perspective. The report we are now debating contains several elements which were included in the Ports Directive that we voted against. Furthermore, the report contains many proposals which are as worrying as they are undesirable.

For example, it is proposed that Community-cleared goods are to be exempt from customs controls. This is a major problem, particularly regarding the smuggling of drugs, for example. It should be up to each Member State to decide whether a container is to be opened or not.

This is a report which stinks of unnecessary regulation, hidden protectionism and major costs for the taxpayer. Therefore I urge you all to vote against it tomorrow.

Roberto Fiore (NI). - (IT) Madam President, ladies and gentlemen, towns and cities have developed around our ports, and these ports are linked with the development of our people. It is vital therefore that our ports should be exemplary and legitimate and operate in strict accordance with the law.

Unfortunately, I must point out that there are two ports in Italy, Naples and Gioia Tauro, that have been found to be in serious breach of the law. Organised illegal imports of products take place, from China, for example, and this then undermines the economic fabric of the country. Then there are the Mafia organisations that organise clearly illegal imports of drugs and weapons and continue to undermine the economy and law and order of our country and Europe as a whole.

Therefore, the authorities and the European Parliament should keep a close watch on these situations, where disorder still reigns, unfortunately, the Mafia rules and there is no control or proper regulation.

Lambert van Nistelrooij (PPE-DE). - (NL) Madam President, Commissioner, rapporteur, ladies and gentlemen, I think that the proposal on the table is better than the document presented last time. It contains much more scope for decentralisation of responsibilities. This also increases the role of Member States – and, as a member of the Committee on Regional Development, it is this that I should like to discuss once more.

What strikes me is that the position of ports is very clearly defined on the one hand, but that on the other the necessary hinterland connection lags behind in a number of cases. One example is Antwerp here in

Belgium and the Ruhr area. The activation of the Iron Rhine – the railway link that would finally put an end to the constant stream of containers that cars find in front of them on the motorway – has been under discussion for years. The situation is ridiculous: things could be different, but the main responsibility lies with the nation-states.

This also goes for the Netherlands, where the Betuwe Line – in which billions of euros were invested – has been laid from Antwerp to the Ruhr area. Imagine my amazement: the optimum interconnection is lacking at the German border. Surely this is something we need to discuss. In view of the growth in international transport via the ports, those arteries, we must adopt a stricter integrated approach.

I know that the European Commission is working on a document regarding the territorial cohesion that must be realised not only in Western Europe, the old Member States, but also in the new Member States and beyond. There is easily scope for a little more direction in this. I am not talking about hard law and regulations, but a way to review each other's responsibilities. Nor am I talking about spending money from the Structural Funds. Billions of euros are being channelled into port development and clusters without coordinating this properly with the hinterland. This is the message I wish to convey. May I ask the Commissioner whether this priority area features in the Green Paper on Territorial Cohesion to be presented in October?

Ramona Nicole Mănescu (ALDE). – (RO) I would like to congratulate the Rapporteur for the work and effort submitted in drafting this document.

Maritime transport and ports represent two key components of the chain linking the European single market with the world economy and they are essential for handling 90% of Europe's international trade. From the perspective of regional development, ports represent one of the essential elements of cohesion in Europe, both due to the development of tourism capacity and the creation of over half a million jobs, which both dynamize and develop ultraperipheral regions.

In this context, aspects such as improving the image of ports and their better integration into urban life, their modernization by taking advantage of the possibilities provided by FEDER and the cohesion funds, as well as the involvement of local and harbour authorities in water and air quality management, contribute essentially to regional development.

For a competitive European policy, an integrated perspective is necessary, by correlating economic, environmental, social and security aspects. We should also not neglect the stimulation of cooperation programmes within the Union's neighbourhood and enlargement policy, as well as connecting the port areas to the Trans-European transport networks.

In the end, I would like to call attention to the Black Sea ports which, although they successfully meet all requirements for terminals, still need to be doubled by inland ports and waterways to facilitate the multimode transport and trade with Member States not bordering the sea.

Thus, I consider that the Danube represents a potential to be turned to good account with a view to building a logistic corridor linking the Black Sea region, Europe's Eastern gate, with Western Europe. Consequently, the Union should give special attention to the Black Sea region, which could become a pole of growth and development for Europe, thus contributing to the reduction of disparities between the ultraperipheral and the central regions.

Bernard Wojciechowski (IND/DEM). - Madam President, as the report rightly points out, ports are not only important for transport but also provide our citizens with jobs, have a significant impact on our economies, and are strategic for the security and defence of our Member States. In terms of policy, we should primarily focus on their modernisation and development of the sector which includes all of the other logistic operations that are interconnected with ports. With the expansion of any industry, we should always keep the environment in mind, especially when our maritime and waterways are involved. While our policy may protect the environment and the social impact, we should address the problems associated with the non-EU countries which impede on our success in this sector by not applying the same rules and safeguards.

Jim Allister (NI). - Madam President, paragraph 44 of this report calls on Member States to employ a trans-border approach to the use of existing capacities when co-financing port infrastructure.

In simple terms, that means that one state should not duplicate and prejudice existing neighbouring facilities. Yet that is precisely what is set to happen in my constituency of Northern Ireland – which is an area that the Commissioner knows well.

Warrenpoint on Carlingford Lough has been built up, particularly through recent high investment, into a very successful roll-on, roll-off ferry port. Just six miles away at Greenore in the Republic of Ireland, on the same lough, it is proposed to duplicate those facilities with public money, through a company that is part-owned by the Dublin Government.

I hear a lot from Ireland's politicians about wanting to help and cooperate with Northern Ireland, so have to ask why it is they are trying to supplant and destroy our port at Warrenpoint.

I hope the Commission will take an interest in this matter and look out for the state aid issues, and that it will realise that such action is totally incompatible with any sensible ports policy.

Margaritis Schinas (PPE-DE). – (EL) Madam President, without competing ports, the EU will not be able to meet the challenge of globalised trade – 90% of our imports are imported by sea – neither will it be able to decongest its major roads in favour of sea routes.

However, the ports will finally have to emerge from the Stone Age. They must stop being hostage to trade unions and must operate transparently, cut red tape and open up to more commercial horizons.

The Greek Government has set in motion a very ambitious programme to transfer parts of port operations to independent, private operators, who will bring a new dynamism not only to the Greek economy, but also to the wider area of South-East Europe.

I would therefore like to urge my fellow Members to support this option and reject the amendments of many left-wing Members aimed at undermining and diminishing the importance of the Greek programme for sea ports.

Colm Burke (PPE-DE). – Madam President, I warmly welcome this report. An integrated ports policy is necessary to boost trade and investment, while taking advantage of the environmental benefits of maritime transport. There are also massive gains to be made by greater cooperation between ports and different Member States.

In my own city of Cork and ports there, there is a proposal for a new service between that port and a port in Spain. Currently there is no roll-on roll-off link between these Member States. The benefits will accrue not only to Ireland and Spain, but also to the UK and France. Road freight between Ireland and Spain must now pass through the UK and France, adding to the congestion on their roads. Road freight will be taken off already congested motorways and transported over a shorter route by sea, saving time, money and carbon emissions.

However, a word of warning must be added. The port I referred to has recently attempted to relocate to a location outside the city, to deeper water. Unfortunately, planning was refused by the planning board, who are not accountable to the Government. They refused on the grounds that there was no rail link to the new proposed facility. The Government does not have any policy on freight transport by rail. This displays a lack of integrated thinking, where policymaking is uncoordinated across government agencies. Therefore I welcome this report.

Marusya Ivanova Lyubcheva (PSE). – (BG) Commissioner, this report is satisfactory for the people who live by the sea. In the context of the new policy of the European Union, the new maritime policy, it is very important to implement an effective ports policy. And since ports are each country's open doors to the world, and since out of twenty-seven countries twenty-four are considered maritime ones, the ports policy proves very important for the economic development of many regions.

It is necessary for local communities to be involved in what happens on their territory and to be included in determining the ports policy. Protection of the environment in maritime territories and coastal zones is necessary because this is exceptionally important. This year the Bulgarian Black Sea coast was polluted by oil slicks on three occasions. We should again turn to the discussion of the matter of drafting a directive on the application of minimum requirements in accordance with the International Convention for the Prevention of Pollution of the Sea by Oil.

Czesław Adam Siekierski (PPE-DE). – (PL) Madam President, our discussion on European ports policy coincides with a time of very dynamic changes in the shipbuilding industry. On the one hand, we may see prospects for development in the industry. The number of orders is rising, and the demand for large container ships is increasing. On the other hand, we must bear in mind that our competitors are in a very strong position. Nearly 75% of container ship building is now carried out by Asian countries – South Korea, Japan

and China. Our shipyards are being forced back onto the defensive, with world competition ever harder for them to match. A further problem faced by the industry is the low dollar exchange rate. This situation is threatening many shipyard undertakings with bankruptcy in the longer term.

Silvia-Adriana Țicău (PSE). – (RO) Approximately 30% of the movement of goods in Europe takes place in the ports of Rotterdam, Antwerp and Hamburg and 20% in the biggest nine ports at the Mediterranean Sea. Romania's and Bulgaria's accession provides the European Union with an exit to the Black Sea and, implicitly, direct access to important sea ports such as Constanța, Mangalia, Varna and Burgas, as well as to ports situated on the maritime Danube: Galați, Brăila, Tulcea and Sulina.

Many European ports deal with differences between the storage and loading-unloading capacities, deficient organization of terminals, insufficient routes and maritime or land access, long waiting time, insufficient security for trucks, trains and barges, low productivity and excessive, slow and expensive formalities.

I consider investments in creating new installations and improving the existent ones, creating waste treatment installations, reducing emissions, simplifying procedures, the transparency of public financing, ensuring health and safety at work a priority. Structural funds, the State aid, the Naiades and Marco Polo programmes are only some of the available Community instruments.

Rodi Kratsa-Tsagaropoulou (PPE-DE). – (EL) Madam President, let me first thank the rapporteur, Mr Ortuondo Larrea, for his excellent work, the attention he has given to Members' proposals and his cooperation with the political groups. I also thank the European Commission for presenting a mature, comprehensive proposal that takes account of all the challenges and aspects of a modern policy on sea ports.

In particular, I should like to underline the issue that was finally included, after proposals made by me and other Members: the attention that should be given to island regions. The ports in these regions must be strengthened. It should be stressed that state funding may be allowed so that regional and island ports can be strengthened to meet the challenge of economic and territorial cohesion.

I believe this is a real contribution towards the EU's aims of solidarity, competitiveness and cohesion.

Josu Ortuondo Larrea, rapporteur. – (ES) Mr President, I would like to add to my earlier comments by urging the Commission to promote the exchange and dissemination of good practice in the port sector in general and with regard to innovation and the training of workers in particular in order to improve the quality of services, competitiveness of the ports and the attraction of investment.

We welcome the fact there is to be a European Maritime Day on 20 May each year, with an open day to help the public gain a better understanding of the work and importance of the port sector for our lives and our well-being. We urge the operators to reduce the number of empty containers transported and the Commission to promote a single harmonised transport document for all European Union containers, also simplifying customs procedures for goods that have come from or are going to destinations within the Community to the same level as for road, rail or air transport. We also urge the Commission to continue its efforts to ensure that the United States regulation which plans to scan all of the containers that we send there is changed, and replaced by cooperation based on the mutual recognition of authorised economic operators and of security standards agreed by the World Customs Organisation.

To conclude, I would like to thank the shadow rapporteurs, all of my colleagues who have spoken and the secretariats of the Committees on Transport and Regional Development for their help and significant contribution to the final result of this report, as well as staff in the Commission and Directorate B of the Directorate General for Internal Policies of the Union, who produced an excellent report for us on this subject. Thank you to everyone, and I hope that tomorrow we will have support to move forward with this important report.

President. – The debate is closed.

The vote will take place on Thursday 4 September.

19. Freight transport in Europe (debate)

President. – The next item is the report (A6-0326/2008) by Michael Cramer, on behalf of the Committee on Transport and Tourism, on freight transport in Europe [2008/2008(INI)].

Michael Cramer, *rapporteur*. – (DE) Madam President, Commissioner, ladies and gentlemen, firstly I should like to thank the shadow rapporteurs most sincerely in connection with the report on freight transport in Europe as well as the secretariat of the Committee on Transport and Tourism, particularly Mr Catot. Cooperation was fruitful, not least because it showed that the report had been unanimously accepted in committee without any negative votes or abstentions.

Europe's citizens are increasingly suffering under the burden of rising freight traffic, particularly on the roads. My report strives to bring the scourge of the lorry under control. The European Commission has clear objectives for its action plan on freight transport, which it wants to introduce soon.

The independent rail freight network in Europe is unequivocally rejected. Even if it is a pleasant dream, mixed traffic is in most countries comfortable on tracks, i.e. freight and passenger trains travel on the same tracks. The utilisation of existing infrastructure must therefore be improved at every technical and logistical opportunity and – of course – must also be extended when necessary.

The report on the Commission's idea of 'green corridors' has provided greater substance. Transport should be shifted on to environmentally friendly modes of transport in order to reduce not only accidents, congestion and noise, but also air pollution and encroachment on the countryside. Renewable energies ought to have an important role in this, whereupon wind and solar power are expressly mentioned in the report.

With the acceptance of the user and polluter pays principles for all modes of transport, the report also delivers a clear message in the debate on the Eurovignette: transport by heavily polluting lorries should no longer be subsidised, and external costs must be completely internalised.

(Heckling)

... and particularly for aircraft.

Shifting freight traffic from road to rail remains a central aim. For this reason the report is demanding a minimum investment of 40% of EU transport funds in the railways. Only around 17% of freight is transported by rail in Europe. In the highway country of the United States, however, the proportion is 40%. The EU will only be able to deal with the increase in freight traffic if it improves its rail infrastructure. The Member States' transport ministers are being asked as a matter of urgency to look beyond their national perspectives and make the investments necessary for Europe in their own countries.

Interconnection of transport modes is also important. A standard carriage document is also required for shipment by sea, rail, lorry and aircraft, a European maritime transport space without barriers, a not only European, but also worldwide standard for intermodal loading units and, in particular, a better connection between maritime and river ports and the hinterland's road and rail network.

Despite the unanimous vote, my group put forward amendments because some votes in committee were extremely close. The most important amendment concerns the challenge to the Commission to specify the areas of major congestion and problems in the European rail freight transport system. This kind of analysis is necessary in order to quickly eliminate the weak spots in the rail network and thus create greater capacity. The Commission itself, incidentally, has very much welcomed this idea and I hope that tomorrow – during the vote in plenary – a majority will be obtained on this.

Many thanks once again to all my fellow Members and for their attentiveness.

Peter Mandelson, *Member of the Commission*. – Madam President, in a set of four communications adopted in 2007 and 2008, the Commission has developed its strategy for improving the performance of the systems of freight transport in Europe. These communications are: firstly, the EU's freight transport agenda, boosting the efficiency, integration and sustainability of freight transport in Europe; secondly, the action plan for freight transport logistics; thirdly, towards a rail network giving priority to freight; and fourthly, the multiannual contract for rail infrastructure quality.

I am particularly pleased to see that all of these communications have now become the subject of a motion for a resolution in your assembly, which indicates the importance Parliament attaches to this matter.

I would like to thank the rapporteur, Mr Michael Cramer, for the work that he has done, and all the Members who have contributed to it.

In terms of tonnes per kilometre, the White Paper of 2001 foresaw a 50% growth in goods transport in Europe between 2000 and 2020. The Commission will update that estimate next year, but it is already clear

that it was pretty accurate. The major challenges presented by this growth, the fight against congestion and climate change, reductions in pollutant emissions and guaranteed security of the energy supply are more topical now than ever they have been.

The choice of means of transport should, therefore, be directed towards the least pollutant ones, although each means of transport, including road transport, should be used where it is most efficient and most suitable.

There is also a need to improve the efficiency of the European transport system by implementing measures aimed at introducing information technology on a large scale, in administrative simplification as well as enhanced service quality.

I welcome the fact that the draft report is encouraging the Commission to pursue a goods transport policy that places a greater emphasis on sustainability. Our wish is to create a transport system that is reliable, effective and viable, both financially and environmentally. To this end I am convinced that co-modality – that is, the rational and optimum use of all modes of transport on their own and in combination – must become one of the guiding rules behind our thinking and action.

In addition, the various modes of transport must meet a number of performance criteria that are essential to competitiveness. In particular, punctuality, regularity, reliability, high quality, sufficient capacity, interoperability and transnational coordination on international corridors are some of the watchwords for an array of services that has the customer absolutely in mind. It is through specific, immediate action at a controlled cost such as those contained in the text of your resolution, together with other European initiatives such as the Green Paper on the future of the TEN-T, that we will be able to increase the efficiency of the European transport system.

Georg Jarzembowski, *on behalf of the PPE-DE Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, my group supports the own-initiative report by the Committee on Transport and Tourism with its multifaceted proposals for freight transport in Europe. The framework conditions for environmentally friendly freight transport tailored to suit market needs are crucial for growth and employment in the European Union.

I must also say, however, that the European Union and the Member States are being called upon to increase their efforts considerably in developing and upgrading efficient transport structures. We shall be reminding the Commission of this when we carry out the mid-term review of finances. Making grand speeches does not help if the money is not made available to upgrade the trans-European networks. Upgrading the transport infrastructures applies in particular to rail transport. The priority here is to upgrade the most heavily used rail corridors and equip them with the ERTMS cross-border European rail traffic control system so that we quickly shift freight transport from road to rail. However, to tell you the truth, Commissioner, when you compiled the list of proposals for freight services – I still remember that Neil Kinnock had already had the idea of separate rail networks for freight transport – you were once again acting on the Commission's proposal 'Towards a rail network giving priority to freight'. Since that time nobody at the Commission has been talking about this because you and we know that there is not enough money to provide a second rail network alongside a normal, sensibly developed system tailored to suit market needs. As the Commission you should therefore be telling the truth: the idea of separate freight networks is dead. Let us develop sensible, dual-use networks: primarily passenger trains by day and primarily freight trains by night. We then have to resolve the problem of noise because in cities in Germany and elsewhere, and along the Rhine, the noise at night really gets on citizens' nerves and stops them sleeping. Therefore, let us talk about practical sound-proofing measures on the railways, on the trans-European networks and on the dual use of the rail network.

It is even more important, however, that we take sensible action on the logistics. That, Mr Cramer, is mentioned all too little in the report. It is important that the Member States and the EU work more effectively together with industry and the service enterprises in order to make better use of the freight logistics. The use of logistics is, of course, a primary task of the enterprises. They know best how logistics are used. However, the European Union and the Member States can help by lifting unnecessary national restrictions and – this I fully concede to Mr Cramer – by providing standard customs documents, for example, in order that better use can be made of the logistics. Let us therefore upgrade the infrastructure nationally and let us cooperate with the industry in determining the best use of transport logistics.

Inés Ayala Sender, *on behalf of the PSE Group*. – (ES) Madam President, I would first of all like to thank the Commission for the Logistics Action Plan, which has taken into account the majority of the European Parliament's previous proposals. I would also like to thank Mr Cramer, the rapporteur, for being open to constructive dialogue. This has achieved a more integrative text in which logistics should not only contribute

to the sustainability of transport in general, and of freight transport in particular, but also to improving mobility by including logistical solutions for all modes of transport and support for green corridors as models of mobility and convenience.

I also welcome the fact that emphasis is placed on using the existing rail traffic networks which are being freed up as a result of the progress made with high-speed passenger trains, and can be specifically dedicated to freight transport.

I also think that the inclusion of the prominent role of internal logistical platforms and dry docks is important, as well as the promotion of urban logistics through determinedly enhancing the logistics aspect of the very interesting CIVITAS programme, which we welcome.

We would also like to thank Mr Cramer for the emphasis placed on the logistics factor in priority cross-border rail freight corridors, among which I must mention the line that includes the central Pyrenees crossing that will be a future link between the Spanish logistical platforms such as Plaza and those in the South of France.

To conclude I would like to draw the Commission's attention to the proposal to arrive at a programme for strengthening cooperation between the national logistics plans of the Member States by the end of this year, which would help to prepare more effective formulas for mitigating the current shortage of resources and dealing with the needs of what is a key sector at this time, in this economic climate, in which fuel prices, the demands of combating climate change, the peripherality caused by enlargement and the dangerous working conditions in the sector mean that it is more urgent that intelligent, innovative and attractive solutions are applied, which only an ambitious European logistics action plan can offer us.

My group therefore supports Mr Cramer's report and his Amendment 4 on

multi-annual contracts.

Erik Meijer, *on behalf of the GUE/NGL Group*. – (NL) Madam President, at various stages of the production process goods are hauled to a faraway place, subsequently ending up in a completely different place as finished products. They are often transported in the most environmentally unfriendly way: by lorry on the increasingly congested motorways. The enormous growth in freight transport, which is still continuing, has been caused by a steady decrease in the costs involved. This is bad news for the environment, for safety, for working conditions and also for animal welfare. My group therefore opts for restricting the growth in transport, and for transferring the necessary remaining transport to the railways and inland waterways as far as possible. This desire is reflected in toned-down form in the European Commission proposals and in the supplementary proposals by the rapporteur, Mr Cramer.

We object to the possibility of precedence being given to freight transport at the expense of passenger trains, however. The growth in freight transport may necessitate a supplementary infrastructure to prevent the two interfering with each other. In addition, I would draw attention to the problems with the launch of the uniform European safety system ERTMS. Investment in this will be beneficial for the future, but will cause problems in the short term.

Johannes Blokland, *on behalf of the IND/DEM Group*. – (NL) Madam President, I should like to start by thanking Mr Cramer for his work as rapporteur. The report is a good one, and I should like to highlight the following aspects of it.

Freight traffic must be unrestricted, honest and clean, and we are working hard in this House to make this happen. Earlier this year, the end of cabotage restrictions came into view. That was a good start. This report continues in that vein, and that is excellent. The rapporteur rightly points out that urban freight logistics require a specific approach. It is of the utmost importance that European towns and cities be cleaned up. I think that computerised speed adjustment in towns and cities is an excellent instrument, therefore, and I hope that the European Commission will support measures and make proposals to ensure that freight transport in towns and cities is not constantly having to brake and accelerate. This is the way to make freight transport faster and cleaner.

Silvia-Adriana Țicău (PSE). – (RO) The Union's economic development and competitiveness depend on efficient transport of goods. We have to develop the railway infrastructure, the maritime corridors, the ports infrastructure and co-modality. Improving the connections between seaports and river ports and the inland railway and road network is an important component of the logistic infrastructure.

Romania's and Bulgaria's accession provides the European Union with an exit to the Black Sea. The Danube is now almost entirely a waterway inside the Union. This means new opportunities for the European transport of goods. Nevertheless, I emphasize that the efficient transport of goods needs: balanced use of all types of transport, decongesting traffic, simplifying procedures, legislative stability, investments in logistics systems and intelligent transport systems, such as Galileo, but especially ensuring transportation safety.

Programmes such as Naiades and Marco Polo are not sufficiently used by Member States in order to improve the transport of goods. Nevertheless, I call the Commission's attention to the barriers met by some road carriers, and I refer to the Romanian ones, when transiting the territory of certain Member States.

Michael Cramer, rapporteur. – (DE) Madam President, Commissioner, we also have to think of our own failings, of course. We cannot always be talking about sustainable transport on Sundays and doing the opposite from Monday to Friday. It does seem to be the case that in the Commission 60% of the money flowing into transport flows into roads as co-financing and only 20% of it into environmentally friendly railways.

It can be said that transport in Europe is too cheap and environmentally friendly transport too expensive. This is also to do with the framework conditions. We do, for example, have a compulsory rail toll system for each Member State. This applies to every engine, every kilometre of track, whereas the toll in environmentally damaging road transport is voluntary, its amount is limited and it applies only to motorways, and usually only to lorries of 12 tonnes or more. You need to change these unfair framework conditions, otherwise you will resolve neither problems to do with climate policy nor transport problems. The forecast is that traffic is on the increase. But why is it on the increase? Because it does not cost anything.

There are several examples that could be mentioned. I should like to mention one example from your home country. The United Kingdom exports 1.5 million tonnes of pork every year. If you look at the balance of imports, this shows that the United Kingdom also imports a further 1.5 million tonnes of pork. We could eliminate this. We could eliminate this transportation and use the capacity, which we definitely need, to do so. In Europe we therefore have to eliminate a lot of the nonsense over transport capacity and then we have to shift transport over to environmentally friendly modes and design it to be efficient so that we can guarantee mobility, while providing people with the goods, but also protecting the environment, because this is the order of the day.

Without a healthy environment, neither we nor our children and children's children have the future we all want.

President. – The debate is closed.

The vote will take place on Thursday 4 September.

Written statements (Rule 142)

Gábor Harangozó (PSE), in writing. – Sustainable and efficient freight transport must indeed seriously be improved as the transport sector is responsible for a large share of CO₂ emissions in the Union. As the sector is expected to grow substantially, increasing its efficiency and sustainability should be seen as an opportunity to develop its economic competitiveness and to create numerous jobs.

The Union should therefore allocate resources sufficient to achieve the ambitious objectives of improved mobility, intermodality in transport modes, energy efficiency, reduced consumption of oil and reduced pollution. We welcome therefore the strategic approach of the proposed Freight Transport Action Plan and its objectives: to focus on freight corridors using a combination of the various modes of transport; to promote innovative technologies and infrastructures; more efficient freight transport management and to enhance the attractiveness of modes of transport other than road. To ensure the success of a sustainable European transport policy, we – of course – have to bear in mind the importance of fostering synergies and complementarities with other European policies such as energy and environment policies.

Cross-border harmonisation of national rules and synergy with the other related policies are necessary conditions for the achievement of the objectives of sustainable and efficient freight transport.

20. Composition of committees and delegations : see Minutes

21. Defence of parliamentary immunity: see Minutes

22. Agenda of the next sitting : see Minutes**23. Closure of the sitting**

(The sitting was closed at 11.50 p.m.)