

## WEDNESDAY, 10 FEBRUARY 2010

IN THE CHAIR: MR PITTELLA

*Vice-President*

### 1. Opening of the sitting

*(The sitting was opened at 08.30)*

### 2. Recent earthquake in Haiti (motions for resolutions tabled): see Minutes

### 3. Situation in Iran (motions for resolutions tabled): see Minutes

### 4. Situation in Yemen (motions for resolutions tabled): see Minutes

### 5. Trafficking in human beings (motions for resolutions tabled): see Minutes

### 6. Outcome of the Copenhagen Summit on climate change (motions for resolutions tabled): see Minutes

### 7. Implementing measures (Rule 88): see Minutes

### 8. 2009 progress report on Croatia - 2009 progress report on the Former Yugoslav Republic of Macedonia - 2009 progress report on Turkey (debate)

**President.** – The next item is the joint debate on the Council and Commission statements on the:

- 2009 progress report on Croatia [2009/2767(RSP)]
- 2009 progress report on the Former Yugoslav Republic of Macedonia [2009/2768(RSP)]
- 2009 progress report on Turkey [2009/2769(RSP)]

**Diego López Garrido, President-in-Office of the Council.** – (ES) Mr President, I would like to begin by reiterating the firm commitment of the Presidency-in-Office of the Council to the enlargement of the European Union. Our work in this respect will follow the line of the renewed consensus on enlargement approved at the December 2006 European Council and the Council conclusions of 8 December 2009, which have also been endorsed by the European Council.

As highlighted in this House's resolution, which we are now going to debate, the first half of this year will be crucial for the negotiations with Croatia. They have entered their final phase, yet much remains to be done before we can reach a successful conclusion. We are going to have to look at difficult chapters such as those on competition, fisheries, the judiciary and fundamental rights, the environment, and foreign security and defence policy. We will also have to close provisionally some chapters with financial implications.

Therefore, a great deal of work lies ahead. New Commissioner, Štefan Füle, who was a former colleague of mine when I was Europe Minister – and I would like to welcome him and congratulate him on his appointment – is going to be extremely busy with the enlargement issue as far as Croatia is concerned, because as soon as next week, we plan to hold an initial intergovernmental conference at ministerial level to open the chapters on fisheries and the environment, two very important chapters that, as you can imagine, will require an enormous amount of work and dedication.

Allow me to remind you about the conclusions on Croatia adopted by the Council in December. You are already aware of them but I would like to highlight a number of points. The Council commended Croatia for the considerable efforts it had made over the past year and the good overall progress made. It also referred to a series of financial measures for Croatia's accession negotiations and noted that the negotiations were entering their final phase.

The Council underlined that building on the progress already made, Croatia still had to make significant improvements in fundamental spheres such as the judicial system, public administration, and the fight against corruption and organised crime. It also needs to guarantee the rights of persons belonging to minorities, including the return of refugees and prosecution of war crimes, in order to build up a convincing track record in these areas.

The Council noted, too, Croatia's cooperation with the International Criminal Tribunal for the Former Yugoslavia, although it felt that further efforts were necessary. We believe that we could achieve new goals in that area.

Naturally, we also welcomed the signing of the arbitration agreement on the contentious border dispute between Croatia and Slovenia. The agreement was signed on 4 November in Stockholm and ratified by the Croatian Parliament on 20 November. The Council encouraged Croatia to build on these efforts in order to solve all outstanding bilateral issues, especially border disputes.

The Council also welcomed the creation in December, just over a month ago, of a working group to prepare the draft Accession Treaty of Croatia. Finally, implementation of the revised Accession Partnership will be crucial when preparing for the country's eventual integration into the EU. As I said, we have a great deal of work ahead of us.

Since this is a joint debate on Croatia, the Former Yugoslav Republic of Macedonia and Turkey, I would like to state that the Western Balkans are one of the European Union's main priorities. Stability in that region is vitally important to us, and in 2010, we are going to see a number of milestones in the region's transition: progress on the applications for accession – as we have just discussed – fresh impetus for the network of Stabilisation and Association agreements, closer regional cooperation and progress towards a more liberal visa regime.

We know that the prospect of joining the Union – what we call the European perspective of the Western Balkans – is the most important catalyst for stability and reform in these countries. It is undoubtedly a prospect, a real prospect, but it is not an automatic right.

Moving on to the Former Yugoslav Republic of Macedonia, I would like to begin with a summary of the country's general situation and I will refer to the European Parliament's resolution, for which the rapporteur was Mr Zoran Thaler. The resolution does a very good job of presenting a dynamic situation, full of possibilities for the Former Yugoslav Republic of Macedonia. It highlights many of the challenges facing the country: widespread failure to comply with the law, corruption, implementation of the recommendations of the Organisation for Security and Cooperation in Europe and the Office for Democratic Institutions and Human Rights, allocation of funds for effective decentralisation, access to justice, greater participation of women in political life, support for civil society organisations, persistently high unemployment, environmental problems, etc.

The resolution underlines the importance of having a timetable for the opening of negotiations as well as the common desire to find, as soon as possible, an acceptable solution to the issue of the country's name, which, as you know, is currently the subject of a dispute with Greece.

I would like to make a few comments in relation to events you refer to in your resolution, such as the local elections in March and April – which the OSCE considered to have met the standards laid down – and the sixth meeting of the Stabilisation and Association Council, held in July 2009, which we concluded and which revealed that the country was truly fulfilling the commitments it had made under that agreement. The Former Yugoslav Republic of Macedonia has continued to work on its relations with the European Union, which is why the European Commission stated that it had made real progress and recommended that accession negotiations be opened.

In its conclusions last December, the Council acknowledged the progress referred to by the Commission and agreed to return to the matter in the next few months. The European Parliament, as you know, has taken note of these Council conclusions of 8 December 2009.

Moreover, 19 December saw the entry into force of the visa-free regime, in accordance with the Schengen system, for citizens of the Former Yugoslav Republic of Macedonia.

We should also mention a number of specific points relating to the Former Yugoslav Republic of Macedonia: inter-ethnic relations, differences of opinion between Macedonian Slavs over the 'antiquity' of the country

and differences of opinion over its relations with neighbouring countries. All of these topics are reflected in various sections of Parliament's resolution.

In summary, I would like to say that some aspects warrant close attention, beyond the mere adoption and application of laws; some issues fall under the auspices of the Ohrid Framework Agreement, some are purely national matters, and some relate to neighbouring countries.

The European institutions believe that the future of the Former Yugoslav Republic of Macedonia involves membership of the European Union and that such aspirations will have to take the shape of full national integration, in accordance with the Ohrid Framework Agreement. This is what the European Union believes and will continue to believe.

Finally, I would like to take this opportunity to look in greater detail at the state of Turkey's negotiations and to present the Spanish Presidency's plans for this important enlargement issue.

It is important – and I want to say this at the outset – that we continue the negotiations with Turkey, that we keep the process on track. Building on the work of previous presidencies, we hope to convince everyone of the need to move this process forward where possible.

The negotiations have entered a phase which we could say is somewhat more complicated or somewhat more problematic, which requires Turkey to redouble its efforts to meet the conditions laid down. A number of technically difficult negotiating chapters await us. However, it is important – and I want to say this at the outset, too – that Turkey makes progress on the reforms concerning the European Union.

At present, as the new Commissioner knows all too well, the technical work is focusing on four negotiating chapters: public procurement; competition; food safety, veterinary and phytosanitary policy; and social policy and employment. We must stress that the energy chapter is also important and it has become especially relevant following the signing of the Nabucco Agreement.

At its last part-session, Parliament debated Turkey and, in particular, the country's democratisation. There is a contrast between, on the one hand, the process of democratic initiative, as the Turkish Government calls it, and, on the other, some worrying decisions such as the recent decision by the Constitutional Court concerning the ban on a political party, which has also been mentioned here and is a very sensitive topic.

Therefore, in spite of the progress made, further efforts to ensure that Turkey fully meets the Copenhagen criteria are required in a number of areas, including freedom of expression, freedom of the press, freedom of religion in law and in practice for all religious communities, respect for property rights, trade union rights, rights of persons belonging to minorities, civilian supervision of the military, women's and children's rights, and anti-discrimination and gender equality measures. This is clearly reflected in both Parliament's resolution and the Council conclusions of 8 December.

I would also like to mention some other aspects of the Council conclusions. For example, the Council stressed that Turkey needs to commit itself unequivocally to good neighbourly relations and to the peaceful settlement of disputes in accordance with the United Nations Charter, having recourse, if necessary, to the International Court of Justice. In this context, the Union urged Turkey – as we have done in the bilateral meetings with Turkey – to avoid any kind of threat, source of friction or actions that could damage good neighbourly relations and the peaceful settlement of disputes.

The Council also noted with deep regret that Turkey has yet to implement the Additional Protocol to the Association Agreement, the so-called Ankara Protocol, and that it has not made sufficient progress towards normalisation of its relations with the Republic of Cyprus.

In the first half of 2010, in the Association Council and the Association Committee with Turkey, we will have a chance to assess the development of our relations; it will be a good opportunity to examine significant problems, such as the political criteria, the progress made in adapting national legislation and the application of the *acquis*.

We have also planned a series of political dialogue meetings at ministerial level, between political leaders, that will enable us to look at our relations in the wider international context. In this respect, the Council expects Turkey to support the ongoing negotiations within the UN framework on the issue that I just referred to, namely the Cyprus problem, in accordance with the relevant UN Security Council resolutions and in line with the principles on which the Union is founded.

Mr President, ladies and gentlemen, I look forward to hearing your views and will respond to any comments or questions you might like to put to me.

**President.** – I will now give the floor to Commissioner Füle. I would also like to congratulate him because it is his first day in office.

**Štefan Füle, Member of the Commission.** – Mr President, first of all, I am delighted that my very first official engagement since taking up office just some hours ago is here in the European Parliament. I also think that it is an excellent turn of events that the very first debate in this high House with a new Commission is taking place on enlargement. Thirdly, I am delighted that the European Parliament expressed its strong support for enlargement in three reports.

The resolutions are proof of the commitment of the European Parliament to the accession prospects of Croatia, the Former Yugoslav Republic of Macedonia and Turkey. This is a clear signal that enlargement will continue to be a top priority of the European Parliament and, together with my colleagues, I will do my utmost to bring this success story forward. I am very glad that my friend, Secretary of State López Garrido, has just reconfirmed full support for this process on behalf of the Council and its Presidency.

On Croatia, I appreciate Parliament's fair and balanced report and would like to congratulate Mr Hannes Swoboda, the rapporteur. The report highlights the progress achieved by Croatia in meeting the criteria for accession but, at the same time, recognises the efforts that are still necessary for concluding the negotiations. Your report thus reinforces the messages and supports the work undertaken by the Commission. Let me underline that closure of negotiations in 2010 is still possible, provided that Croatia progresses in fulfilling all outstanding benchmarks. The ball is clearly in Croatia's court.

Croatia has come a long way over recent years but important challenges still remain to be tackled. Here, we share a common assessment. Croatia needs to focus, in particular, on the further reform of its judiciary and public administration, the fight against corruption and organised crime, respect for minority rights including refugee return, as well as war crimes trials and full cooperation with the International Criminal Tribunal for the Former Yugoslavia.

We are encouraged by recent developments in fighting corruption. We hope that investigation into wrongdoing leads to concrete results. As for cooperation with the ICTY, which is a fundamental requirement, Chief Prosecutor Brammertz confirmed that full cooperation has still not been achieved. However, he acknowledged recent positive steps such as the setting up of the task force aimed at stepping up investigation efforts. I hope that the work of the task force will soon produce concrete results. Finally, the arbitration agreement of November 2009 between Slovenia and Croatia on the handling of the bilateral border issue has started a new momentum in the negotiations process which, I trust, Croatia will be able to seize by intensifying its efforts to address the remaining outstanding issues.

As regards the Former Yugoslav Republic of Macedonia, 2009 was a good year as regards its reform process. Thanks to political consensus between all the main political forces, the country was able to make significant progress in key areas. It achieved visa liberalisation, and the Commission could recommend starting accession negotiations. I am glad to see that there is a strong consensus between Parliament and the Commission that accession negotiations should start, as expressed in Mr Thaler's constructive and forward-looking report. Now the challenge for the country is to maintain the reform momentum.

While the country met the political criteria, there is still much work to be done. A shared vision of the future and effective political dialogue between the political forces will be crucial to ensuring progress. Continued efforts are needed in particular on fully implementing the Ohrid Framework Agreement and improving inter-ethnic relations, ensuring the rule of law and an independent judiciary, and successfully prosecuting high-level corruption cases.

The economic crisis has not left the country untouched. Unfortunately, the country was already suffering one of the highest unemployment rates in Europe. Now, more than ever, prudent macro-economic management and active labour market measures are needed to contain, and then reduce unemployment.

Like you, I am convinced that the start of accession negotiations is key to maintaining the reform momentum in the country. Equally important, it will enhance the European perspective for the wider region. It is therefore in the strategic interest of the European Union. This is the message which I will be putting forward to the Member States and to the country so as to take the process forward.

On Turkey, I would like to thank your rapporteur, Ms Oomen-Ruijten, for her continued efforts towards a fair and balanced approach in her report on Turkey. The Commission remains committed to the accession process with Turkey as this process gives strong encouragement to political and economic reform.

Work on the political criteria remains of the utmost importance, in particular, as regards fundamental freedoms. A number of landmark reforms have been carried out in the past year. Some of them were next to impossible only a few years ago. Last week, the security protocol that allowed the army to intervene without authorisation in the case of security threats was annulled. This is a landmark achievement in civilian-military relations. We will observe closely the follow-up of this conciliation. The submission of a draft law setting up an independent human rights institution and the much awaited anti-corruption strategy, adopted in principle by the Turkish Government on 21 January, are also promising.

We continue to support the democratic opening launched by the government. The success of this initiative requires the participation and support of all political parties and all segments of society. However, the Commission has concerns following the decision of the Constitutional Court to close the pro-Kurdish party represented in Parliament, the DTP. We also regret the arrests that took place in the south-east at the end of December. We condemn the terrorist attacks that took place at the same time. None of these developments is really conducive to the successful implementation of the democratic opening.

**Hannes Swoboda, *author*.** – (DE) Mr President, firstly, I would like to extend my warm thanks to the Council and to Mr Füle for their statements, in particular, on Croatia. These statements indicate that both the Council and the Commission have the determination to complete this process as quickly as possible. I also agree with Mr Füle that it is possible to complete the negotiations with Croatia this year, given the necessary good will and the appropriate policies. Of course, it is also Croatia's responsibility, in particular, to take the decisive steps.

I would like to say at this point that Croatia has made considerable progress, particularly in recent months and with regard to corruption. Croatia has shown that no one is outside the law or exempt from measures to combat corruption. This sends out an important signal. Croatia has also come to an agreement with Slovenia and has ratified the agreement relatively quickly in parliament, which shows that there is a strong shared determination to meet the necessary requirements. I hope that the same thing will happen soon in Slovenia. I am convinced that the Slovenian Government fully supports the agreement and I hope that the domestic political problems can soon be resolved and that the agreement can be ratified.

However, there is still some work to be done. The point has already been made that the fight against corruption is an important element. However, the situation will not change overnight. There are many unresolved issues in this area, but I am certain that the government and the relevant public bodies have the will to continue this fight without exerting political influence.

As for the reform of the judiciary, this is not only about combating corruption, but also about a number of other issues, such as training for judges. Several steps need to be taken by Croatia to establish a modern judicial system and I hope that this will happen soon.

With regard to the collaboration with the International Criminal Tribunal for the Former Yugoslavia (ICTY), Mr Füle has given us an accurate and complex description of the situation. Mr Brammertz has assured the Committee on Foreign Affairs that a great deal is being done. It is only a case of finding some documents relating to the case against General Gotovina, but Mr Brammertz himself has said that he does not know whether these documents still exist or whether they have already been destroyed. It may be that some of them have never existed. Nevertheless, I hope that Croatia does everything in its power in this respect. I would like the task force mentioned by Mr Füle to have broad support from experts from other countries, without giving automatic approval in advance to the efforts made by Croatia. However, I believe that a great deal of progress has been made in this area. I hope that the few small items outstanding will be completed in the next few weeks or months in order to convince Mr Brammertz that he is receiving full cooperation.

A great deal has also been achieved with regard to the return of refugees or internally displaced persons. There are still a few problems at a detailed level which are relatively difficult to solve. When people have fled from houses that did not belong to them, where they were tenants, such as the social housing which existed in the former Yugoslavia, it is difficult to organise their return and ensure that they have a home again. Although a lot of people want to return in principle, as a result of the economic crisis and unemployment, when they arrive in regions where there are already high levels of unemployment, it may not actually be practical for them to return in such large numbers.

It is true that a great deal of progress has been made in this area. I am convinced that the current government and, I hope, also the opposition will work together to take the final steps. It has become clear over and over again in Croatia in recent months that a joint approach to European issues is the decisive factor. There must be widespread determination to solve the outstanding problems and, despite internal differences, to make it clear that the path leads to Europe and that Croatia must arrive there as quickly as possible.

(Applause)

**Zoran Thaler**, *author.* – (SL) 2009 was a good year for the candidate country of the Former Yugoslav Republic of Macedonia (FYROM). The Commission of the European Union has confirmed this and the two presidencies-in-office, both the Swedish and now the Spanish one, have confirmed this. And that is what I, too, have said in my draft report.

The authorities in Skopje have addressed and fulfilled the key priorities of the accession partnership, commonly known as benchmarks. Secondly, FYROM was the first country in the region to comply with all the visa liberalisation requirements. It did so by as early as July last year and the visa-free regime came into force on 19 December. It has solved the border dispute with Kosovo and has cooperated successfully on regional initiatives, such as CEFTA and the South-East European Cooperation Process. It has also cooperated successfully with the International Criminal Tribunal for the Former Yugoslavia in the Hague. Last week, the FYROM Parliament passed a resolution on Srebrenica.

What are we trying to achieve in Parliament with this resolution and with my report on FYROM's progress? Above all, we want to help. We want to help FYROM progress along the road of stability towards the European Union. We should remember that FYROM was the only former Yugoslav republic that successfully avoided Milošević's wars.

Secondly, we want to help our fellow Member State, Greece, and thereby the European Union as a whole, because we need to bear in mind that any country thrives only in so far as its neighbouring countries do. That is an empirical fact and one which can be proven. That is why I invite our friends in Greece, our fellow Member State, to try to solve this problem together with the government in Skopje and to relax its approach north of its borders. I invite Greece to be a true, fair and broad-minded leader, a mentor and a sponsor of the Balkans. The Balkans of today needs that.

In this respect, I would particularly like to welcome Agenda 2014, an initiative prepared by the new Greek Government of Mr Papandreou. Well done for this initiative! I stand together with Greece. Let us do everything we can to reach this goal. Let us show solidarity with both Greece, our fellow Member State, and with the FYROM. Solidarity must be mutual.

We need to bear in mind that the Balkans is like a bicycle ride. As long as it is moving, as long as it is pedalling forward, everything is more or less OK, but if it stops, if there is a blockage, if it reaches a stalemate, we fall down, all of us fall down. If we stopped now, peace, stability, security and social cohesion would break down.

By way of conclusion, let me stress one more fact: FYROM has been a candidate since 2005. We all need to be aware of the consequences of our decisions or failure to take decisions. Whenever I visit Skopje, I always make it clear to them that they are responsible for finding a solution with Greece, their neighbour.

Let us therefore appeal here to the authorities in Skopje, Athens and Sofia, as well as to the Spanish Presidency, Commissioner Füle, Foreign Affairs High Representative Ashton and Parliament: let us do everything, each within their own remit, to help solve this problem. That is how we can achieve a different Balkans and a better Balkans than we have seen over the past 20 years.

**Ria Oomen-Ruijten**, *author.* – (NL) Let me begin by warmly welcoming Commissioner Füle: congratulations on your appointment and I look forward to sound collaboration with you.

Mr President, I would like to thank all my fellow Members, whose constructive contributions to the report have made it possible for us to achieve a consensus in most areas. I would also like to reiterate that my aim as rapporteur for this Parliament is to bring about a situation where we send out a clear, balanced and coherent message. I believe that we can only do that if we seek out a broad majority together.

I actually have three messages for Turkey. First of all, and this is how the report begins, too, we have open debate, then there is the constitution and the enforcement of legislation. I will begin with open debate, democratic opening. From an entirely objective point of view, we welcome the broad debate that the Turkish Government initiated last year in respect of the rights of Kurds, the Alevi, the role of the army, and so on.

However, Mr President, the judgment from the Constitutional Court last December ensured that terrorist attacks would take place once again. There was a wave of arrests of Democratic Society Party (DTP) members, and the threat of arrest still hangs over members of the Turkish Parliament. The open and positive debate that there had been since the summer thus seems likely to come to a premature end as a result. Of course, Mr President, as a representative of the people, I have respect for legal verdicts, but I also understand that the Constitutional Court has also said of the prohibition of political parties that Turkey should now enthusiastically engage with what has been recommended by the Council of Europe and the Venice Commission. I ask Turkey, then, to do so, to ensure that this kind of unfortunate situation does not arise again.

Mr President, that brings me to another verdict by the Court, namely the annulment of the law restricting the jurisdiction of the military court. As parliamentarians, we are in no position to criticise the judgment, but it does show, once again, that the basis of these judgments, the constitution, is inadequate, in the sense that – and I need to word this carefully – in any case, it gives grounds for such judgments to be made. That is why we are all calling, once again, for Turkey to bring forward a revision of its constitution without delay, as that is the only thing that can bring about the real reforms that are so necessary to modernise Turkish society.

Mr President, my third, fundamental point concerns the implementation and the enforcement of legislation that has been adopted. In the areas of women's rights, freedom of religion and the maltreatment of criminal suspects, the standards laid down also need to be complied with throughout Turkey. Mr President, I am therefore calling for additional attention to be paid to enforcement.

I will turn now to the amendments. On Cyprus, I attempted to reach a clear and broad-based compromise with the shadow rapporteurs. Turkey needs to know that the supplementary protocol that has been agreed must be accepted without delay. In paragraph 34, I have called on all parties to ensure that a solution is reached in respect of the division of Cyprus. With this paragraph, then, I am specifically asking Turkey to send out positive signals.

Mr President, we emphasise, in a new paragraph 48, that both leaders must be encouraged to have courage in order to reach a solution for the island soon. This is absolutely necessary. I would say to Mrs Cornelissen that, although your amendment about violence against women is probably a little redundant, the Group of the European People's Party (Christian Democrats) will also, as expected, support it.

Mr President, finally, I would like to reiterate, once again, that, this year, too, my aim is to produce a report that offers a very clear message that is critical, but also balanced. It is my belief that, if we adopt this report with a large majority, we will also be finding a good solution for Turkey in modernising the country and making it prosperous for all of its citizens.

**Bernd Posselt, on behalf of the PPE Group.** – (DE) Mr President, we have clear expectations of the Council and the Commission. We expect negotiations with Croatia to be completed and negotiations with Macedonia to be started this year. This includes recognising that the policy on minority groups in these two countries is better than in many Member States of the European Union and that all the minorities and ethnic groups in both countries are represented in their governments. Mr Füle, the question of the return of the refugees, if you will pardon my saying so, has been handled by Croatia in a way which could serve as a model for other states. Therefore, I would like to say quite clearly that we should, of course, explain to these countries that they still need to make an effort. However, saying that the ball is solely in Croatia's court is totally unacceptable. Croatia has ratified the border agreement and I would like to join with Mr Swoboda in calling on the Slovenian Parliament to do the same thing. Three negotiating chapters remain to be opened by the Council. I would like to call on the Spanish representative of the Council of Ministers to ensure that they are opened during the Spanish Presidency. This will allow Croatia, if it is treated fairly, to complete the negotiations this year.

As far as the appalling blockade of Macedonia on account of the name issue is concerned, in this case, the ball is not solely in Macedonia's court either. Instead, the responsibility lies with an EU Member State which has set up a blockade that runs contrary to international law. I would like to make it clear at this point that the EU must behave in a credible way, in other words, we must demand things from others, but we must also live up to our own standards, otherwise we will lose all credibility. I feel that it is important for us to work towards voting on Croatia this year in this Parliament, after following a long and difficult path. Then the observers can come here, in the same way that the Czech, Slovenian and Hungarian observers came and were welcomed by us. I hope that European elections can take place in Croatia either next year or the year after and that Croatian Members will join us here in Parliament and help to prepare for the accession of other southern European states, with Macedonia being the first in line.

**Kristian Vigenin, on behalf of the S&D Group.** – (BG) Mr President, Mr Füle, I want to join in congratulating you as a new member of the European Commission and say that it may, in fact, be an important sign that on this very day, the first debate in this Parliament involving the new Commission is actually on enlargement.

In fact, we do not need to reiterate that enlargement has turned out and proved to be one of the European Union's most successful policies. I wish you every success. Our Parliament will do its utmost to support you in these efforts because those of us here in the European Parliament are actually the strongest proponents of the enlargement of this region of security, prosperity and citizens' rights, which is the European Union.

In this respect, I think that the statements from the three rapporteurs highlighted the serious work which was done by the Committee on Foreign Affairs and them personally. I want to congratulate them on this and say that these three reports which we are discussing today were adopted by a huge majority in the Committee on Foreign Affairs. I believe that this will also be the case today.

I want to stress that we wish to use our reports to give a very clear signal to the three countries as well, even though the general debate will probably dilute our messages to some extent, that we remain committed to the process, but that there are issues which cannot be avoided and on which the three countries must take action. They are mainly linked to the fact that the European Parliament cannot and will not close its eyes to a whole series of issues related to the fulfilment of the Copenhagen criteria supporting the protection of fundamental rights, media freedom and freedom of association, as well as the protection of minorities' rights, good neighbourly relations, etc.

I would like to dwell briefly on three issues which, in my view, are of fundamental importance to making progress on the three countries' accession. Firstly, it is clear with regard to Croatia that the path to membership is already open for this country. The agreement reached with Slovenia is extremely important, but we call for its ratification as soon as possible so that it will provide the opportunity for the negotiations with Croatia to be concluded by the end of this year.

With regard to Macedonia, we hope that the Former Yugoslav Republic of Macedonia will demonstrate the necessary flexibility. We also hope that the new Greek Government will find a solution to the name issue so that Macedonia can receive a date for starting negotiations by this year.

As far as Turkey is concerned, the Cyprus question cannot be avoided. Until progress is made on this first, Turkey cannot hope to make substantial progress in its process of integration.

**Ivo Vajgl, on behalf of the ALDE Group.** – (SL) With the Resolution on Croatia, which Parliament is to adopt here today, we will recognise that this country has made progress in terms of fulfilling the criteria for accession to the European Union, carrying out democratic system reforms and harmonising its legislation with the requirements of *the acquis*. That places Croatia firmly at the top of the list of countries with the prospect of becoming fully-fledged members of the European Union. That also opens up the possibility for Croatia to wrap up negotiations as early as this year, as we have stated in our report.

We are very pleased to note that Mrs Kosor, the new Croatian Prime Minister, has quickly and successfully taken steps in the areas where we have met the greatest obstacles so far: in the fight against corruption and organised crime, in implementing a programme of administrative reform, in addressing war crimes and in ensuring legal or constitutional protection for ethnic and other minorities.

By signing a border arbitration agreement with its neighbour Slovenia, the new Croatian Government has not only eliminated an obstacle to the negotiating process, but has also paved the way for the resolution of other issues. It is important that Croatia continues to address border disputes with its other neighbours and ensures that these negotiations are conducted in good faith and according to the principle of *pacta sunt servanda*.

I should also point out that this resolution, which was drafted under the excellent guidance of my fellow member and rapporteur, Hannes Swoboda, has, in an objective and positive way, also highlighted problem areas where Croatia still has a great deal of work to do. To name but a few, these include cooperation with the Hague Tribunal, efforts made so far in prosecuting corruption, restructuring the economy and finances and greater commitment and sincerity in eliminating the obstacles to the return of Croatia's Serbian population. Croatia is their homeland, too.

The positive reports on the progress of Croatia and FYROM should also be seen as a definite signal of the EU's openness to enlargement to all the countries in the Western Balkans and a confirmation of the commitments we have undertaken towards these countries, Turkey included, provided they meet all relevant



criteria. That, however, depends primarily on them. Let me conclude by wishing Mr Füle, our new commissioner, every success. I know he will do an excellent job.

**Franziska Katharina Brantner**, *on behalf of the Verts/ALE Group*. – Mr President, on behalf of the Verts/ALE Group, I should first like to extend a warm welcome to this House to Mr Füle as Commissioner. We are happy to work with you and look forward to our future cooperation. I would also like to thank Mr Swoboda for the good cooperation on the Croatia report. I think there was good cooperation in the process and I thank my colleagues.

I would just like to say that we would have preferred to have had the debate en bloc so that we had all three countries, but separate sections, in the morning. We think that would have made more sense instead of having them all mixed up together, but that is a side note.

(DE) The Group of the Greens/European Free Alliance is in favour of Croatia joining the European Union quickly and we welcome very much the rapid progress which this country has made. Croatia's quick accession will send out an important signal on security policy to the entire Western Balkans. It means that the promise of membership made by European Heads of State or Government in Thessaloniki to all the countries in the Western Balkans still holds. The credibility and validity of this promise represent an enormous incentive for all the states in the region to implement far-reaching reforms which will make these countries more secure, more stable and more prosperous.

It is important to say with regard to Croatia that the civil service there must be strengthened and made more transparent. The decisive factor here is not only the adoption of new legislation but, above all, the administrative implementation of the laws. We in the Verts/ALE group would like to see better results in this area. We believe that the only solution to the problems of corruption and organised crime is the consistent implementation of new laws and directives. The same applies to the judiciary and the particularly important chapter concerning the judicial system that has not yet been negotiated. The announcements made by the Croatian Government are a good thing, but they must be followed by action that brings about *de facto* improvements in the situation in the courts. We would like to see more transparency and less political influence in this area as well.

For this reason, we are proposing four amendments, which I would like to encourage you to vote for. The first concerns the fight against corruption. We would like the construction and urban planning sector to be included in particular, as this is where the largest public contracts are awarded.

Secondly, we would like a reference in paragraph 19 to the fact that the situation of gay men and lesbians is unsatisfactory. There have been repeated attacks on people from these minority groups. We have now received assurances from the Croatian Government that some of these cases are being investigated. We feel that this is a very positive sign and would like to encourage the Croatian authorities to speed up the implementation of the anti-discrimination act.

My final point is that we have no vision for a new energy policy for Croatia. Therefore, we would like to call on you to support our Amendment 7. We are looking forward to Croatia joining the European Union soon.

**Charles Tannock**, *on behalf of the ECR Group*. – Mr President, the ECR Group favours enlargement of the European Union. We see not only significant benefits in a larger single market, but we also look – unlike some Members of this House – for a dilution of the federalist ambition at the heart of the European Union. However, candidates must be subject to rigorous and exacting standards as laid out in the Copenhagen criteria.

We therefore fully endorse the Commission's thorough approach to preparing candidates for membership and its willingness to learn the lessons of previous enlargements, in particular, the most recent ones to Bulgaria and Romania, where there were outstanding problems in the areas of organised crime and corruption. Croatia, along with Iceland – if approved as a candidate – is undoubtedly the country most ready to join the European Union, and its accession will help stabilise the Western Balkans. While recognising that a border dispute with Slovenia remains outstanding, we do not think that bilateral disputes can be allowed to delay Croatia's membership. Italy, after all, did not stop Slovenia joining in spite of border and minority disputes at the time.

As the Commission report makes clear, Croatia has also made some substantial progress in meeting the negotiating benchmarks, and the country's commitment to the EU's expectations remains strong. Macedonia is also now fully back on track towards membership, and we welcome its EU visa liberalisation, along with

Serbia and Montenegro, and support immediate calls now to the Council to allow the opening of negotiations for membership for Macedonia.

The ECR Group believes that the almost comical name dispute with Greece should be resolved sensibly and rapidly. President Ivanov has helped to add momentum to Macedonia's EU ambitions, and we hope his request to meet the newly re-elected President of Greece will be reciprocated in the spirit of friendship and neighbourhood relationships. Meanwhile, Turkey's EU membership application remains problematic, not least in the field of human rights. The recent horrifying case of a teenage girl buried alive for talking to boys simply gives ammunition to those who say that Turkey has no place in the European Union. Its failure to recognise Cyprus or implement the Ankara protocols, as well as stalling in the ratification of the treaty to re-establish relations with Armenia, is a disappointment.

Finally, as permanent rapporteur of the Parliament for Montenegro, I should just like to add that in my view, having recently visited this country, it is well on its way to candidate status, and I hope to see that happen as soon as possible.

Lastly, I, too, would like to take the opportunity on behalf of my group, the ECR Group, to congratulate Commissioner Füle on his electoral appointment yesterday, and my group will be fully cooperating with him in his challenging tasks ahead.

**Takis Hadjigeorgiou**, *on behalf of the GUE/NGL Group.* – (EL) We wish to emphasise from the outset that we are in favour of the integration of Turkey. We mean this and we believe in it. It is necessary, primarily for Turkey itself, in order to safeguard the rights of all minorities, to reduce the electoral limit for seats in Parliament and to safeguard labour rights, such as the right to strike and collective bargaining.

Finding a real political solution to the Kurdish problem, recognising the Armenian genocide, normalising relations with neighbouring countries and ending the occupation of Cyprus are some of the issues which Turkey is required to address. As emphasised by the Council, it needs, urgently and without further delay, to comply fully and without discrimination with the additional protocol to the Ankara Agreement.

In ignoring international law, Turkey is preventing the Republic of Cyprus from exercising its sovereign rights in its exclusive economic zone. As such, we declare that we disagree with the position that the relevant energy chapter should be opened.

To close, I should like to mention the intention of some members to vote for an amendment calling for all interested parties to help to resolve the Cyprus question. I am sure that everyone will help. However, is this not unacceptably making everyone equally responsible, making the victim and the occupier equally responsible? If we want a solution to the Cyprus question, we must underline Turkey's responsibilities. We must speak openly to Turkey, whose integration, I repeat in closing, we support. However, it is the integration of Turkey into the European Union that we support, not the integration of the European Union into Turkey.

**Bastiaan Belder**, *on behalf of the EFD Group.* – (NL) At the risk of upsetting Turkish diplomats again – note their reaction to numerous European Parliament amendments – I urge the Council and the Commission to put the following five points on the agenda in the forthcoming negotiations with the Turkish authorities.

1. The granting of legal personality to all religious communities in Turkey – the fundamental precondition for the realisation of the freedom of religion in Turkey.
2. The immediate ending of the public hate campaign against Turkish Christians beneath the cover of allowing the doubly negative loaded term 'missionary activities' in schoolbooks and local media, as if Turkish Christians were, by definition, subversive and bent on undermining the state.
3. The immediate ending of the conspicuous discrimination against non-Islamic minorities when filling important civilian and military posts within the Turkish Government apparatus.
4. Effective government measures against growing anti-Semitism in public life in Turkey. A Turkish academic recently spoke of a poisoned atmosphere. I am pleased that the atmosphere is still open enough for an academic to openly come out and say such a thing. What is needed, therefore, is effective government measures against the growing anti-Semitism in public life in Turkey, in which regard Prime Minister Erdoğan, specifically, should take the lead role.
5. Finally, a strict bringing into line of relations with the Islamic Republic of Iran with transatlantic policy on Tehran and its controversial nuclear programme. Turkey must spell out where it stands on the increasingly

urgent issue of Tehran's nuclear programme. As a NATO member and EU candidate country, Turkey must nail its colours to the mast. It must make a clear choice.

I call on the Council and the Commission to take the Copenhagen criteria and the urgent criticisms of Turkey that I have mentioned seriously and, Commissioner, once again, I would like to wish you all the best in your new role. I look forward to constructive consultation and I also have faith that you will take the Copenhagen criteria seriously and that we will thus be able to work on modernising Turkey, a country that I also want to respect.

**Barry Madlener (NI).** – (NL) Mr Füle, welcome to the House! Mr President, the Dutch Party for Freedom (PVV), my party, has chosen to operate independently in this Parliament. In this case, we have enjoyed excellent collaboration with the Europe of Freedom and Democracy Group and with Mr Messerschmidt, to whom I would like to offer my heartfelt thanks.

Mr President, first of all, I would like to say that the PVV is not in favour of enlargement – not to Croatia, not to Macedonia and certainly not to Turkey. Turkey's occupation of Cyprus is illegal, all of us in this Chamber believe that, and yet we continue to be involved with Turkey without seriously denouncing them for this. We do not impose any sanctions – or next to no sanctions – on Turkey. This, to me, is really weak-fisted behaviour, and I have therefore tabled an amendment that condemns this occupation and orders Turkey to withdraw its troops from Cyprus, and to do so immediately. I therefore hope that you will all support this amendment.

What is more, the freedom of the press in Turkey is under severe pressure. When I was visiting Turkey, the press was even moved on. We must strongly condemn this and that is why I have tabled Amendment 16.

Now, ladies and gentlemen, we come to Iran, a rogue state. Mr Ahmadinejad, an Islamic dictator, terrorises his own population, wants to wipe Israel from the map and says so openly, is working on long-distance missiles, regularly carries out missile tests and yesterday began enriching uranium, which is suitable for nuclear weapons. Ladies and gentlemen, we can but express our disgust about this. Turkey, which wants to accede to the EU, counts the Iranian Government as a great friend and must be strongly condemned for this, which is why I have tabled Amendment 17. I count on your support.

Next, I want to mention the negotiations with Turkey. Turkey, which counts Iran as a friend, occupies Cyprus, oppresses Christians, violates the rights of women, is a member of the Organisation of the Islamic Conference (OIC), operates Sharia law, which limits human rights, and is an Islamic country, can never accede to this Union. We should not allow that to happen, for which reason I have tabled Amendments 18 and 19, which aim to bring an end to the accession negotiations. Thus, I hope that you will all support my amendments.

**Eduard Kukan (PPE).** – Mr President, first of all, I would like to congratulate Zoran Thaler on his report and thank him and all other colleagues for their very constructive work in preparing this draft resolution. A sincere welcome to Commissioner Füle, and my best wishes for the success of his future work.

The European People's Party considers that FYROM went through many positive developments during the last year. The progress it made in fulfilling most of the criteria towards starting EU accession negotiations is indeed both significant and remarkable. The fact that the Commission has recommended the opening of negotiations with FYROM should be seen as a clear message that this country is on the right track.

Parliament should therefore stand firmly behind this recommendation and, by adopting this resolution, send a positive signal to the country and indeed the whole region. I hope the European Council will confirm the Commission's decision and the call included in this resolution, and will give the green light for negotiations with FYROM in the near future without further delay. I also believe that up until this happens, the negotiations on the name issue will progress and relations with neighbouring countries will get better.

FYROM should rise to the challenge and show that it is ready to fulfil all the Copenhagen criteria, on the basis of which its ambitions to become a member of the EU should be assessed.

**Raimon Obiols (S&D).** – (ES) I think the report we are going to be voting on today, concerning Turkey's progress towards European accession, is a positive one. It is frank, and some criticisms can be made; but it is a balanced report and I congratulate the rapporteur, Mrs Oomen-Ruijten, for that.

Obviously, our political group would have placed greater emphasis on certain aspects. However, we have negotiated a broad consensus because we believe the report should be given as much support as possible by this Chamber.

We need to send out a clear message on that point. It should be a positive message, one of good will, but it should also be rigorous so as to boost the negotiating process and stimulate the advancement of modernising, democratic reforms in Turkey. We have to be clear on this matter: we need to overcome this phase of sluggishness and indecision in the negotiation process.

According to opinion polls, public support for accession in Turkey has waned, and that public perception needs to change. The only way to achieve this is to ensure that the negotiations and reforms continue to move forward, that the European Union shows itself to be consistent with the commitments it has undertaken, and that it also avoids sending out contradictory signals which create uncertainty. Of course, Turkey must also take decisive steps on the path towards reform.

Two scenarios lie ahead: a vicious circle of divisions, confrontations and mistrust; or a virtuous circle of serious, rigorous, yet unambiguous negotiation.

If this report makes even a modest contribution to progress along those lines, then I think we can be satisfied.

**Jorgo Chatzimarkakis (ALDE).** – (DE) Mr President, as the head of the delegation, I would like, first of all, to congratulate Mr Thaler on his very balanced report. Skopje has carried out reforms and is on the way to joining the European Union. We welcome this very much and are very pleased about it. The visa liberalisation was perhaps the clearest and most visible sign. It was a milestone in our cooperation. This objective has only been achieved as a result of close collaboration with the EU Member States. It represents openness, interaction and cooperation.

However, we must not forget that Macedonia was granted the status of accession candidate four years ago and since then, we have constantly been asking ourselves when it would finally join the European Union. I would like to call on all the parties to ensure that the name conflict, which is currently the focus of attention, is resolved. We must make use of the momentum generated by the Council decision in December and by the new Greek Government. This momentum is diminishing day by day. I would like to explain to the parties that if we concentrate now on other topics, such as the financial crisis, the goal of Macedonia's accession will be pushed further into the background. We surely do not wish this to happen and this is why we must continue to make every effort in this area.

**Marije Cornelissen (Verts/ALE).** – (NL) Over the last six months, I have seized every opportunity to travel to the Balkans and to Turkey and to talk to people there. It is tremendous to actually see what is going on on the ground there with a view to accession: major political breakthroughs, but also, and above all, entirely practical changes that benefit the people who live there.

In Montenegro, for example, the existence of homosexuality is finally being recognised. In Turkey, the shelters for women have finally succeeded in achieving good relations with the police, to name just two examples. We should be enthusiastic about what is being achieved in these countries and what is going well, but, at the same time, we need to be very clear about what still has to be done.

The European Parliament and the Member States must continue to insist on the criteria that we laid down at the beginning of the process. However, we also need to avoid watering down the power of the accession process by erecting extra obstacles.

I just want to focus in on Macedonia for a moment. We all agree that the bilateral problem of the name must be resolved. We also all agree that the EU must provide all possible support in this process. Bilateral problems, in themselves, should not represent an obstacle to the accession process. This applies to Macedonia, but also just as much to Croatia, Serbia, Turkey, Kosovo and Iceland. For the people who live there, the prospect of accession is too important to be held hostage to the resolution of a bilateral disagreement.

I therefore ask you all to also vote in favour of our amendment, Amendment 4, which aims to insert a new paragraph 30(2) into the report on Macedonia. I also ask you all to really bear in mind, in respect of these three reports, how very important the accession process is.

**Tomasz Piotr Poręba (ECR).** – (PL) Mr President, Commissioner, first of all, I would like to congratulate you, Mr Füle, on your election to this capacity. I am certain we are going to work fruitfully and effectively together for further enlargement of the European Union. I am sure that you will complete the negotiation process of the European Union with Croatia before the end of the year. I am sure that you will also begin the process of negotiation with Macedonia soon. I hope this will also be this year.

In this speech, I would like to stress the exceptional role of Croatia as a future Member State of the European Union, particularly in the context of the defence of our common values and the security of our continent. We value the fact that Croatian units, as part of NATO, are present in Kosovo and Afghanistan. Around 300 Croatian soldiers, diplomats and police officers are also taking part in ISAF operations in three regions of Afghanistan. Our new ally has bravely supported our fight against terrorism in several NATO missions. I am certain that Croatia's membership of the European Union will contribute to continued stability in a part of Europe which only a few years ago experienced a cruel conflict and ethnic cleansing.

If Croatia completes all the reforms, it can finish negotiations with the European Union before the end of the year. This is a good objective, and I call upon everyone to support these efforts. We should value the fact that Zagreb has carried out numerous reforms, especially in the area of the judicial system and public administration, and also concerning the fight against corruption and organised crime. Bringing Croatia into the family of Member States of the European Union is part of our strategy to build a continent of democracy and prosperity. The example of this Balkan country confirms that the process of European Union enlargement is a strong incentive to political and economic reform in countries which aspire to membership. Let us remember this, too, when we look at our eastern neighbour, Ukraine.

**Niki Tzavela (EFD).** – (EL) Mr President, over the last year, Turkey's multifaceted foreign policy has caused confusion both within the international community and among the secular section of Turkish society. Where is Turkey heading? Is it heading towards a multicultural Europe or towards a pan-Islamic state?

May I briefly remind the House of its political conduct towards Iran, its unacceptable diplomatic language against Israel, the dispute with Egypt on the Gaza borders and the Turkish Government's recent decision to abolish entry visas for 7 Arabic countries. As we know, many of them harbour extremist Islamic associations whose members can now easily enter Europe and the West. The issue of the abolition of visas, in particular, has outraged the secular state in Turkey.

If we introduce new sanctions against Iran, Turkey's stand in the UN Security Council will be a starting point for clarifying the future of modern Turkey, at which point we shall speak differently about Turkey in this Chamber.

**Philip Claeys (NI).** – (NL) For understandable reasons, public opinion in Europe is sharply against the accession of Turkey, a non-European and Islamic country. The previous Commission promised that negotiations with Turkey would be suspended if it came to light that Turkey was failing in its democratic obligations and that the negotiations would have to keep pace with the reform process in Turkey. Neither of these promises has been kept.

On the contrary, new chapters have been opened time after time, while Turkey is moving backwards rather than forwards. Political parties are being outlawed, Kurdish mayors arrested and Christians are subject to intimidation, violence and administrative prejudice. Christian writers and academics are having to go into hiding. I have not even got on to phenomena such as forced marriages and so-called honour killings.

What deadline will the Commission issue Turkey with to recognise all the Member States of the European Union? When will Turkey have to comply with the Ankara Protocol? When will the illegal military occupation of Cyprus be brought to an end?

**José Ignacio Salafranca Sánchez-Neyra (PPE).** – (ES) Mr President, like my fellow Members, I also wish to congratulate Mr Füle on having taken office and I hope that the excellent impression he made in his Committee on Foreign Affairs hearing will be confirmed over the course of his mandate, particularly in the sensitive area of enlargement.

I would like to say a few words about Turkey, firstly to congratulate our rapporteur, Mrs Oomen-Ruijten for the excellent results obtained in the committee.

Her report, which refers to 2008 and 2009, neither overstates nor underplays matters; it highlights the efforts Turkey is making to try to meet the Copenhagen conditions and criteria.

In my view, however, these efforts need to be considered within Turkey's current context and political situation: seven years of Mr Erdoğan's moderate Islamic government, with elections expected in July 2011; a country that is seething from the Operation Sledgehammer cases; from the annulment of the Emasya Protocol, which handed major powers over to the military; and, in particular, from the ruling that has banned the activities of the Democratic Society Party in Turkey.

This context, Commissioner, means that the Turkish case needs to be handled with great caution. Turkey has to meet the conditions and requirements of the Copenhagen criteria and, obviously, it has to comply with the Ankara Protocol. However, in this particular context and situation, it goes without saying, Commissioner, that if any wrong signal is sent out, it could have very serious consequences for the security of the European Union, especially when the governing party does not have the three-fifths majority it needs in parliament in order to modify the constitution; such a signal could seriously give rise to alarming turmoil in an already unstable country that is a strategic partner for the West, in the context of the Atlantic Alliance.

We need to use the utmost caution in the negotiating process in order not to make any mistakes.

**Richard Howitt (S&D).** – Mr President, first, could I repeat in public my own congratulations to Commissioner Füle. We got you up early this morning on your first day in the job, and I think it will not be the only time that we do so.

In Turkey, there is significant public scepticism that the EU will keep its promise and, just as you confront scepticism amongst some of our publics within the EU, your challenge, Commissioner, is to be fair and objective – and, yes, that wins public trust. But also to put the positive case for enlargement, to win over sceptic publics, and our group will support you in doing so.

On Turkey, the Socialist and Democrat Group remains pro-accession, pro-reform. The Commission's progress report says that reform efforts have been resumed but should be intensified. We agree. So, on this first report during the five years of this Parliament, let me focus my opening remarks on how we as a Parliament should deal with Turkey. To the rapporteur, I respect your sincere commitment to pursuing consensus in this House and I thank you for your cooperation. I hope, in future years, that you will seek agreement of the political groups before submitting plenary amendments to agreed compromises at committee, as our differences are small.

But the real test of your rapporteurship and for this Parliament is to ensure that we use our influence to secure, year by year, steady progress in shepherding Turkey towards accession, and that requires leadership here as well as in the country.

To our Cypriot colleagues we understand the pain of injustice you feel. In our group, we have sought to include you fully in our consensus, but we are determined at this crucial time to seek to take positions which support reconciliation efforts to provide justice to both communities and not to prejudice their outcome on behalf of either side.

To others in this House, constructive criticism of Turkey is needed; we ourselves are critical friends. But to those who speak in this debate opposing Turkey, we say that you are a minority; too many of you are motivated by religious intolerance against Islam and seeking your own political advantage by deliberately creating false fears about immigration. These arguments are loathsome and repellent, and so are you.

Finally, to the majority of this House who want Turkey's accession, we have to say so again and again. The shrill voice of the rejectionist must not be allowed to drown us out. We expect our Turkish counterparts to continue to make painful changes in their own society with difficult impact on their domestic politics.

These reforms are good in their own right, but, those of us who say in this Parliament we want accession: we have to make their pain worthwhile by ourselves doing what we say, opening and closing chapters on merit, delivering the promises of the Council, ourselves acting in good faith.

**Norica Nicolai (ALDE).** – (RO) I am only going to refer to Macedonia in my speech as I want to stress that the report records progress in Macedonia's situation and supports a political decision to launch negotiations with this country.

I am not going to mention the report's balance and the way in which it describes in detail the positive and negative factors the country is contending with.

I would like to emphasise two things. The exit polls and opinion polls in Macedonia highlight that this country is one of the most 'Euro-optimistic' in the region. I think that support from the population is a condition for success in the negotiation process. Secondly, I think that, as a Member State of the European Union, Greece must understand the European models for reconciling with history and make every effort to ensure that the dispute over the name of Macedonia does not present an obstacle to this country's progress towards Europe, because any other attitude is contrary to the spirit and destiny of Europe.

**Hélène Flautre (Verts/ALE).** – (FR) Mr President, firstly, I should like to welcome and congratulate Commissioner Füle.

The 12th hearing of the trial of the alleged assassins of Hrant Dink was held in Istanbul on Monday. For the first time, official observers at that trial felt that the court was sincerely trying to establish the truth and that the connections between this trial – that of the alleged assassins of Hrant Dink – and other trials under way – such as that of the Ergenekon network – had been highlighted by the prosecutor.

This fact is extremely significant because it is every political assassination, intolerance within society and the impunity that still prevails that are being put on trial here. Moreover, this is a view that the families of the victims of these political assassinations eloquently expressed when, referring to the Turkish 'Deep State', they declared themselves to be Hrant Dink's 'deep family'. I am telling you this because things are moving forward and because, within Turkish civil society, there is a desire and a movement for reform aimed at promoting democracy and rights, and this desire and this movement are exceptionally powerful.

I should also like to cite another example which is making the headlines in the newspapers at the moment – family honour crimes have already been mentioned – and that is the young 16-year-old girl who was found buried in a chicken pen and who had been sentenced by the family council for having spoken to boys. This is terrifying and it is a crime. The members of that family will obviously have to be put in prison.

The fact is, a few years ago, these crimes did not make the headlines. It is therefore pleasing today to see that these so-called 'honour crimes', which are simply barbaric crimes, are no longer being tolerated in Turkish society. Turkish society is in a state of flux, it is in turmoil even, and I think that, when we discuss Turkey, we must be keenly aware that any reform in that country deeply affects relations between citizens, the establishment, Turkish history and democracy. These are absolutely crucial elements.

I believe that our process must be totally sincere. Today, the sincerity of our process is acknowledged, and it matches our ability to support the complicated, critical and historic process in Cyprus. Today, the EU must say clearly to Cyprus that we are ready to support and to guarantee, using all the means at our disposal, economic and financial means included, any agreement reached between the north and the south and that we are also determined to ensure that nothing in the body of EU law can hinder the achievement of a consensus in Cyprus. We must forge ahead; the future of Turkey's membership of the EU is also riding on this issue.

**Geoffrey Van Orden (ECR).** – Mr President, it is not often that I agree with Mrs Flautre, but I do agree with many of the remarks she has just made. First of all, could I call for more honesty in our approach to Turkey. I am sure all of us want good relations with Turkey and many of us, probably the majority, wish to see Turkey one day as a member of the European Union, a different European Union to what is being developed today. It is because some recognise that Turkish accession would inevitably change the nature of the EU project, driving as it is towards unwanted political integration, that they are so resistant to it.

I have one or two questions for the Commission. What has happened to the negotiations with Turkey? Why are so few chapters open? At a time when, in all our countries, we have serious concerns about energy security, and Turkey is in such a key geographical position in providing the routes for pipelines from the Caspian, why is the energy chapter not open? And, with presidential elections imminent in Cyprus, and unification talks in progress, Cyprus is very much on our minds. Turkey, of course, can hardly ever be discussed in this Chamber without reference to Cyprus, but perhaps it would be more helpful if instead of always criticising Turkey, the EU endeavoured to provide it with more support on this issue. Why do we just call on Turkey to use its influence when Greece and the Republic of Cyprus, both EU members, have a crucial role to play?

I agree that the Turkish garrison in Northern Cyprus should be much reduced. In fact, I regularly propose to Turkish emissaries that a unilateral reduction in troops would be a bold confidence-building measure, but we all know that had the Annan Plan been put into effect, the Turkish troop presence would have been reduced to a mere 650 and the Greek presence to 950. It is scandalous that no real progress has been made in opening international trade with Northern Cyprus. Why has the European Union not kept its promise given in May 2004 to end the isolation of Northern Cyprus?

Of all the places in the world where the EU might actually play a useful role and exert some benign influence, Cyprus stands out – yet we are absent. Let us not blame Turkey for the EU's internal difficulties.

**Charalampos Angourakis (GUE/NGL).** – (EL) Mr President, our stand against the enlargement of the European Union is consistent with our stand against the integration of Greece, my country, into the European Union and with the fight to free it from this imperialist machine.

The entire enlargement process is in keeping with the strengthening of NATO and the NATO occupation of the Western Balkans, with the secession of Kosovo and with the destabilisation of Bosnia and Herzegovina, with the European Union's contesting the borders and stability in the area, with coercion against the people of Serbia, with new frictions and oppositions in the Balkans.

Because the so-called bilateral issues are not bilateral issues at all; they are international issues, which is why they are being addressed by the UN. At the same time, there is an unbelievable crisis in the area of the Balkans, obviously caused by the reforms to which the people in these countries have been subjected in order to accede to the European Union.

This process is in keeping with Ankara's intransigence on the Cyprus question, with the *casus belli* in the Aegean, which is being backed by Frontex contesting the borders in the area, and by effectively banning trade unionism and other anti-democratic arrangements in Turkey.

This is yet another reason why we stand by the workers in these countries against integration, so that they can fight for their rights.

**Lorenzo Fontana (EFD).** – (IT) Mr President, ladies and gentlemen, the Swedish and Spanish Presidencies have made Turkey's membership of the European Union a priority topic, as though it were now a foregone conclusion.

We do not feel that Turkey's membership is either realistic or opportune for many reasons. Firstly, because Turkey is not geographically located within Europe; secondly, because Turkey is becoming more and more Islamic and Ankara is actually a leading member of the largest international pan-Islamic organisation, the OIC; thirdly, because religious minorities are persecuted and their inferiority is ingrained in society; fourthly, because Turkey continues to officially deny the genocide of one and a half million Armenian Christians and occupies Cyprus in both military and political terms in breach of international law.

We must also remember that with Turkey in the European Union, we will have countries such as Iraq, Iran and Syria on our borders. Lastly, we must also remember that Turkey, with its 90 million inhabitants, will be the most populated country in the European Union by 2030. This means that it would have the highest number of MEPs and the most significant percentage vote in the European Council; the balance of Europe would certainly be destabilised.

**Diane Dodds (NI).** – Mr President, like many other colleagues within this Chamber this morning, I would appeal for honesty and realism in the debate in relation in particular to Turkey. I welcome those colleagues who have asked for proactive support for Cyprus in reaching some sort of resolution with Turkey.

I want to turn our attention very quickly to one aspect of this that has come to my attention, and that is the plight of many of the citizens whom I represent who are suffering grave financial loss as a result of property scams within Turkey. Since I became an MEP in July, I have been contacted by many constituents who have invested substantial sums of money in properties, ranging from EUR 50 000 to EUR 150 000, and who have subsequently lost out on that investment in what, in many cases, looks like blatant fraudulent activity. I would request that the Commission look into this and act proactively in relation to it.

**Elmar Brok (PPE).** – (DE) Mr President, Mr López Garrido, Commissioner, until now, the enlargement policy has been successful, although as we have seen in the last round, we must focus more closely in particular on the internal developments in these countries with regard to the rule of law, corruption and similar issues. I believe that this is happening in the current negotiations. In my opinion, we have made very good progress with Croatia and we can complete the process quickly. However, it is, of course, important that the Copenhagen criteria are met in every case, including the integration capacity of the European Union, because we must be aware of the risk of overstretching ourselves.

We will meet our obligations to the Western Balkans, but in individual cases, the path may be a long one. We must be aware of this, so that we do not arouse false hopes. On the other hand, it is clear that the European perspective is a valuable tool and perhaps the only one available for maintaining a certain amount of pressure to ensure that the internal reform process in these countries continues, with regard both to the maturity of the market and the political system.



I have problems with Turkey when I look at its behaviour towards Berlin and when I consider Cyprus, religious freedom, freedom of opinion, the ban on political parties and similar issues. I can only ask myself whether the last steps that are needed – from the point of view of the mentality and not of the form – will be taken to ensure that Turkey can become a member and whether we can be sure that the European Union has the capacity to integrate Turkey.

Mr Füle, you have an important opportunity, because you have a broader range of responsibilities, which include enlargement policy and neighbourhood policy. Both of these things relate to the European perspective, but they use different toolboxes. For this reason, you have an interesting job and I hope very much that you enjoy it.

**Michael Cashman (S&D).** – Mr President, I welcome the accession reports and I want to speak specifically on Macedonia and Croatia, and then Turkey. I am pleased to follow my distinguished friend, Mr Brok, who mentioned the Copenhagen criteria. Can I reinforce that the Copenhagen criteria are non-negotiable, especially when it comes to minority rights and human rights, and Macedonia and Croatia are therefore failing to reflect the Community *acquis*, especially as regards non-discrimination on the grounds of sexual orientation.

I would say to both of those countries that the accession procedure is an opportunity to bring your laws into line and to explain to your citizens the need to do so, and that once you join this club you, do not join a club which is based on an à la carte menu. We will enforce the *acquis* rigorously, and especially Article 19, which gives the Union the right to combat discrimination on the grounds of – and it is a very important list – race, ethnicity, religion, belief, age, disability and sexual orientation. Why is this important? Because one person could experience discrimination on each separate ground, and to do nothing on one is to make irrelevant all the good that you have done on the other. I therefore say that lesbian, gay and bisexual rights are non-negotiable. Bring in anti-discrimination legislation now. The litmus test of any civilisation is not how it treats its majority, but how it treats the minorities that make up that majority.

On Turkey, there has been progress, and I am pleased to quote Ban Ki-moon, who says that there has been progress on Cyprus. We in Parliament should welcome that. Mrs Dodds is right: if we are going to be a part of the resolution, we have to be absolutely honest and bring the sides together. But again, on anti-discrimination, I wish them to go further.

Non-discrimination is in the Constitution, but it needs to be reflected in the laws, especially again in relation to lesbians, gay men, bisexual and transgendered people who are often murdered for no other reason than they are transsexual. So, allow Turkey to proceed along this route, on the same terms, the same conditions. If we undermine the principles of accession, we have no principles left.

**Alexander Graf Lambsdorff (ALDE).** – (DE) Mr President, first of all, I would like to say that I am rather surprised that, of all people, Mr Cashman from the United Kingdom, who I hold in great esteem, should remind us that a country which joins the European Union must become involved in every aspect of the Union and cannot take an à la carte approach. That seems rather strange to me.

However, I would like to discuss the subject of Turkey. Other speakers have said that Turkey is a society in motion and that is true. However, for the sake of honesty, we must explain that this is not a linear movement towards European values. Turkey is moving forwards and backwards. Let us take the example of the armed forces. We are, of course, pleased about the decree that prevents the armed forces from intervening without political authorisation. This is a good thing. However, the judgment of the constitutional court also makes up another part of the picture and this prevents members of the armed forces from being brought before civilian courts. That, of course, is not a good thing.

If we look at the example of freedom of speech and opinion, it is true that there is a lively debate taking place on a number of topics which were previously taboo, including the rights of minorities and sexual minorities, Mr Cashman. We think that is very good. However, at the same time, there is the ban on YouTube and there are legal provisions which create a framework that generates legal uncertainty about the question of freedom of speech and opinion, which is particularly important to the Group of the Alliance of Liberals and Democrats for Europe. There is also the ‘private war’ against the Doğan group. All of this is very unfortunate.

Another example is that of the role of women. Of course, it is good that so-called honour killings, which are a barbaric crime, are being discussed in the media, but do we really believe that Turkish society is moving in a linear fashion towards adopting European values on equality? I do not think that this is the case.

I would also like to say something about what Mr Howitt has said. It is true that we have a process – the accession negotiations – which we must follow in good faith. However, this is not an automatic process. During this process, we are not only responsible for the accession candidate. Our primary responsibility is to the European Union. Our enlargement policy must be credible and we need to take an honest and credible approach to the accession candidates. I must say that I sometimes find it disturbing that there is an alliance between the Greens, who want a strong Europe and enlargement as soon as possible, and Members such as Mr van Orden, who want to bring in new countries as quickly as possible in order to weaken the European Union. This seems to me very strange.

There is an accession perspective, but accession will only come about when all the criteria have been met.

*(The speaker agreed to take a blue card question under Rule 149(8))*

**Michael Cashman (S&D).** – Mr President, Mr Lambsdorff made an accusation against the United Kingdom. I would ask him to point out to the House where the United Kingdom is in breach of its treaty obligations.

**Alexander Graf Lambsdorff (ALDE).** – (DE) Mr President, I did not say that the United Kingdom is in breach of its treaty obligations. I simply referred to the fact that the United Kingdom opted out of certain important areas of policy relating to European integration, such as Schengen, the Euro, the Social Charter and – if I have understood this correctly – the Charter of Fundamental Rights. These are all areas which are not exactly marginal.

**Ulrike Lunacek (Verts/ALE).** – (DE) Mr President, first of all, I would like to say to Mr Lambsdorff that I reject your accusation. You said that the Group of the Greens/European Free Alliance wanted enlargement at any price. It is quite clear to us that we are in favour of enlargement, including Turkey and the Balkans, of course, but only if all the criteria are met. On the subject of Turkey, I would like to say that, despite all the problems that have been referred to today, I believe that the Turkish Government has the will to continue. For example, the Ministry of Interior has annulled the protocol which, until now, has allowed the armed forces to intervene independently in security issues. This is very important. I hope that a majority of this House will support our Amendment 10 which concerns keeping track of the goal of accession. This is the only way in which the EU can maintain its credibility with regard to the promises it has made – the goal of accession, with all the criteria being met.

On the question of Macedonia, there has been a great deal of progress in many areas. I recognise this and I am pleased about it. However, with reference to one point which Mr Cashman has already mentioned, it is not right for a government to introduce anti-discrimination legislation that does not include sexual orientation. That is European law. Human rights are not negotiable and I hope that a majority of this House will also vote in favour of these common European human rights in our amendment.

**Ryszard Czarnecki (ECR).** – (PL) Mr President, Commissioner, I would like to congratulate you, Mr Füle, and to say I hope you will be as good a Commissioner as you were a candidate. Your hearing was truly superb. I would like to assure Mr Lambsdorff that Mr Van Orden loves Europe very much. However, he does not want Euro-bureaucracy to come between that Europe and its citizens.

We are talking, today, about enlargement, and it is good that we are talking about it, because, and let us not hide this, the European Union is going through a certain institutional crisis, and so one way of moving out of it is to enlarge the European Union. This could give us a certain energy, a certain vigour, so it is worth taking this route. A Europe without that Balkan lung is not Europe. The accession of Croatia, a European country with a European culture and a European history, should be accomplished as quickly as possible. However, let us also think realistically about receiving into membership as quickly as possible countries such as Serbia, Montenegro, Macedonia and Bosnia and Herzegovina. This is something which is, truly, very important. Turkey's membership is something which is much further away, and certainly will not happen within the next 10 years.

**Nikolaos Chountis (GUE/NGL).** – (EL) Mr President, the fact that, as the Confederal Group of the European United Left – Nordic Green Left, we are in favour of the enlargement of the European Union, especially as regards the Western Balkans, does not mean that we are not concerned about two things:

The first is that what is ultimately being fabricated is not a Europe of social cohesion and solidarity; it is marketplace Europe and, secondly, in certain instances, enlargement policy has problematic relations with international law. I refer to the report on FYROM in which, where the rapporteur does not unilaterally resolve the name issue, as in paragraph 17, he systematically avoids stating that the solution is being sought and

must be sought within the UN. This reference makes the problem an international problem, as indeed it is, not a bilateral problem, and sends out a more accurate message than just generally hoping that the problem will resolve itself.

Also, *o tempora o mores* you may say, the fact that FYROM is participating – I repeat participating – in EU military missions in Afghanistan is considered to be an important attribute for FYROM, a country with poor economic and military resources, as is the fact that it unilaterally recognises Kosovo, contrary to UN Resolution 1244/1999.

Political enlargement with problematic relations with international law is, I would say, problematic in itself.

**Jaroslav Paška (EFD).** – (SK) I would like to begin by saying that I consider the reports on Croatia and Macedonia to be good and well-prepared reports and I think we should applaud the work of the rapporteurs and back the adoption of the reports.

As far as Turkey is concerned, I get the feeling that we are playing hide and seek in this area. The Turkish authorities outwardly declare efforts to change but in the real world, there is little change in society. Fathers still sell their daughters or swap them for cattle. The men who buy wives treat them like slaves.

I firmly believe that the process of convergence of civilisations will be complicated and lengthy and it will be simple neither for us nor for Turkish society. I therefore think that in this case, we must arm ourselves with patience and we must be prepared for long negotiations but, in these negotiations, we must act correctly and honourably and speak openly about all of the problems. It is in our interests and also in the interests of the Turkish people, and when this problem is sorted out and brought to a successful conclusion, it will be an achievement both for Europe and for Turkey.

**Ioannis Kasoulides (PPE).** – Mr President, in the EPP Group, everybody is in favour of following the Commission recommendations that FYROM should begin accession negotiations. We also know that FYROM and Greece need to reach an agreement on the name issue so that these negotiations can begin.

The name issue is a real political issue in Greece. No Greek Government can survive if negotiations are allowed to begin without an agreement on the name. This is a political reality. Irrespective of how colleagues judge this issue, if we want to be good advisers, we must give FYROM friendly, flexible advice. By dismissing the name issue, calling it 'comical' for instance, we become bad advisers to FYROM and we do not serve its cause.

Turkey should know how large the Turkish dossier is for a country with its size of population. It regards the capacity of the EU to absorb such an enlargement, the budgetary constraints and so on, so Turkey should understand how much easier – and without obstacles and frozen chapters – her accession road would be without the weight of the problem of Cyprus. It needs to contribute on the issue of guarantees, the presence of troops and the right of unilateral military intervention that Cyprus does not need.

**Victor Boştinaru (S&D).** – Mr President, I welcome all the efforts and the progress made by Croatia towards its accession to the European Union. This will certainly represent a major step forward in the direction of European integration for the entire Western Balkans region. I hope 2010 will be a very good year for Croatia and for the Western Balkans too, but I would also like to underline the necessity of considering and adequately addressing the issue of refugees and the internally displaced persons.

See the last report of the UN High Commissioner for Refugees. As you know, in 2005, an agreement was signed in Sarajevo by Croatia, Bosnia and Herzegovina, Serbia, and Montenegro – the so-called Sarajevo Declaration. The agreement was aimed at sorting out the problem of the very large numbers of refugees and internally displaced people deriving from the conflict in the region. However, this is an issue that is still pending. I would very much like Croatia to finally affirm its readiness to relaunch the Sarajevo Declaration and to bring to an end a situation that I consider highly sensitive, and this at least before its accession.

I welcome very much the commitment of the Commission to relaunch this spring the negotiations and I reiterate in front of you that this problem should be solved once and for all before Croatia joins the EU.

A final remark on Turkey: when evaluating Turkey, I would invite you not to let our prejudgment based on religion, ethnicity and clichés to speak.

**Lena Ek (ALDE).** – (SV) Mr President, as Vice-Chair of Parliament's Delegation to Croatia, I am looking forward to the day when we have Croatian members sitting on the benches in this Parliament. Croatia has come a long way in its efforts to achieve membership and has taken many difficult decisions in order to deal

with the European dimension. Important pieces of the jigsaw have yet to be put in place before membership can be accomplished.

One matter that is very close to my heart is decentralisation; in other words, political decisions being taken as close to the people as possible. When we add a fourth level of decision making, such as in the case of EU membership, it is incredibly important that people are aware of which decisions are to be taken at local, regional, national and EU level. On this matter, the progress report indicates that there is still much to do.

Other outstanding weak points are legal certainty, the fight against corruption and the position of women in the labour market – areas in which Croatia must make greater efforts. However, I can see that a huge amount of progress is being made and that the new Croatian Government also attaches great importance to these issues. I really hope that it will not be long before we have our Croatian colleagues with us in this Parliament.

**Michail Tremopoulos (Verts/ALE).** – (EL) Mr President, I should like to point out that the Balkans are trying today, as they did for the whole of the 20th century, to strike a balance between the difficult heritage of nationalism and the need for common European prospects in the immediate future.

Today's motion for a resolution on FYROM tries to mirror this delicate balance. However, it does not succeed adequately. The pressure for negotiations to commence immediately is creating fears of sending the wrong signal to the talks on the name issue. Indefinite postponement, on the other hand, might encourage equally unproductive behaviour once again.

Some of the amendments are positive. However, I would point out that any form of nationalism damages its own country first. Greece must strike its own balance. As a Greek Macedonian, I call for greater composure; what we need in the dispute over the name is for the two different self-determinations which both use the name Macedonia to coexist. This sort of compromise would be a catalyst for building the mutual trust which is vitally necessary in these times of ecological crisis, when immediate neighbours must be seen as necessary collaborators in combating it.

**Edvard Kožušník (ECR).** – (CS) I would like to begin by thanking all of my fellow Members for producing the entire report. At the same time, I would like to welcome the new Commissioner and to wish him every success with his highly interesting portfolio. I have only three comments, since much has been said here already in the debate. In my opinion, we should also emphasise the fact that expansion itself must be understood as one of the possible solutions for restoring economic growth in the European Union and we should not lose sight of that. My second comment relates to the word 'comprehensiveness'. In my opinion, we must take a comprehensive view of the Balkan issue and we cannot focus on just one specific country, be it Croatia or Macedonia, but we should be dealing with the issue of a comprehensive approach involving countries, for example, such as Serbia. In the case of Turkey, too, we must give a clear 'yes' or 'no' as it is not possible to pull the wool over Turkey's eyes and to promise possible future membership. We must give a clear 'yes' or 'no'.

**Willy Meyer (GUE/NGL).** – (ES) Mr President, Commissioner, Mr President-in-Office of the Council, at the moment, the European Union should be closely following the negotiations that are taking place at the highest level with the leaders of the two main communities in Cyprus.

Turkey is playing a very negative role in those negotiations. It is not backing a sensible solution and the European Union therefore has to send out a clear, unequivocal message: Turkey cannot keep the 40 000 soldiers who are occupying the northern part of Cyprus in contravention of international law. It cannot continue to occupy the city of Famagusta in breach of the United Nations Security Council Resolution. It cannot continue sending to the northern part of the island settlers who are stifling the Turkish Cypriot community. That is the path Turkey is taking at the moment.

The European Union, the Commission, the Council and Parliament need to send out an unambiguous message to Turkey: if Turkey maintains its position, it will never be able to join the European Union. That is the message that should be conveyed at this critical point in negotiations over the reunification of Cyprus, which is a Member State of the European Union.

**Nikolaos Salavrakos (EFD).** – (EL) Mr President, I do not overlook the fact that Turkey is a large country which, however, apart from the internal social problems noted in the report, acts – in my opinion – in a contradictory manner in its foreign policy.

Thus, while the Turkish Government is trying to present itself as moderate, the armed forces of the country appear to be aggressive both towards Greece, constantly violating Greek airspace in the Aegean, and constantly harassing Frontex. It should be noted that, despite the fact that Greece and Turkey are NATO countries, and so are allies, Turkey is threatening Greece with a *casus belli* in terms of extending its territorial waters and by refusing to recognise the state of Cyprus, which is a member of the European Union.

Finally, the Turkish Government also appears to be unable at the moment to safeguard popular sovereignty in the country and is planning a new type of Ottoman commonwealth, as was clear from the meeting in Sarajevo at the beginning of November attended by Minister Davutoglu. I also find strange the moves by the Turkish Government in terms of its overtures to Iran, which conflict with the accepted views of the international community and the European Union.

Moreover, we should not overlook the fact that, in contravention of the roadmap, Turkey is allowing and, perhaps, encouraging the movement of illegal immigrants through its territory to the countries of the European Union and is not complying with its obligations to grant docking and landing rights to Cypriot ships and aircraft.

**Gunnar Hökmark (PPE).** – Mr President, I would like to thank Mr Swoboda for his report on Croatia; it recognises the efforts and achievements made by the Croatian Government. I think it is important to say that this country is now coming closer to membership, which underlines – and I say this to the Presidency of the Council – that there is a need to finalise the negotiations with Croatia during 2010.

But I think it is also worth underlining the message that the efforts made by Croatia have not been done for us. They are making Croatia a better country and a better society for its citizens and by that, Croatia is becoming a better neighbour and contributing to Europe, because fights against organised crime or corruption must be made across borders, and it is an advantage for us to see the achievements made in Croatia.

The same applies to other candidate countries. All the achievements we can see are of benefit to Europe and, I must say, given the experience we have on the enlargement process, we have very few regrets on the achievements we have made; we should have the same perspective when we talk about Turkey, Macedonia or the other countries of the Western Balkans. When they reform, they are becoming neighbours. When we close the door, we are running the risk of new problems and new threats to European values; we should underline the need to go forward together in order to achieve a better European enlargement based on the criteria we fully support.

**Luigi Berlinguer (S&D).** – (IT) Mr President, ladies and gentlemen, concluding negotiations with Croatia during 2010 is a feasible aim and the Swoboda report is a balanced examination of our progress and the steps we still need to take.

Justice is now the area in which hard-hitting reform is still required. It is not enough to complete the necessary system reforms, adopt new laws and cooperate as required with the International Criminal Tribunal for the Former Yugoslavia.

I stress the need to build a true legal culture and mentality in line with European standards. Crucial to this is the independence of the judiciary, which is a central issue, and also the training, recruitment and career of magistrates, in other words, the fact that the government must not impose conditions of any kind on judges. I call on the Commission to consider the need for hard-hitting measures that address these issues during the final stage of the negotiations.

**Andrew Duff (ALDE).** – Mr President, greetings to Commissioner Füle. The talks between Mr Christofias and Mr Talat are, as we know, at a critical stage. For them to succeed, a settlement has to be carried by public opinion. Confidence-building is sorely required. Turkey should send signals. Unfortunately, the trade dossier appears to be completely blocked, so starting to pull out troops is a difficult, but clever, gesture to build up public support in the south and in the north, to show that the prospect of a permanent settlement is actually genuine.

We all appreciate that, if the Cypriot problem is not solved now, the prospects for progress with Turkey's accession are poor indeed. The time to act is now. I do hope that the Commission is going to respond to the several speakers who brought up the Cypriot question as part of its response to the debate.

**Mario Mauro (PPE).** – (IT) Mr President, ladies and gentlemen, we wish to back the membership of Croatia and this is why we call on the Croatian authorities to ensure that the assets nationalised to Italian citizens at

the end of World War II, and still owned by state or municipal institutions, despite the requirements of European law, should be returned to their legitimate owners.

We wish to back the membership of the Former Yugoslavian Republic of Macedonia and this is why we call for compliance with the method of consensus, part of the history of the European Union, and we call on the European institutions to offer their sympathetic support for the views of all of the Member States on the reasons that still block this path.

We wish to speak the language of truth with Turkey. The Oomen-Ruijten report has this merit: it does not deny that the path is strewn with difficulties and it is unprejudiced, taking the Copenhagen criteria as its fixed point of reference. Parliament therefore does well to forcefully denounce the human rights violations and the lack of democracy.

But those who make the path of this membership application almost paradoxical are not to be found in this Chamber. They can be found amongst the exponents of many governments who promise at every official meeting what it is in their interests to deny in the corridors outside. Based on the Oomen-Ruijten report, though, it is useful to keep strengthening the tools of privileged partnership as we await a development determined not by prejudice but by the full and responsible assimilation of the content of the Community *acquis*.

#### IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

*Vice-President*

**Kinga Göncz (S&D).** – (HU) I would like to comment on the report on Croatia and Macedonia. I think it is important to state that the advancement of the accession process for south-eastern European countries is prominently in the interests of the European Union, as stability, prosperity and the progress of reform in the region is important not only for the candidate countries but for the entire European Union. In the case of both countries, issues concerning neighbourly relations have stalled progress. I believe that it is extremely important to use appropriate political wisdom, courage and mutual good will to solve these issues, not only on the part of these candidate countries, but also on the part of the Member States of the European Union. This happened in the case of Croatia, and I truly hope that the commitment of the Spanish Presidency will also boost progress in the name issue affecting Macedonia and Greece. As the third member of the Trio Presidency, Hungary would like to continue and assist with this process.

**Nadja Hirsch (ALDE).** – (DE) Madam President, firstly, congratulations to Mr Füle on his appointment as Commissioner. I would also like to congratulate Mr Swoboda, the rapporteur, on his report. It is a very balanced presentation of the progress made in Croatia. At the same time, it clearly indicates the areas where Croatia still has work to do in order to be able to complete the accession process.

It is also significant that statistics taken from a Eurobarometer survey carried out in the autumn of last year show that 84% of Croats are dissatisfied with democracy in their country. This means that not only are reforms to the judiciary required, but also an improvement in the situation of minorities. It is also important to ensure that the freedom of the press is guaranteed. These reforms must be initiated and implemented and, above all, they must be supported by the population. In formal terms, the criteria can certainly be met very quickly, but the entire population must be behind the process and must welcome Croatia's accession to the EU.

**Jarosław Leszek Wałęsa (PPE).** – (PL) Madam President, the accession of Turkey to the European Union is a cause of much controversy in some circles. For that process to take place with mutual understanding, it must be assured a high level of quality. Fulfilment of strict but clear conditions, which are understandable and accepted by both sides, is the basis for reception of new members, and this also applies to Turkey.

I would now like to thank the rapporteur, Mrs Oomen-Ruijten, for a comprehensive report on Turkey's progress in 2009. This year, the report is more critical, and, unfortunately, rightly draws attention to the small amount of progress made by Turkey, especially on questions of citizens' freedoms and the justice system. However, stagnation in the process of democratisation was not all that happened last year, so it is necessary to be critical where progress was not made or where the situation became worse, but also to show that we value the changes for the better. For, on the one hand, the need to strengthen the principles of the rule of law is being neglected, and the constitution is based on this law, so this should be made a priority. On the other hand, Turkey is putting great effort into the negotiations which have been started, and I welcome the changes and Turkey's desire to continue reforms in order to meet the Copenhagen criteria.

However, good intentions are not everything. Ankara still has many challenges ahead on the road to membership of the European Union, and those challenges are not easy. I trust that Turkey will manage to overcome all the obstacles, and I wish the country success in reforming itself.

**Debora Serracchiani (S&D).** – (IT) Madam President, ladies and gentlemen, Croatia's membership of the European Union accentuates the gelling of a European identity that is able to express the common values of our new Europe while incorporating, rather than glossing over, the individualities of its many occupants.

The Republic of Croatia has made appreciable efforts to come up to the required standards, particularly in combating organised crime through new anti-mafia measures, but it needs to make further efforts, particularly in the judicial field, before the 2010 negotiations can conclude.

The institutions of the Republic of Croatia can make further steps forward to come into line with the requirements of the first protocol of the European Convention on Human Rights, signed in Paris in 1952, by considering the return of nationalised assets to their rightful owners.

**Sophia in 't Veld (ALDE).** – Madam President, first of all, I, too, would like to welcome Commissioner Füle to this House.

The rapporteur has submitted a very balanced draft resolution. Turkey has indeed made good progress, but many points of concern must be addressed urgently. The horrible phenomenon of honour killings must be stamped out as well as the killing of transgender persons. Just yesterday, we learned of the umpteenth killing of a transgender woman in Antalya. The Turkish Government must ensure, as a matter of urgency, that transgender killings no longer go unpunished.

Furthermore, I appeal once again to the Turkish Government to ensure freedom of association and put an end to the systematic attempts to close down LGTB organisations. The resolution rightly urges freedom of religion and freedom of expression. For a liberal, these freedoms are at the heart of our democracy and are non-negotiable preconditions for EU membership.

However, if we ask Turkey to comply with EU standards, we must make sure to meet these standards ourselves. That is a matter of credibility and moral authority. Homophobia, compulsory religious education and restrictions of freedom of the press must equally be fought in the current Member States.

**Cristian Dan Preda (PPE).** – (RO) As is also highlighted in the Oomen-Ruijten report, in 2009, Turkey made a clear commitment to the path of reform and good relations with its neighbours. Furthermore, the authorities have encouraged public debate on certain areas of key importance to the reform process such as: the role of the judiciary, the rights of ethnic minorities and the role of the army in this country's political life.

On the other hand, the signing of the Nabucco agreement has shown Turkey's involvement in creating a secure gas supply within Europe, as is also demonstrated by Turkey's negotiations to join the European Energy Community.

Turkey has shown the key role it plays as an actor in the region by establishing normal relations with Armenia and improving relations with Iraq and the regional Kurdish Government. We certainly must not forget either its cooperation within the Black Sea Synergy launched three years ago with the aim of promoting stability and reforms in the countries around the Black Sea.

Finally, I would not like us to forget some of the fundamental reasons which advocate this country's accession to the European Union. Turkey is clearly a member of the European family and is an important partner in the dialogue between civilisations. Bringing a secular, democratic and modern Turkey closer to the European Union is certainly an asset for our community.

**Csaba Sándor Tabajdi (S&D).** – (HU) I am very glad that the enlargement portfolio will be held by Commissioner Füle who, as a Central European politician, is best placed to understand the heavy burden that south-eastern Europe and the Western Balkans carry in terms of ethnic and interethnic conflicts and bilateral neighbourly disputes. The Western Balkans and the Balkans have never been stable except during the brief era of Tito's Yugoslavia. Accession to the Union is the only option to stabilise the region. This was proved by the 2004 and 2007 accessions, as illustrated, for instance, by the significant positive effect on relations between Hungary and Romania.

At the same time, I would like to draw Commissioner Füle's and Parliament's attention to the fact that all interethnic problems, all important issues and neighbourly relations need to be resolved prior to accession, as the European Union will be powerless in the face of such issues after accession. Just look at the unresolved problem of Russians in Latvia, or at Slovakia, where the policies of the Fico Government have led to a souring of relations between the Slovak majority and the Hungarian minority.

Therefore, in the case of the Western Balkans, where such problems are even more complicated, it is particularly important to settle them in relation to each country. Croatia is a neighbour country of Hungary, so it is of the utmost importance that Croatia becomes a member of the European Union as soon as possible. It is very important for Croatia to face its responsibilities in terms of the war, and to allow the refugees to return. This is a very important issue. Negotiations should be started with Macedonia as soon as possible, as also mentioned by Mr Thaler in his excellent report. Finally, with regard to Turkey, as long as the Kurds are not granted autonomy in the broadest possible sense, as long as the rights of women and sexual minorities are not resolved and Turkey does not apologise for the Armenian genocide, Turkey cannot become a member of the European Union.

**Metin Kazak (ALDE).** – (FR) Madam President, ladies and gentlemen, I should like to congratulate Mrs Oomen-Ruijten on her painstaking work. However, there seems to me to be a difference between the text adopted last year and the one that is now being proposed to us on Turkey.

Parliament, in its 2009 resolution, highlighted the negotiations in Cyprus but did not set any preconditions associated with the colonies or the Famagusta situation. These issues are dealt with in the six negotiating chapters which are being handled under the auspices of the UN. I therefore think that Parliament's taking such a strong, one-sided position may harm these negotiations and render us partisan.

As the former commissioner emphasised on 16 November 2006, the restitution of Famagusta to its legitimate inhabitants is an issue which will have to be dealt with under the auspices of the UN, as part of an overall settlement of the Cyprus issue.

I should like to quote another of the Council's conclusions. In 2004, the Turkish Cypriot community clearly expressed its desire to have a future within the EU. The Council resolved to put an end to the isolation of that community and to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot community.

(Applause)

**György Schöpflin (PPE).** – Madam President, I should like to welcome Commissioner Füle and the Minister. Everybody will be pleased by the progress that Croatia is making in the completion of its accession process. Key areas of governance must be adapted to the requirements of the *acquis*, and some of these changes – let us be clear about this – are likely to go against the grain of tradition and expectations. So, negotiating the transformation demands a major act of political will.

Let me add that the effort is well worthwhile, especially for a relatively small state like Croatia or, for that matter – and the same applies – for the other states of the Western Balkans. EU membership – I think we can take this for granted – provides a set of advantages in political, economic, cultural and security terms.

The greatest problem of adaptation, though, lies elsewhere. It is one thing to change the structures of governance but it is a very different matter to change the attitudes of society to something radically different to the forms and content that have been developed in the European Union. The two are frequently far from each other, and there will certainly be elements in society, some quite powerful ones at that, which will see only disadvantages for themselves in the new dispensation.

Let there be no illusions about this. The Croatian authorities have not only to complete their negotiations with the European Union but, at the same time, they must also do what they can to change social attitudes. That may turn out to be the harder task.

**Maria Eleni Koppa (S&D).** – (EL) Madam President, the three reports we are debating today express the European Parliament's firm position on the continuing enlargement process. However, there are important differences.

May I start by congratulating Hannes Swoboda on his report on Croatia. We are all delighted that this country will shortly be joining the European Union.



As far as Turkey is concerned, the message from the exceptionally balanced report by Mrs Oomen-Ruijten remains the same as in previous years. Turkey needs to honour all its contractual obligations, as all previous candidate countries have done. Accession is and must be the ultimate objective. However, we cannot have *à la carte* accession tailored to Turkey. Turkey is a large country, which needs to accept that continuing reform, respect for human rights, proper help in resolving the Cyprus question, good neighbourly relations and removing the *casus belli* against a Member State are the steps that will bring it closer to the Union.

As far as the Former Yugoslav Republic of Macedonia is concerned, the report by Mr Zoran Thaler sends the country a positive message. Greece, for its part, calls on the leaders of FYROM to come to the negotiating table in good faith, so that a jointly acceptable solution can be found within the framework of the UN. The Greek Government knows that the process requires new momentum and is genuinely determined that the issue be resolved. We expect an equally honest stand from the other side.

**Andrey Kovatchev (PPE).** – (BG) Madam President, Commissioner Füle, welcome to the House. I wish you every success in your work. I wish to thank Mr Swoboda, Mr Thaler and Mrs Oomen-Ruijten for their balanced, objective reports.

The European Parliament has declared on numerous occasions its political desire for the countries of the Western Balkans to join the European Union and expressed its readiness to assist these states so that they can quickly meet the membership criteria. Croatia is in the home straight. I strongly hope that the Accession Treaty for this country will be signed by this year. The Former Yugoslav Republic of Macedonia has made progress in meeting the criteria for initiating the pre-accession process. The European Council is expected to reaffirm the European Commission's decision made at the end of last year and launch the accession process. For this to happen, I believe that the Former Yugoslav Republic of Macedonia needs to make further efforts to resolve problems with its neighbours in a European spirit. If the authorities in Skopje have the political will not to use history, whether ancient or more recent, and to argue about current political or national intentions, a compromise can be reached. History must bring us together and not tear us apart. Let the historians come to their academic conclusions, but they must not stand in the way of the European destiny of any candidate country. So-called hate talk must not be tolerated. I want to mention in particular the schoolbooks which children use in school. They must not contain descriptions inciting a hostile attitude towards other Member States.

The way to increase trust in the Balkans is not only through the visa liberalisation scheme, which is up and running and something I am very pleased about, but also, in my view, through the joint commemoration of historical dates and heroes which are shared by certain Balkan countries. I hope that the recommendations made by the reports are taken into consideration by the relevant institutions in Member States. I wish Croatia, Macedonia and Turkey every success on their European journey.

**Evgeni Kirilov (S&D).** – Madam President, we should continue to support the EU membership perspective for the countries of the Western Balkans. The whole process supports stability and we should keep up the momentum.

As the rapporteur for visa facilitation in the Delegation to the European Union-Former Yugoslav Republic of Macedonia Joint Parliamentary Committee, I think that introducing the visa-free regime in the country was a very important encouragement for its people. The last Commission report points out that FYROM has achieved progress in many areas, and this is commendable.

I come from a neighbouring country, Bulgaria, and we, as neighbouring countries, see some worrying trends. In my opinion, the name issue should not come first. Macedonian nation-building started after the Second World War and now a big part of the population identify themselves as Macedonians. However, we have to stick to our values: we cannot tolerate nation-building being confused with nationalistic rhetoric or with gross manipulation of history, going back to ancient times. Secondly, affirming national identity should not lead to xenophobic feelings towards citizens who declare themselves to be of Bulgarian origin. These people are subjected to verbal and physical abuse and even legally persecuted for fabricated reasons.

**Marietta Giannakou (PPE).** – (EL) Madam President, I should like to congratulate the Commissioner and wish him every success in the very important sector which he has taken over.

It is a fact that Europe can and has the right to continue to enlarge. In the Western Balkans in particular, these people have a right to a better fate and a proper share of real European values.

However, it should be noted that, for the Former Yugoslav Republic of Macedonia in particular, it would be better if, in order to become a Member of the Union, a country did not use history, on a pick and mix basis, as a tool; it must get used to contributing towards the procedures of the United Nations and to resolving its problems with diplomacy, not propaganda. Thus, the Former Yugoslav Republic of Macedonia must be called upon to act, if it wants a future soon.

I wish to congratulate Mrs Oomen-Ruijten on her excellent report on Turkey and also to congratulate Mr Swoboda and, of course, Mr Thaler, despite the fact that I disagree with certain aspects of his approach and his report.

We absolutely must understand that, with compromises which do not reflect the truth and reality, problems will reappear in future. On the other hand, as far as Turkey is concerned, I would like to say that efforts have been made, but no major move which would allow us to say that Turkey is resolving its problems diplomatically, in other words, by withdrawing or starting to withdraw its troops from a European country, Cyprus.

**Wolfgang Kreissl-Dörfler (S&D).** – (DE) Madam President, ladies and gentlemen, I would also like to congratulate you, Mr Füle, on your new appointment and wish you luck in this very important task.

You have already made it clear to the committee that the negotiations with Turkey are about its accession and not about the crazy idea of a privileged partnership, which has never been adequately publicised by those in favour of it. However, you have also made it clear – and we welcomed this very much – that both sides, Turkey and the European Union, must meet their obligations and undertakings. In this case, Mr Posselt, the principle of *pacta sunt servanda* applies. You must be familiar with this phrase which was used by your former prestigious leader.

One further point is also very important to me. Of course, Turkey still has a great deal to do, but so does the European Union, whether it concerns the issue of Cyprus, the implementation of minority rights in Turkey or the political and military aspects. However, one thing is clear. The process will never be linear. We know this from the history of the European Union. You only need to look at the processes and procedures relating to the Treaty of Lisbon. There will always be progress and setbacks in the process in Turkey.

Something else that is obvious is that when Turkey has fulfilled all the requirements, when it can accept the *acquis communautaire*, Turkey will be a different country. However, the Treaty of Lisbon will also have brought about lasting changes to the European Union. We should be aware of this. As I have said, both sides must fulfil their undertakings.

**Alojz Peterle (PPE).** – (SL) If the European Union genuinely wants to play a more powerful role on the international stage, it must ensure it strengthens its role within Europe as well. That means completing the project of a united Europe in the south-east. We need not only a European perspective, but dynamism and stimulation too.

I am pleased that we are able to welcome the progress of all three countries discussed here and I congratulate rapporteurs Ria Oomen-Ruijten, Zoran Thaler and Hannes Swoboda on a job well done. I am particularly pleased that all three countries have paid particular attention to developing relations with their neighbours.

Mention has also been made of the arbitration agreement between Slovenia and Croatia. It is a fact that the Croatian and Slovene Governments see the key issue of this agreement in a totally different light, which does not exactly inspire mutual confidence. I call on both governments to use bilateral opportunities to agree on a uniform interpretation of the agreement and to foster an atmosphere of good neighbourly relations, and one which could bring the accession process to its successful conclusion.

I sincerely congratulate Commissioner Füle for taking on his responsible role and wish him every success in achieving these ambitious goals. Similarly, I wish good fortune and a great deal of wisdom to the Spanish Presidency.

**Emine Bozkurt (S&D).** – (NL) Neighbours look after one another, they support each other. When things are good in the neighbourhood, they are also good for the people who live there. Turkey and Cyprus are neighbours. When they look over each others' fences, it is not each other they see, but the Turkish Cypriots, who find themselves caught between two stools.

In order to ensure that all the people who live on Cyprus are once again truly able to live together, a solution is needed that requires all the neighbours to play their part. UN Secretary-General Ban Ki Moon last week

indicated a belief that a solution for Cyprus is possibly within reach. This Parliament has an important job to do in making a positive contribution to the situation on Cyprus, searching constructively for solutions and clearing obstacles instead of erecting them. Yes, Turkey must be made to make efforts to bring that solution closer. That is what we are calling for in the report on which we are about to vote. It is not just Turkey that has to make an effort, however. All the affected parties must play their part in creating a positive atmosphere in which a reliable solution can be found. Ultimately, that is, of course, what we all want: a solution.

We must also be supportive in connection with the candidate country of Macedonia, when it comes to the issue of its name, so that negotiations can begin. As Member States, we must be careful to ensure that we are not part of the problem, but that we instead contribute to finding a solution.

The Former Yugoslav Republic of Macedonia has made a great deal of progress, and can act as an example for the other countries of the Balkans, whilst also offering an opportunity to increase stability in the region. We need to make an effort, here, to see the EU's most important export products flourish: democracy, human rights, peace and security.

**Miroslav Mikolášik (PPE).** – (SK) Croatia is demonstrating its determination to join the EU by taking clear steps towards fulfilling the criteria. Political will has been reflected in reforms of the public administration and judiciary and in the fight against corruption and organised crime. In the judiciary, there has been a growth in transparency, a reduction in the numbers of pending court proceedings and excessively long proceedings. One significant factor is the continuing exposure of war crimes, in which Croatia is fully cooperating with the International Criminal Tribunal. Croatia is showing a good level of regulatory harmonisation with the *acquis communautaire*. It is undergoing significant legislative and institutional changes with the aim of combating organised crime and the mafia and strengthening cross-border cooperation with law-enforcement authorities in neighbouring countries.

The banking sector in Croatia is sound, investors have confidence in the state of the economy, and macro-economic stability has been maintained. There is still a need to complete the programme of small-scale privatisations and reduce state interference in the economy. In my opinion, the reconciliation between ethnic Croats and ethnic Serbs, the improved safeguarding of minority rights and the integration of refugees, including the rebuilding of homes, are particularly deserving of praise. I therefore urge Croatia to further the development of a culture of political responsibility and for a public debate on membership and the consequences of accession, since only a third of the population currently consider accession to the EU to be beneficial. I would also like to congratulate the new commissioner, Mr Füle, and welcome him to the role.

**Justas Vincas Paleckis (S&D).** – Madam President, I welcome Commissioner Füle and I would like to congratulate the authors for three well-balanced reports. There is no doubt that the prospect of EU membership has pushed Turkey to change for the better. After all, this Muslim country is unique in that it took the first steps to adapting European values almost 100 years ago and despite the various historical winds, it did not go off the road. Turkey is the most Western of Eastern states and the most Eastern of Western states, so its unique role is not only European but also global.

Ankara must accelerate reforms, more determinedly seek compromise on the Cyprus problem and take further steps on reconciliation with Armenia. However, I strongly support the Socialist and Democrats Group's position that the prospect of Turkey's membership of the EU should not be changed by any *Ersatzlösung* or ersatz variants.

**Francisco José Millán Mon (PPE).** – (ES) Madam President, may I welcome the Commissioner. In this decade, enlargement policy has been the European Union's greatest success, along with the euro. That policy should not be held back. Furthermore, we cannot break the commitments we have made with candidate countries, although we should also respect the well-known principles of consolidation and conditionality.

We also should not forget the European Union's integration capacity or the need to communicate with citizens on the subject of enlargement and its advantages and consequences.

Given the time restrictions, I shall just make a few brief comments. In principle, candidate countries should resolve beforehand any territorial disputes and similar issues they might have with each other and with Member States, so as not to later slow down the operation of the Union.

In the case of Turkey, I would particularly like to highlight how important it is for the rate of reforms – which are also necessary for Turkey itself – to be maintained and even increased.

I also welcome the recent commitment Turkey has shown with regard to Nabucco, which is very important for energy diversification in Europe. However, I must admit that I was somewhat surprised by the gesture that the Turkish Government made last autumn in support of the Iranian authorities. Indeed, I believe that a candidate country's foreign policy should be in line with that of the Union.

Finally, last week, I read an interview with the Turkish Minister for European Affairs which seemed to suggest that Turkey had abolished visas for countries such as Syria, Lebanon and Libya. I was somewhat surprised by this because a candidate country should also be bringing its visa policy closer to that of the European Union, not moving in the opposite direction.

I would like confirmation of that information.

**Antigoni Papadopoulou (S&D).** – (EL) Madam President, Mrs Oomen-Ruijten has made a tremendous effort to present a balanced report and we thank her. Amendments 13 and 14 by the Group of the Greens/European Free Alliance upset this balance and I therefore urge you to vote against them.

In the talks being conducted on the Cyprus question, Turkey, via Mr Talat, has tabled unacceptable proposals and remains intransigent and maximalist. That is why it is wrong to call on all the parties to support the negotiations under way. The party on which pressure needs to be exerted is Turkey as the occupying power. Turkey must immediately withdraw all Turkish troops, end the occupation and stop holding the Turkish-Cypriot community hostage, because it, not the Greek Cypriots, is responsible for the so-called isolation of Turkish Cypriots. Turkey needs to return the besieged town of Varosha and to stop illegal settlements and the encroachment on to Greek Cypriot property.

Turkey holds the key to the solution to the Cyprus problem and progress with its accession. The small country of Cyprus asks for nothing more and nothing less than a solution in keeping with the European *acquis*, without derogations, and with the UN resolutions. Cypriots are not second-class citizens of some sort of Ottoman or other colony. We are European citizens with European rights.

**Doris Pack (PPE).** – (DE) Madam President, ladies and gentlemen, it is high time for the EU to begin negotiations with Macedonia at last. Macedonia has fulfilled the conditions and has been waiting for negotiations to start since 2005. Greece has had so much solidarity from the other 26 Member States that it should not now put a veto on starting negotiations with its neighbour Macedonia. The name issue is a purely bilateral question, even if the UN has given its help in this respect.

On the subject of Croatia, I would like to say that this country is combating corruption to such an extent that other countries, including some within the EU, should take an example from it. My second point is that the return of the refugees, which Mr Boştinaru has just mentioned, has, in my opinion, been handled in an exemplary way. As Mr Swoboda said, many things cannot be resolved in the way that we imagine they will be.

My third point concerns the cooperation with the International War Crimes Tribunal in the Hague. Croatia handed over all its wanted war criminals years ago. The documents from the homeland war which have been called for are either no longer available or have never existed. Therefore, a common sense approach is needed to these questions. The government is searching for the documents and it has set up a task force, but it cannot do more than look. If it does not find anything, then it is important to take a step forward, in the light of the fact that Croatia has been cooperating with the tribunal for years and, therefore, has, to a large extent, met the conditions. I hope very much that the chapter will soon be opened, so that the negotiations with Croatia can be completed by the end of this year.

**Ismail Ertug (S&D).** – (DE) Madam President, Mr President-in-Office of the Council, Mr Füle, I would like to wish you every success with your work in future. It is hard to ignore the ambivalence of the Cyprus issue. We in the European Union must not dismiss apparently unpleasant issues or try to pretend that they do not exist. We have not kept our promise. That is a fact and we must resolve these double standards.

We know that the Ankara Protocol must definitely be implemented with regard to the Cyprus question. However, it is also clear, as stated by the Council in 2004, that the isolation of Northern Cyprus must come to an end. I am pleased that Southern Cyprus is providing the north with the necessary support, but this was not the intention of the European Union. Its intention was that everyone, the entire EU, should bring an end to the isolation. In order to overcome the final obstacle in this area, we must take a step forwards and put a stop to this isolation.

**Tunne Kelam (PPE).** – Madam President, for the new Commission – and I warmly welcome Commissioner Füle – now is the time to renew the EU's commitment to enlargement by completing accession negotiations with Croatia by the end of this year and starting negotiations with Macedonia.

The latter has made impressive progress despite manifold difficulties and should be encouraged to continue. I would like to invite both parties to solve the name issue in an open and generous European style, as advocated yesterday by President Barroso.

Turkey, too, has made significant progress. If we look at Ukraine, we can realise the difference that the very prospect of accession can make. Turkey is welcome to membership on the basis of meeting the Copenhagen criteria. With a new Commissioner, there is no time to be lost in making Turkey start pulling its troops out of Cyprus and implementing the Ankara Protocol. I think this could be seen as a condition for proceeding with negotiations. As for myself, I could feel comfortable with Turkish accession when it is as easy to build a Christian church in Ankara as it is to erect a mosque in Brussels.

**Jürgen Klute (GUE/NGL).** – (DE) Madam President, I would like to comment on two aspects of the Turkish issue. It is generally the ethnic conflicts that are discussed, and rightly so. There is still work to be done in this area and some difficulties remain. However, what people usually overlook is the fact that there are still significant problems in Turkey with regard to trade union and employee rights. The Turkish Government continues to oppose trade unions – in some circumstances even using the power of the police – which provide support for their members, in other words, for Turkish working people. This has happened recently in the dispute involving the Tekel workers. That is one of the comments that I would like to make. A democratic society must protect the rights of employees and trade unions and it is important to fight for these rights. The EU also supports these rights, in particular, in its role as a social European Union.

The second factor is privatisation. Turkey is adapting to the EU and this includes the area of privatisation. The Tekel employees, of whom 12 000 are currently on strike, are threatened with the loss of their jobs or have already lost them as a result of privatisation. However, it is not only the Tekel employees who work in the tobacco industry. Around 500 000 people employed in growing tobacco in south-eastern Turkey have lost their jobs in recent years, with the result that, having been one of the major producers and exporters of tobacco, Turkey has now become an importer. A week ago, I had the chance to go to Ankara and speak with the Tekel employees. If the process of cutting jobs and destroying whole sectors of industry continues as a result of privatisation, the people of Turkey will lose their enthusiasm for accession to the EU. Therefore, we must put the focus on the social aspect of the EU. I would like to emphasise that once again.

**Krzysztof Lisek (PPE).** – (PL) Madam President, Commissioner, I welcome you warmly, Mr Füle, as we all do, and I wish you much perseverance through the next few years of your work. I know we should not talk about the end of the new parliamentary term on the first day. I do, of course, wish you many other terms, Mr Füle, but it is my wish for you, that when you speak here at the end of this term, you will be able to meet us in a new, enlarged European Union consisting, perhaps, of even 30 Member States.

Mr Füle, apart from your work on the important countries we are talking about here today, I would like to ask you also to give attention to other countries which are dreaming of European Union membership. Just like myself, you come from a country which has just acceded to the European Union, and I think that you, I and all the fellow Members from all the new Member States understand how important it was to our societies when we acceded to the European Union. We also wish this for the countries we are talking about today.

As a Pole, I have a small dream, and with this I would like to end my speech. It is that Croatia, the country which has currently made most progress in negotiations, might manage to accede to the European Union during the not-too-distant Polish Presidency.

**Andreas Mölzer (NI).** – (DE) Madam President, once again, the report on Turkey is not a progress report, but a report on Turkey's failings. The EU is calling on Turkey to do more in the area of minority rights, but instead of resolving the issue of the Kurds as it had said it would, Turkey is planning to ban the pro-Kurdish Democratic Society Party (DTP). For the fourth year in a row, the government in Ankara has failed to implement the additional protocol to the association agreement, but, via its ambassadors, it is calling on the major EU Member States to resolve the Cyprus question. In my opinion, the long-awaited negotiations on the Mediterranean island are not a cause for celebration, because the most recent Turkish Cypriot proposal goes against the existing consensus on some points, which means that it actually represents a step backwards.

So much for the positive results which the Spanish Presidency announced that we could expect. Turkey is not a part of Europe either geopolitically or in spiritual or cultural terms. Human rights, the rights of minorities

and international law remain concepts that are foreign to Turkey. In my view, the only honest response which is in line with the wishes of EU citizens would be to bring the accession negotiations to an end and to aim for a privileged partnership.

**Georgios Koumoutsakos (PPE).** – (EL) Commissioner, we welcome you and wish you every success in your job. Today, we are debating, among other things, Turkey's progress towards Europe. Yesterday we debated the difficult economic situation faced by certain countries in the euro area, especially the critical situation faced by Greece.

These two debates intersect at one point, they have one common ground. That common ground is massive, inflexible defence spending by Greece, with around 5% of its gross domestic product allocated to military expenditure – and not because it wants to. Of course, part of this is spent honouring its obligations as a member of NATO. However, most of it is spent because we have to address a specific policy by a neighbouring country and candidate country, namely Turkey.

There is an official Turkish policy of threatening Greece with war, known as the *casus belli*, and it is not simply a paper threat; Turkey is in the habit of violating the airspace of and overflying even inhabited Greek islands in the Eastern Aegean.

This has to stop and this must be a strong message sent to Ankara by the European Parliament. If there are improvements on this, its progress towards Europe will regain momentum, together, of course, with all the other commitments which it must honour.

**Monica Luisa Macovei (PPE).** – Madam President, in its neighbourhood policy, the Union's objective has always been to export stability and not to import instability.

This is why I appeal to Member States and candidate countries not to promote bilateral conflicts to the level of the Union. Being a lawyer, I would like to recall that, through the interim accord between Greece and FYROM signed in September 1995, Greece agreed not to object to FYROM's application to international or regional organisations if made under the name referred by the United Nations, which is FYROM. The Union's institutions refer to this country as FYROM. These provisions are legally binding in terms of international law. Therefore, there is no legal basis for Greece to obstruct the country's accession process. Decisions must be taken on the performance of the applicant country.

On this note, I support the debates on the progress made and the areas in which improvement is still needed. We need to talk about the merits and closely monitor the implementation of the reforms. Based upon the progress made, the Commission proposed that the country be given a date to start negotiations. I join the Commission and call on the Council to provide a starting date for accession negotiations at its summit in March 2010.

**Eleni Theocharous (PPE).** – (EL) Madam President, Commissioner, even if the very strong resolution in Turkey's favour is adopted today, this country will not stop demonstrating an important democratic deficit, blatantly infringing the human rights of millions of people and occupying the Republic of Cyprus, a Member State of the European Union.

However, as far as Cyprus is concerned, there are many who insist on putting equal responsibility on the victim and the perpetrator. We cannot accept crime and armed violence and call on all the parties involved – call on them to do what? We cannot listen in the sanctuary of democracy, the European Parliament, to unseemly expressions such as Northern and Southern Cyprus and talk of elections for Northern Cyprus, where 70% of the so-called electoral body are illegal colonists.

It is clear that, if the solution does not respect the human rights of the citizens of Cyprus, then the entire system of values of the European Union is at risk. Of course, talks are continuing, but they have become bogged down by Turkey's maximalist claims. As it is Turkey rather than any other country that we are evaluating, we call on Turkey to facilitate the process of talks by taking two self-evident steps: firstly, to immediately start withdrawing the occupying army and, secondly, to return the occupied town of Famagusta to its legal residents.

**Giovanni Collino (PPE).** – (IT) Madam President, ladies and gentlemen, we acknowledge the efforts that Croatia has made in recent years to meet the requirements of European Union membership. We support the statement that Mr López Garrido gave us this morning.

There nevertheless remains one unresolved matter that must be dealt with during the negotiations on bilateral matters between Croatia and Italy which risks casting a shadow over the accession process. I refer to the failure to provide financial and moral compensation for damage suffered and the failure to return goods confiscated from the Italians who were forced to leave those lands as exiles following World War II.

Now that it is seeking to join the European Union, I call on Croatia to speed up the process of achieving a conciliatory, constructive and happy ending to this sad and still unresolved affair.

We call on Croatia to satisfy the rights of those people who have been waiting for this to happen for so long, in accordance with European law among other things.

**Laima Liucija Andrikiienė (PPE).** – Madam President, I have a brief comment on Turkey.

Turkey still has some very serious problems in the area of human rights. One of the outstanding issues is setting the rights of ethnic and religious minorities – Kurds, Christians, Alevists and others. These minorities are suffering from constant violations of their rights. Cyprus and Greece are, and will remain, of the utmost importance to the European Union.

So, Commissioner, we therefore have to make it clear to our Turkish partners that it is very difficult to speak about Turkey's European integration until problems related to Turkey's religious and ethnic minorities are solved.

**Kyriakos Mavronikolas (S&D).** – (EL) Madam President, in today's debate, we need to arrive at clear messages to Turkey, bearing in mind that it has not taken specific action to resolve various problems with neighbouring countries.

As regards the Cyprus question, in particular, given that we have heard proposals to include a reference to the problem of the isolation of Turkish Cypriots in the report, I think that the European Union should and must act within the framework of the UN resolutions. That means that the illegal occupied lands cannot be recognised; on the contrary, any aid must be granted via the legal state, as is presently the case.

At the same time, Turkey should withdraw the army, so as to remove this major obstacle to overall efforts being made to overcome the difficulty of contacting Turkish Cypriots.

**Jelko Kacin (ALDE).** – (SL) I congratulate all the rapporteurs on their balanced reports, and to you, Commissioner, I wish every possible success in taking up your important role.

I would like to point out that the Member States of the European Union are not communicating in the best possible way with the countries of the Western Balkans. Some of them are throwing around unrealistic dates. 2014, a date suggested by some of you today, generates false hope, unrealistic expectations and misleads the politicians and the public opinion of these countries. We will strengthen pro-European forces only if we adopt a realistic approach and behave appropriately. False promises are detrimental for both them and us. Let us be fair, let us be correct and let us be credible.

**Konrad Szymański (ECR).** – (PL) Madam President, I realise how very difficult it is, in Turkey's social circumstances, for the government in Ankara to do anything to improve democracy and human rights. I do appreciate this very well, but I would like to draw attention to a problem which has received too little emphasis in this debate. I am thinking of the problem of religious freedom, which is still restricted in Turkey, particularly towards Christians. In Turkey, we still have a problem with the obstacles faced by religious communities concerning their legal status. Christian communities, despite the introduction of the Law on Foundations, are having serious problems with regaining confiscated property. The Ecumenical Patriarchate has limited rights to train clergy and freely elect the Ecumenical Patriarch. I am very grateful to the rapporteur for emphasising all these aspects in the report. At the same time, I regret that this matter was completely ignored in Mr López Garrido's speech. Mr López Garrido, I have a personal comment: ideology and human rights do not mix.

**John Bufton (EFD).** – Madam President, I would like to speak on the issue of Turkey.

My concern is that in 2003, the UK Independence Party, of which I am a member, stated in this Parliament that there would be dire consequences regarding migrants from new Member States coming to our country, the United Kingdom. My fear is that, if Turkey joins, 70 million people will be allowed to come into the UK. The United Kingdom is full. We have millions of people unemployed. The pressure on our public services is incredible. The thought of Turkey joining is not on at all.

We have been denied a choice. The people in our country have been denied a vote on Lisbon. We certainly need a discussion in our country about whether we should be in the European Parliament or not. I fear that Turkey joining will be the straw that breaks the camel's back. I am convinced that we are now in a position where the whole European situation is about to crumble, with the euro and so forth. The addition of Turkey joining will just make matters far, far worse.

Commissioner, it is your first day at work. I would like to mark your card. Take it from me, as a person from Wales in the United Kingdom: we just do not want Turkey to join.

**Zoltán Balczó (NI).** – (HU) With regard to the accession of Turkey, there is a fundamental question to be clarified: what do we consider the European Union to be? Do we still consider the values, the shared European values, important? These values are based on the teachings of Christianity, irrespective of the proportion of actively religious people. Do we deem the cultural heritage of Europe important as a cohesive force? If the answer is 'yes', Turkey has no place in the European Union. Naturally, we should aim to establish the best possible partnership with them. Another important factor is that their accession would create a precedent. Israel's minister for foreign affairs has stated that they are being patient, yet they definitely want to become a member of the European Union. I would have to state that Israel does not have a place in the European Community, either.

**Csaba Sógor (PPE).** – (HU) With regard to the protection of minorities, progress has been made by Croatia and Macedonia, but these countries are still far from being top performers in this respect. What can we do? The European Union could encourage these countries through its exemplary protection of minorities, but what is actually happening in the European Union? It would be a positive sign if France and others were to ratify the Charter of Minority and Regional Languages, if Slovakia were to retract its measures discriminating against minorities (see the language law) and if Greece were to admit that minorities do live in its territory and guarantee their rights as individuals and communities. In Romania, there will hopefully be a law on minorities, though we are still far from having members of minorities in the top command of the army, and autonomy is feared more than the 14th Transnistrian Russian army. Parliament could encourage the existing Member States to set a good example by establishing standards for the protection of minorities that are to be mandatory for the entire territory of the Union.

**Danuta Jazłowiecka (PPE).** – (PL) Madam President, Commissioner, the year 2009, according to a report prepared by the International Crisis Group, was to have been decisive for Turkey's integration with the European Union. There was to have been either a breakthrough in accession negotiations or an end of the talks. Today, talks are still in progress on further areas related to accession. The Spanish Presidency, it is true, is saying it wants Ankara to join the Community as soon as possible, but indications are growing that Ankara is redefining its place in the global order, and that its membership in the Community is not a priority. Lifting of visas for Jordan, Libya, Iran and Syria, a worsening of relations with Israel, a strengthening of relations with Sudan, the signing of an agreement to commence diplomatic relations with Armenia and blocking an understanding with Cyprus – all this shows that Ankara is increasingly orienting itself towards cooperation with its neighbours, even at the expense of weakening its position in the accession negotiations.

However, the question of energy security and Turkey's crucial geographical location mean that it is slowly becoming indispensable for securing European interests. It may, therefore, not be long before Turkey's accession to the European Union is more important to us than to Turkey itself. I appeal, therefore, to the Commission and the Council to redefine Turkey's perspectives for membership of the European Union.

**Alf Svensson (PPE).** – (SV) Madam President, I believe that it is extremely important that the progress being made by the candidate countries that are involved in negotiations is also recognised and stressed. I believe that to be very important in purely psychological terms. Moreover, it cannot be denied that negotiations with the EU have created better conditions for the people of these countries. The negotiations in themselves are a positive thing.

I am sure we all agree that Turkey needs to make considerable efforts and that freedom of religion, freedom of expression and freedom of the press go without saying. However, I think it also needs to be stated that the negotiations with Turkey are not just negotiations with the state or nation of Turkey, but that Turkey also represents a kind of key or a bridge to the whole region. We therefore need to bear in mind that the EU's relations with the region will deteriorate considerably if the door were to be closed again.

**Chrysoula Paliadeli (S&D).** – Madam President, I wish I could be given the time to explain to the Members of this Parliament the reasons why the Greek people are so sensitive about the issue concerning the name of the Former Yugoslav Republic of Macedonia. Unfortunately, it needs more than a minute.



This story, going back to the late 1940s, is a sad story which ended in creating a false idea about them. I can assure you that Greeks are neither nationalists nor expansionists. All they do is resist the use of a name which is part of their own ancient historical and archaeological tradition.

I understand that the Former Yugoslav Republic of Macedonia, as a new independent state, is undergoing a retarded ethnogenic phase. Serious academics in Skopje do not support the nationalistic trends of their Prime Minister. They prefer to remain silent rather than expose themselves against the trendy phrase, which the Thaler report rightly remarks, is liable to increase tensions.

I would like this Parliament and the new Commission to try and contribute with a solution to the name issue, not by stimulating the nationalistic tendencies of the FYROM Government, but by supporting the Greek view, which fights for a gentle compromise that would, finally, seem to satisfy the people of FYROM more than the people of Greece.

**Zigmantas Balčytis (S&D).** – (LT) Today's debates have shown that although MEPs have differing opinions on Turkey's progress, we probably all agree that the basic prerequisite for EU membership is the appropriate implementation of fundamental reforms. Today, I think it is too early to set concrete dates, but we must observe and demand progress from Turkey, as recent events, where the activities of political parties were banned, cause concern and do not show Turkey's commitment to respect civil and political freedoms and rights. However, we must give Turkey an opportunity to review its actions and hope that in the future, Turkey will be a democratic and free country.

**Petru Constantin Luhan (PPE).** – (RO) Croatia continues to be at the most advanced stage among the Western Balkan states on their path to EU accession. It may provide an example for states in the region with regard to their accession prospects in terms of meeting the accession criteria and conditions.

I welcome the progress recorded on internal reform, as is also indicated in the 2009 progress report. The method for meeting the necessary accession criteria, especially those coming under Chapter 23, justice and fundamental rights, marks an important milestone in this country's progress in achieving European standards.

We support Croatia's accession to the European Union, provided that this is based on strict compliance with the accession criteria, including full cooperation with the International Criminal Tribunal for the Former Yugoslavia.

Croatia will conclude accession negotiations this year. In fact, the report we are debating today is the last progress report produced by the European Parliament. We are confident that we will be in the position next year to vote on the treaty for Croatia's accession to the European Union, which will be a positive signal for the whole region.

**Milan Zver (PPE).** – (SL) Commissioner, I congratulate you on your new post and I hope that you will be successful in this area.

I am very pleased that the three reports are positive and that the rapporteurs have found these countries to have made progress in terms of modernisation, as we see it from the European perspective. The most important thing is that all three countries maintain high standards when it comes to respect for human rights. Europe must be strict about this and it must also be strict in urging these countries to resolve relations with their neighbours.

I would also like to point out that I will not be giving my backing to the report on Croatia, primarily because it does not treat Slovenia fairly.

**Iuliu Winkler (PPE).** – (RO) The most effective external enlargement policy the European Union has with regard to the Western Balkans is to expand in this region. This will guarantee peace and bring democracy to an area which, unfortunately, has only had its reputation reinforced by recent history as the 'powder keg of the European Union'.

At the same time, the most effective foreign policy for the new Western Balkans states is to belong to the European Union's area of stability and prosperity. We need instruments in this process. I therefore welcome the progress reports for Croatia and Macedonia, which are valuable instruments.

I also believe that economic instruments are needed, along with regional, economic and commercial cooperation, including with regard to investments, which have already proven to be effective. I think that

these instruments must be considered by the European Commission and the governments of Croatia and Macedonia.

*(The speaker asked Mrs Flautre a question under the blue card procedure (Rule 149(8) of the Rules of Procedure))*

**Barry Madlener (NI).** – (NL) I actually wanted to ask the leader of the Turkish delegation, Mrs Flautre, a question. I do not know if I can do that now – that is what my blue card was based on. Can I ask Mrs Flautre a question?

Mrs Flautre, I would like to ask you, in the light of the horrific honour killing in Turkey, whether you agree that we should submit a request for a broad investigation to be carried out into honour killings in Turkey? In my home country, the Netherlands, we have a shockingly high prevalence of honour killings among Turks, as there is in Germany, and I believe that this is just the tip of the iceberg and that there is an awful lot of honour killing in Turkey. Can we ask Mr Füle to carry out an investigation into honour killings in Turkey?

*(Mrs Flautre agreed to answer a question under the blue card procedure (Rule 149(8) of the Rules of Procedure))*

**Hélène Flautre (Verts/ALE).** – (FR) Madam President, a question, yes, but which question? Addressed to whom and for what purpose? I believe that our delegation – of which you are a member, Mr Madlener – has committed itself and continues to firmly commit itself to human rights and gender equality and to every initiative taken to counter violence against women.

I mentioned this just now in my speech. I believe that so-called honour crimes, which are crimes organised on a family or tribal basis, are utterly indefensible and that, today, it is very pleasing to see that no one in Turkey puts up with this type of archaic criminal practice any more.

**Diego López Garrido, President-in-Office of the Council.** – (ES) Madam President, ladies and gentlemen, thank you for this broad debate which has centred on some excellent resolutions tabled by the European Parliament, and may I congratulate the authors Mr Swoboda, Mr Thaler and Mrs Oomen-Ruijten.

I think we can say that the large majority of you has spoken in favour of the enlargement process as an essential part of European integration. As Mr Brok has said, enlargement has been a success for the European Union, and other Members have mentioned some of the examples of success in the enlargement process. It is also a vital element of progress towards democratic reform and of democratic deepening in those countries that are moving closer to the European Union, those that have begun their entry into the European Union and those which have the prospect of joining. As Mr Mauro has stressed, this always implies a commitment to meet the Copenhagen conditions, which is another element of broad consensus, and therefore to show full respect for human rights.

I entirely agree with Mr Cashman when he said that the treatment of minorities is what singles a country out, and not its treatment of the majority, although that is important as well. This, therefore, is how we should measure respect for human rights and, as a result, compliance with the Copenhagen criteria.

Another point of general agreement was that for the Western Balkans, the European perspective is a fundamental element in their progress – as Mrs Giannakou and Mr Winkler pointed out – and this is not only in the interest of those countries but also, as Mrs Göncz has said, in the interest of the European Union.

As regards Croatia, we have also had general agreement on the need to open new chapters as soon possible, but it should be said that currently 28 out of 35 chapters have already been opened and that 17 of those have provisionally closed. The Spanish Presidency will continue to work to achieve new progress in the negotiations, together with the European Council and the Council, in order to bring them to their final phase soon. That is why I mentioned earlier that the accession meetings to be held with Croatia will begin immediately.

Our expectation is that the membership negotiations roadmap will be completed this year, as the report's author, Mr Swoboda, has proposed, and as some Members have requested, including Mr Hökmark, Mr Berlinguer and Mr Lisek, who expressed the hope that the Polish Presidency might see Croatia's accession to the European Union.

So progress has been made with regard to Croatia, as Mr Poręba has emphasised. However, we still have work to do; there are shortcomings in the legal area, for example, as Mrs Serracchiani pointed out.

As a result, we think we have reached an important closing stage of Croatia's accession and we hope that the negotiations will be concluded and Croatia will join the Union as soon as possible, following the ratification process of the relevant European Union treaties.

Turning now to Macedonia, the debate centred primarily on the question of its name. Obviously the name is not one of the Copenhagen requirements, but clearly good, neighbourly relations play a vital role in the process of shaping national policy in all the candidate countries.

Candidate countries, like Member States, must therefore show the utmost sensitivity in matters such as this. We also have to remember that the starting point for negotiations is unanimity, in other words, a unanimous agreement between existing Member States.

The solution advocated earlier by Mr Posselt, Mr Kasoulides, Mrs Cornelissen, Mr Chatzimarkakis, Mrs Göncz and Mrs Paliadeli is rooted both in negotiations under the aegis of the United Nations and in bilateral contact between the Former Yugoslav Republic of Macedonia and Greece. While this is, of course, a very important matter, the European Union itself does not actually take part in such discussions under the United Nations.

At the moment therefore, I do not think we can say precisely when this conflict will be resolved; nevertheless, I can certainly say that the Spanish Presidency joins in congratulating Prime Minister Gruevski and Prime Minister Papandreou on renewing a direct dialogue. This demonstrates leadership ability in both of them and will no doubt lead to an atmosphere and an attitude of openness, to which Mr Tremopoulos referred in his speech.

We believe that the government of the Former Yugoslav Republic of Macedonia will be able to carry these negotiations forward. The prospect of joining the EU has always been of great importance for the whole country, that is, for its ethnic groups as well, whether large or small.

Finally, with regard to Turkey, a great many speeches have been made and I would like to begin by saying that negotiations are continuing at a reasonable pace – they have not been halted – and I say this in response to Mr Van Orden's comment concerning the speed of those negotiations.

We hope to open other negotiation chapters during the Spanish Presidency. I have mentioned some of them, but naturally we cannot predict the rate of these negotiations because they depend on the progress of Turkey's reforms and on whether Turkey meets the criteria. What is more, as you are all aware, in each case, at each stage and for each chapter of the process, there needs to be unanimous agreement.

The protection of human rights and the fulfilment of the Copenhagen criteria is a subject that has been mentioned in many speeches and which is clearly referred to in Mrs Oomen-Ruijten's report; and it has to be said that Turkey must make more effort in this area. It has to make more effort, and I say this in response to Mr Belder, Mr Salafranca, and others, and to Mr Angourakis and Mr Klute, who have spoken about promoting human rights and fundamental freedoms.

They are right, but it is also true to say that the negotiation process continues to be the European Union's principal means of influencing the progress that is made and, while progress has indeed been made, it remains insufficient. This has also been mentioned in speeches by other Members, such as Mr Obiols, Mrs Flautre, Mrs Lunacek, Mr Preda and Mr Balčytis. I think we need to remain very aware of that when we make a balanced assessment of our negotiations with Turkey.

Cyprus has also been the subject of a great many speeches. Cyprus will, of course, be a decisive issue over coming months. It should be said that the negotiations currently under way between the leaders of the two communities on the island are positive and that a better atmosphere of trust has been established.

It goes without saying that resolving the Cyprus issue would eliminate this obstacle, or all of the obstacles, or at least some of the obstacles that might hinder Turkey's progress towards accession and, whatever happens, it would send out an important, positive signal to the region as a whole, with reconciliation as the basic objective, as Mr Howitt so rightly put it.

We all agree, of course, that Turkey has to comply with the additional protocol. There have been continuous calls for it to do so, and every time we have a dialogue with Turkey, the Council reminds it of that commitment, which must be honoured. On 8 December 2009, the Council adopted conclusions in which it was stated that if no progress were made on the issue, then the Council would maintain the measures adopted in 2006, which would have a permanent effect on the negotiations' overall progress.

Mrs Koppa and Mr Salavrakos have also referred to other incidents: violations of air space and incidents in the Aegean Sea. So I repeat, neighbourly relations are an indispensable requirement for measuring Turkey's progress in the negotiations. The Council's 8 December conclusions, which I have mentioned many times, sent Turkey a message on that matter. I assure you that the Presidency is going to following the issue very closely and pursue it at all levels when appropriate.

In any case, Madam President, the Presidency's position on negotiations with Turkey is absolutely clear. We are in agreement with the renewed consensus on enlargement, which the Council decided in December 2006, and this means that the objective of the negotiations is certainly Turkey's future accession to the European Union.

**Štefan Füle**, *Member of the Commission*. – Madam President, I am very grateful that I had such an early chance to participate in this exchange of views with you on the accession countries. I promised during my hearing that I would come to listen and to take your advice, and today's debate was a clear proof of the richness, wisdom and insight that are assembled here in this House.

Let me make two general observations. First, I take the promises I made during the hearings very seriously. I am interested not in having two monologues, but in having a dialogue with this House which would reflect the true spirit of the Lisbon Treaty.

Let me also make another general observation, and I referred to this a couple of times during my hearing. In talking to the candidate countries and the prospective candidate countries, I always underlined the following four principles. The first is strict commitment to the Copenhagen criteria; they are non-negotiable. Secondly, a strict commitment to fundamental freedoms and rights, including religious and minority rights and, of course, women's rights. Thirdly, the process being honest and reflecting credibility on both sides and at all levels. Fourthly, I will never underestimate the issue of integration capacity.

On Croatia, both Parliament's resolution and the Commission's position underline that Croatia can count on Parliament and the Commission as reliable allies. If the country manages to deliver on all outstanding conditions, I remain confident that accession negotiations can be concluded this year. The Commission, and I trust the current and future presidencies as well as the European Parliament, will support Croatia in reaching its goal.

On the Former Yugoslav Republic of Macedonia, let me stress once again that the country earned a Commission recommendation to start accession negotiations on the basis of its own merits. Nonetheless, the country continues to face many pressing challenges, including the political criteria. As was pointed out during the debate, there is now a window of opportunity to resolve the name issue, and I am fully committed to supporting the ongoing talks.

On Turkey, we are all aware that we do not have an easy way ahead of us, either for Turkey or for the European Union, as was clearly stated by many during the debate. I know, however, that the Turkish Government is still committed to the democratic opening. Who would have imagined only five years ago Turkish society and politicians openly and intensively discussing the Kurdish issue, civil-military relations, the reopening of the Halki seminar or relations with Romania?

Nevertheless, I remain concerned about restrictions on press freedom and media pluralism. Further legal amendments are needed to protect journalists, human rights activists and politicians from prosecution and conviction for the expression of non-violent opinion.

As regards the accession negotiations, the opening of the important environment chapter last December is an encouraging development, bringing the number of open chapters to 12. I am hopeful that we will be able to open more chapters this year. However, Turkey will need to make additional efforts in order to be able to fulfil the demanding benchmarks. It is therefore important that the necessary preparations are being continued with rigour.

The Commission also welcomes the reinforced dialogue with Turkey on migration, which should lead to concrete achievements, in particular, as regards readmission and border controls. In response to a specific question from one of your colleagues, let me say that the Commission is aware of the recent developments concerning Turkish lifting of visa requirements for Lebanon and Syria. The Commission's Director-General responsible for these issues will be in Ankara next week for talks. This will be one of the issues he will discuss on that occasion and I will report on these discussions.

Let me also add, having been requested, the following position of the Commission. All measures that the Commission has proposed and undertaken have always been aimed at ending the isolation of the Turkish-Cypriot community as a means of facilitating the reunification of Cyprus in line with the Council conclusions of April 2004. We are implementing the EUR 259 million aid package for the sustainable social and economic development of the Turkish-Cypriot community and its full participation in the European Union following a settlement and reunification. The Green Line Regulation is facilitating economic and personal contacts between Turkish-Cypriots and Greek-Cypriots. The Trade Regulation, on special conditions for trade for the Turkish-Cypriot community, remains with the Council for consideration.

Coming back to Turkey, the reform process is to continue and the European Union should continue to encourage the process and progress. The Commission remains committed to the accession process with Turkey. Our leverage and influence in Turkey will become all the more credible and stronger if our commitments remain unambiguous.

I am looking forward to a very fruitful and close cooperation over the next five years.

(Applause)

**President.** – I have received three motions to wind up the debate from the Committee on Foreign Affairs in accordance with Rule 100(2)<sup>(1)</sup>.

The debate is closed.

The vote will take place during today's vote.

#### **Written statements (Rule 149)**

**Luís Paulo Alves (S&D), in writing. – (PT)** This report acknowledges certain positive steps that Turkey, a candidate country since 2005, has made towards joining the EU, although it is being urged to speed up the pace of reforms. I recall that in December 2006, negotiations were partially suspended due to the country's refusal to apply the Customs Union with the EU to Cyprus. The conflict with Cyprus must be resolved and the country must continue to make progress in terms of democracy and the protection of human rights, combating corruption, improving freedom of the press, the need for political transparency and swifter and more effective justice, consolidating anti-discrimination laws relating to gender, sexual orientation and ethnic and religious minorities, and reforming the civil service. The Turkish Government continues to demonstrate the political will to proceed with reforms, and it has substantially increased fundamental freedoms and democratic development within the country. We must therefore continue to make progress in negotiations aimed at securing the accession of Turkey as a country with a crucial role as a mediator in conflicts between Israel and Palestine and as a platform for Iraq and Iran to find common ground.

**Mara Bizzotto (EFD), in writing. – (IT)** Madam President, ladies and gentlemen, the report certainly contains some interesting points, even for those, like myself and many of you, who are against granting Turkey EU membership. The content of the report illustrates Turkey's sometimes serious failures to meet the basic conditions for joining the EU. Certain passages of the resolution proposed by the Committee on Foreign Affairs are also quite strict. These documents do not oppose Turkey's theoretical future entry into the EU; however, I am very happy to welcome the findings that Parliament intends to make known regarding Turkey's supposed lack of progress. Those who, like myself, are opposed to Ankara joining the EU find in them confirmation of their own traditional objections to the accession: in Turkey, there are still restrictions on fundamental freedoms, human rights violations, an aggressive attitude towards Cyprus and Greece, and discrimination against ethnic and religious minorities – all of which are problems that Europe clearly cannot ignore. And all this compounds the usual concerns about the cultural and geographical differences between Turkey and Europe, and about the problems that would be caused by the admission of a country that shares borders with over 80 million inhabitants: factors that will continue to reinforce my unshakable conviction that it is not right for Turkey to enter a Europe whose unity depends, above all else, on the spirit of Christianity.

**Robert Dušek (S&D), in writing. – (CS)** On the one hand, the method and extent of the democratisation process in Turkey and the process of drawing closer to the EU is pivotal. On the other hand, discussion of Turkey's future membership of the EU cannot be left to one side. Every expansion involves budgetary considerations as to whether the accession of a given country to the EU will bring a contribution or whether financial losses will prevail. I am afraid that in the current crisis situation with the Common Agricultural

<sup>(1)</sup> See Minutes

Policy and, by implication, the European budget, we cannot permit an expansion involving a country in which 7 million of the inhabitants rely on agriculture for their livelihood (in the EU, the figure is 10.4 million). For the purposes of comparison: under current conditions, the expenditure for Turkey up to 2025 would be around EUR 10 billion, while for all 10 of the new Member States in the 'eastern expansion' it would be up to EUR 8 billion. Direct payments to Turkish farmers and payments for rural development and market support would, under the current legislative arrangements, spell doom for European agriculture and farmers. In view of the enormous size, number of inhabitants and economic situation of this candidate country, the accession of Turkey to the EU would impose an enormous burden on the budget together with a 9% decline in per capita GDP for the EU. For these reasons, we must discuss again and in greater detail Turkey's accession to the EU, together with related reforms to the CAP.

**Martin Kastler (PPE)**, *in writing*. – (DE) It is commendable that the new Macedonian democracy has made further progress in all areas of society and business. I very much welcome the fact that the presidential and local elections in March 2009 went smoothly. This is an indication of the growing democratisation throughout the entire region which was reflected in Macedonia. Macedonia has met all the criteria for liberalising the visa regulations and, therefore, from 19 December 2009 onwards, its citizens have visa-free status. This represents a major step forward. However, Macedonia still has a number of reforms to implement. I very much hope that we can use the experience which we gathered during the first phase of the eastern enlargement of the EU to help it in this process. In this context, I am thinking of the implementation of institutional reforms, where political foundations and a range of different NGOs have achieved so much. There are two areas where we should strengthen our cooperation with regard to transformation and EU standards. These are reform in the public administration, in the judiciary and in the police. Personally, I would like to see the name dispute between Macedonia and Greece put aside in the immediate future. It is important that progress towards the unification of Europe is not brought to a standstill because of bilateral disagreements.

**Bogdan Kazimierz Marcinkiewicz (PPE)**, *in writing*. – (PL) Croatia, because of its geopolitical situation and historical relations, should unquestionably accede to the European Union as quickly as possible. Despite numerous tensions with neighbours and the ethnic conflicts which arose during the civil war, I cannot imagine a fully integrated and united Europe without Croatia. The negotiations, which began in 2004, were a promising development, and in the absence of disruptions, they should be completed this year, bearing in mind that there are 28 areas required for completion. Croatia's accession to NATO in April 2009 has definitely strengthened her claim for accession to the EU. Stabilisation in what is known historically as the Balkan Cauldron will be guaranteed only by Croatia's accession. I hope that, at the beginning of 2012, when I take my seat in the European Parliament, I will be able to shake hands with fellow Members from Croatia.

**Franz Obermayr (NI)**, *in writing*. – (DE) I welcome the progress made by Croatia, in particular, in combating corruption. Measures must be taken against corruption within the institutions. In addition, a change in basic attitude is needed and the population must be made more aware of corruption, which unfortunately is still part of everyday life in Croatia. With regard to Croatia's relationship with its neighbours, it is pleasing to see that a compromise on the border dispute with Slovenia is now in prospect. I hope also that Croatia's recognition of Kosovo will not cause an increase in tension in the Western Balkans, in particular, with Serbia, which is now, understandably, showing concern. Given the obvious progress that Croatia has made and my conviction that Croatia is culturally, politically and historically a part of Europe, I am voting in favour of the motion for a resolution. If Croatia meets all the conditions, I believe that it will be possible for it to join the European Union soon.

**Kristiina Ojuland (ALDE)**, *in writing*. – (ET) Madam President, with reference to my speech on 20 January, I am interested in what kind of measures the Turkish Government has implemented, according to the records of the Council and the Commission, to involve the population in the implementation of the democratisation process and the reforms necessary for integration with the European Union. Turkey's 2009 development report points out shortcomings in the fulfilment of the Copenhagen criteria, with a particular emphasis on political criteria, which include the implementation of democracy and the rule of law, human rights and the protection of the rights of minorities. In the development report, it was noted that, through the development aid instrument, EUR 567 million have been allocated to Turkey in the past year. The allocations were, for the most part, aimed at implementing outstanding reforms in the political and justice systems, as well as the development of civil society. At the same time, it was made clear that the use of these instruments had been decentralised, which means that the Turkish authorities administered the allocated aid, following the Commission's accreditation. Since they are interested in carrying out the membership negotiations for Turkey as quickly as possible, which means that the current shortcomings need to be resolved, the Council and the Commission should have an accurate synopsis of concrete actions by the Turkish Government carried out

in order to achieve this objective. On its homepage, in visual form, the Commission has indeed put some projects for ending the use of child labour, acquiring a basic education, involving people with disabilities in society, and setting up a confidential line for women in Turkey suffering from domestic violence. However, are these actions enough to create the necessary grassroots public support for the immediate and successful implementation of the necessary reforms? In the light of the contents of the development report, what kind of additional urgent measures or projects have been planned to overcome the obstacles that have arisen in problematic areas?

**Wojciech Michał Olejniczak (S&D)**, *in writing*. – (PL) When a number of countries in Central and Eastern Europe acceded to the European Union on the day of its great enlargement on 1 May 2004, the division of Europe by the Iron Curtain was finally brought to an end. Not all the countries of Central and Eastern Europe came into the European family at that time. It also then became clear that the ‘great enlargement’ would have to be continued, with the accession of several more countries of the region. In 2007, Rumania and Bulgaria became Member States of the European Union. However, the accession of these countries cannot be thought of as the end of European Union enlargement.

At the moment, the country which is closest to acceding to the EU is Croatia. I fully support completion of negotiations by Croatia as quickly as possible in order to achieve the quickest possible accession of the country to the European Union. I appeal to both sides of the negotiations for maximum flexibility and the will to reach agreement. In addition, I appeal to the Croatian side to increase efforts at accommodating Community requirements in such areas as the organisation of public administration and the judiciary and for improvement of mechanisms concerned with the effective fight against organised crime and corruption. Furthermore, I would like to add my voice to appeals calling on Croatia to show a maximum of goodwill in cooperating with the International Criminal Tribunal for the Former Yugoslavia.

**Siiri Oviir (ALDE)**, *in writing*. – (ET) As a prerequisite for completing the negotiation process begun with Turkey in 2005, Turkey must fulfil all the Copenhagen criteria, and it must comply in all respects with EU integration capacity. Indeed, Turkey has begun to implement the reforms expected on that basis, develop good neighbourly relations and gradually bring itself into line with the EU membership criteria. I support these actions, and I support Turkey’s accession to the EU, provided, of course, that the conditions for membership are met in full. Today, though, it worries me that recently, positive messages concerning the reforms implemented have begun to fall short, and there are still severe problems in Turkey with implementing legal norms, particularly sections that would establish women’s rights, non-discrimination, freedom of speech and belief, a zero-tolerance approach to torture, and anti-corruption measures. I call on Turkey to continue and strengthen efforts to meet the Copenhagen criteria in full and to consolidate support in Turkish society for the necessary reforms, providing equality for all people, regardless of gender, race or ethnic origin, faith or creed, disability, age or sexual orientation.

**Rovana Plumb (S&D)**, *in writing*. – (RO) I believe that it is in the interest of both parties, the EU and Turkey, for the enlargement process to continue. This is why Turkey must step up the reform process in order to meet the commitments it has assumed.

Let me give you a few examples on this point. Legislation on gender equality is harmonised, but greater effort needs to be made to implement it in order to reduce the differences between men and women in terms of their participation in the labour market, politics and the decision-making process, as well as with regard to access to education. Progress has been made on environmental protection, especially with the signing of the Kyoto Protocol in this ‘era of adapting to the effects of climate change’. However, a great deal still remains to be done in terms of water quality, nature conservation and GMOs (genetically modified organisms).

I welcome the progress made by Turkey but, at the same time, I support the request made to Ankara to make more effort in the reform process so that it can join the European club.

**Bogusław Sonik (PPE)**, *in writing*. – (PL) One of the crucial Copenhagen criteria, which should unquestionably be met to enable a country to become one of the Member States of the European Union, is respect for human rights. I would like to draw attention to notorious cases of violations of the rights of women.

Almost daily, the press informs us of further murders of women, which are known as ‘honour killings’. The press is currently highlighting the case of 16-year-old Medine Memi, who was cruelly murdered by her own father and grandfather. It is shocking that these two took the girl’s life because she had been talking to boys, but the way in which this atrocity was carried out is even more shocking. Autopsy results show that Medine, who was buried in a chicken pen, was still alive at the time of her burial and was conscious to the very end. The unimaginable suffering of the dying teenager was inflicted as satisfaction for ‘bringing dishonour’ on

the family. It is horrifying that the case of Medine is not an isolated incident, but a widespread and barbaric phenomenon. The girl, fearing for her life, had reported her fears to the police several times – unsuccessfully, because she was sent home each time.

Murder, which has been deeply rooted in Turkish tradition for generations, is often interpreted favourably for men, who are supposedly acting to clear the disgraced honour of their family. A country which has not yet managed to deal with this problem continues to be separated from Europe by a broad divide, because Europe stands in defence of fundamental values. This difference is a serious obstacle in building a common identity.

**Traian Ungureanu (PPE), in writing.** – (RO) I hope that this year's assessment report will encourage Turkey to improve the coordination of its foreign policy with that of the EU. The Black Sea region should be a priority area where Turkey, as a key partner of the EU, will help achieve the European objectives set as part of the Black Sea Synergy.

Turkey's involvement in guaranteeing the EU's energy security is just as important. Last year, I welcomed Turkey's participation in the Nabucco project with the signing of the intergovernmental agreement. However, I also expressed deep concern about Turkey's intention to cooperate with Russia in the South Stream project. Consequently, I urge Turkey to make an explicit commitment to implementing the Nabucco project.

I welcome the call made by the rapporteur to harmonise energy policies between Turkey and the EU, in particular, by opening accession negotiations on the energy chapter and by including Turkey in the European Energy Community.

#### IN THE CHAIR: MR PITTELLA

*Vice-President*

### 9. Voting time

**President.** – The next item is the vote.

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

#### **9.1. Optional and temporary application of the reverse charge mechanism in relation to supplies of certain goods and services susceptible to fraud (amendment of Directive 2006/112/EC) (A7-0008/2010, David Casa) (vote)**

#### **9.2. Eligibility of housing interventions in favour of marginalised communities (A7-0048/2009, Lambert van Nistelrooij) (vote)**

*- After the vote:*

**Jörg Leichtfried (S&D).** – (DE) Mr President, I have no problem with the machine. I simply want to make a suggestion. Some Members have the habit of not reading out the number for roll-call votes. As we now have a large number of roll-call votes and also the wonderful screens, I would like to suggest that you perhaps take on this job.

**President.** – Very well, thank you for your courtesy. I was doing it to ensure you had all the information, but you can read it so I will not read it out.

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#### **9.3. Administrative cooperation in the field of taxation (A7-0006/2010, Magdalena Alvarez) (vote)**

**Sharon Bowles (ALDE).** – Mr President, the opinion that the European Parliament will vote now on the Commission's proposal for a directive on administrative cooperation in the field of taxation does not prejudice the final position that the Parliament will take with regard to the implementation of Article 291 of the Treaty on the Functioning of the European Union and the consequences for the procedures based on Council



Decision 1999/468/EC of 28 June 1999, especially as regards the regulatory procedure with scrutiny or the position that the Parliament may wish to take on delegated acts in other legislation.

#### **9.4. Mutual assistance for the recovery of claims relating to taxes, duties and other measures (A7-0002/2010, Theodor Dumitru Stolojan) (vote)**

#### **9.5. Recent earthquake in Haiti (B7-0087/2010) (vote)**

#### **9.6. Situation in Iran (B7-0086/2010) (vote)**

*- Before the vote:*

**José Ignacio Salafranca Sánchez-Neyra (PPE).** – (ES) Mr President, before we vote on this draft resolution on Iran, I merely wish to inform the Chamber that there has been an attempt to storm the Italian Embassy in Tehran and that similar incidents have also taken place at the embassies of other Member States, such as Germany, France, the United Kingdom and the Netherlands.

Mr President, in Paragraph 24, this draft resolution calls for a European Union delegation to be established in Iran; my group would not want the adoption of this paragraph, which has been used in other European Parliament resolutions, to be taken as a sign of complacency with regard to these events. I would therefore ask Mr Füle to tell Mrs Ashton that the circumstances I have just mentioned should be borne in mind during the application of this resolution's mandate. I believe Mr Gahler is going to request the addition of an oral amendment to the resolution text so that the diplomatic interests of Member States can be protected in Iran.

**Michael Gahler (PPE).** – (DE) Mr President, this has been discussed with the groups. I will read the text out briefly in English:

'Is concerned about the nature of demonstrations held in front of EU embassies in Tehran on 9 February as being orchestrated by the Basij militia, and calls on the Iranian authorities to guarantee the safety of diplomatic missions'.

*(The oral amendment was accepted)*

*- After the vote:*

**Lena Kolarska-Bobińska (PPE).** – Mr President, on behalf of the authors of the resolution just adopted on Iran, I would like to request that the parliamentary services translate this text into Farsi so that the Iranian regime and people can fully understand the clear message sent today by the European Parliament.

*(Applause)*

**President.** – Thank you for this valuable suggestion which we will forward to the appropriate department.

#### **9.7. Situation in Yemen (B7-0021/2010) (vote)**

#### **9.8. Trafficking in human beings (vote)**

#### **9.9. Outcome of the Copenhagen Summit on climate change (B7-0064/2010) (vote)**

*- Before the vote:*

**Jo Leinen, on behalf of the S&D Group.** – (DE) Mr President, ladies and gentlemen, following the disappointing conclusion to the climate conference in Copenhagen, Parliament is using this resolution to make it clear that there is no alternative to climate protection and that, as we move towards the next conference in Mexico, we must increase rather than decrease our efforts in this area.

I shall be brief. Amendment 6 from the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament was intended to serve this purpose. However, as it has been worded confusingly, we are withdrawing it. Nevertheless, we do support Amendments 1 and 9 from the Group of the Alliance of Liberals and Democrats for Europe and the Group of the Greens/European Free Alliance, which call on the

EU to do more en route to Mexico. Climate protection must not come to a standstill. I would ask for your support.

**Rachida Dati (PPE).** – (FR) Mr President, ladies and gentlemen, with regard to Amendment 21, which I have tabled, I should first like to thank all my fellow Members for having supported me in tabling an amendment which lays down the principle of establishing a carbon tax at the borders of the EU.

I should also like to say once again that we must not use double-speak when talking to our fellow citizens: when we are campaigning, we cannot say that Europe is protecting them, that it will protect their companies and their jobs and then, once we have been elected, forget about that commitment. I should merely like to point out that this amendment has enabled me to stimulate debate, which is why I wish to withdraw it and thus allow debate to thrive in the Council.

**President.** – The amendment is therefore withdrawn.

*- Before the vote on Amendment 10:*

**Satu Hassi (Verts/ALE).** – Mr President, Amendment 10 by the Greens is not in conflict with Amendment 1. Amendment 1 is about raising our ambition level to more than 20. Amendment 10 – our amendment – is about clarifying conditions to minus 40. This is additional to, not in conflict with, Amendment 1, so Amendment 10 should be voted.

**President.** – The officials do not agree with your view, but I would like to ask the chair of the relevant committee for an opinion.

**Jo Leinen, on behalf of the S&D Group.** – (DE) I am on Mrs Hassi's side. This is a new idea and we should vote on it.

### **9.10. Promoting Good Governance in Tax Matters (A7-0007/2010, Leonardo Domenici) (vote)**

### **9.11. Equality between women and men in the European Union - 2009 (A7-0004/2010, Marc Tarabella) (vote)**

### **9.12. Key objectives for the Conference of the Parties to the CITES (vote)**

*- Before the vote on Amendment 12:*

**Raül Romeva i Rueda (Verts/ALE).** – (IT) We have not voted on the original text.

**President.** – We approved Amendment 7 and the paragraph falls. So sometimes the Presidency is right.

**Gay Mitchell (PPE).** – Mr President, could we take that vote again as some people thought they were voting on the section to which the other Member referred? Are we here to vote as we were elected to do, or not? Please put it to the vote again so that people can make the right decision.

**President.** – We cannot create a precedent, the voting cannot be repeated. In any case, there is a difference of 130 votes. It is not a small difference. I do not think that it will be possible to overturn and change the results of the vote.

### **9.13. 2009 progress report on Croatia (B7-0067/2010) (vote)**

*- Before the vote on Amendment 35:*

**Hannes Swoboda, author.** – (DE) Mr President, after discussing this with Mrs Brantner from the Group of the Greens/European Free Alliance, I would like to recommend voting in favour of the first part and against the second, contrary to the list which we have drawn up.

## 9.14. 2009 progress report on the Former Yugoslav Republic of Macedonia (B7-0065/2010) (vote)

- Before the vote on Amendment 18:

**Ulrike Lunacek**, *on behalf of the Verts/ALE Group*. – Mr President, this amendment refers to the fact that the government in Skopje has come forward with a draft anti-discrimination law deleting sexual orientation from that whole package. That is simply unacceptable, but I do not want to give anybody the option to vote against this amendment on human rights because of the name issue with the Former Yugoslav Republic of Macedonia, so I ask to change 'Macedonian Government' to 'Government of the Former Yugoslav Republic of Macedonia'.

*(The oral amendment was accepted)*

- Before the vote on Amendment 4:

**Zoran Thaler**, *author*. – Mr President, in Amendment 4, contrary to the voting proposal, I suggest voting against, because of the agreement with Greek colleagues.

## 9.15. 2009 progress report on Turkey (B7-0068/2010) (vote)

- Before the vote on Amendment 13:

**Ria Oomen-Ruijten**, *author*. – Mr President, I would just like to draw your attention to the fact that Amendment 20 to paragraph 35 is withdrawn.

## 10. Explanations of vote

### Oral explanations of vote

#### Report: Lambert van Nistelrooij (A7-0048/2009)

**Alfredo Antoniozzi (PPE)**. – *(IT)* Mr President, ladies and gentlemen, I should like to offer my warmest congratulations to Mr van Nistelrooij on his report, which I firmly support.

In the past, through various initiatives and questions, I have asked about the possibility of using European Union funds to provide social housing for the neediest and most marginalised categories of society, which are the categories that local authorities allocate to income-based scales, as happens in major capitals and large urban areas.

Accommodation, and particularly accommodation for the weaker strata of society, has become a genuine emergency in many major European cities. I therefore believe that Mr van Nistelrooij's report is a step in the right direction, but I also believe we should follow it up by putting more resources into resolving emergency matters connected with social housing.

#### Report: Magdalena Alvarez (A7-0006/2010)

**Zigmantas Balčytis (S&D)**. – Mr President, I supported this report because I believe that it represents a step forward in combating fraud and tax evasion on a European scale. Despite the willingness of Member States to cooperate in the field of taxation, tangible results have not been achieved, and tax fraud remains at an extremely high level in the EU and brings far too many negative implications both to our economies and our citizens.

I very much welcome the proposed new improvements, which will hopefully produce tangible results in the fight against fraud and tax evasion, especially the extension of the scope of the directive on all taxes, including social security contributions, the automatic exchange of information and improved cooperation between the Member States in matters of taxation.

### **Report: Leonardo Domenici (A7-0007/2010)**

**Zuzana Roithová (PPE).** – (CS) Mr President, I would like to talk about the Domenici report and I would like to say it is worth noting that we have given such strong support here in Strasbourg to measures which will improve transparency and information sharing that it will enable tax administration in the Member States to be more efficient. It is a pity that it took an economic crisis to motivate this step. The Achilles heel is the existence of tax havens in various island states, a number of which even receive support from EU funds. It is therefore up to us to confront this issue and to bring to bear the full weight of the EU. Attempts by individual Member States to enter into bilateral agreements have not brought any tangible results, as can be seen from the fact that it cost the 27 Member States 2.5% of their GDP in 2004.

### **Report: Magdalena Alvarez (A7-0006/2010)**

**Daniel Hannan (ECR).** – Mr President, the greatest constraint on a government is external competition. A state can raise its taxes only up to a certain level before the money begins to go abroad and the revenues dwindle. As Milton Friedman put it, competition between governments in their delivery of services and their levels of taxation is every bit as productive as competition between companies and individuals. This is why it is so distressing to see the European Union going down the road towards tax harmonisation and the export of high costs from one country to another.

If there was one theme which came out of these recent Commission nomination hearings, it was the desire for a dedicated revenue stream for the European Union and for a measure of tax harmonisation. That explains why the European Union's share of world GDP is dwindling; why we have fallen from 36% 20 years ago to 25% today and we are scheduled to fall to 15% in 10 years' time.

The good news is that the electorate does not like it. Like the people of Massachusetts, the people of Europe do not want taxation without representation, and I am sure they will vote accordingly.

**Syed Kamall (ECR).** – Mr President, most people, when looking at this title, would say that cooperation seems a reasonable thing. Who could possibly disagree with cooperation? Until you look into the details of what is often meant when people discuss tax cooperation within the EU and at EU level.

Take the example of a plucky country like the Cayman Islands. Unlike the Green and Socialist dream of keeping developing countries poor so we can send them our aid money and mitigate white middle-class guilt, this country has actually tried to pull itself out of poverty – not being dependent on bananas or sugars but dependent on high-level services like financial services. But, when the Cayman Islands tries to do this, people right across the EU – politicians in this place – complain about it. It does not avoid taxation. What it tries to do is avoid double taxation. People from EU countries still pay tax within their Member States. It is time to stop this imperialism.

### **Report: Theodor Dumitru Stolojan (A7-0002/2010)**

**Daniel Hannan (ECR).** – Mr President, if you were to list the countries with the wealthiest citizens, the states with the highest per capita GDP in the world, you would be struck by the fact that a lot of them are very small. The top 10 is dominated by microstates: Liechtenstein, Luxembourg, Brunei, Jersey and so on.

The first big state to make it into the list of wealthy countries is the United States because it pulls off the extraordinary trick of governing itself like a confederation of statehoods, devolving enormous legislative and fiscal autonomy to its constituent parts. This is why it is so tragic to hear only yesterday the new President of the European Council talking about the need for European economic governance in response to the financial crisis in Greece. It is precisely when government becomes bigger and more remote that it becomes more inefficient and more wasteful and more corrupt. If colleagues doubt that, then I suggest they look around them.

### **Motion for a resolution B7-0072/2010**

**Iva Zanicchi (PPE).** – (IT) Mr President, ladies and gentlemen, the dramatic earthquake in Haiti has violently shaken not only the ground of this unfortunate country but also all of our consciences.

The close support that the international community has shown to the people of Haiti has been a shining example of solidarity and humanity. The European Union reacted promptly to this tragedy, making immediate and long-term financial commitments amounting to more than EUR 300 million. To these sums can also be added the more than EUR 92 million already pledged by individual Member States.

On this subject, I am extremely proud to emphasise the promptness and efficacy of the Italian aid provision, including the sending of the aircraft carrier Cavour. This vessel not only made available all its state-of-the-art medical facilities, but also carried 135 tonnes of material provided by the World Food Programme and 77 tonnes of material from the Italian Red Cross.

Thank you, Mr President. I wanted to stress this point.

**Vito Bonsignore (PPE).** – (IT) Mr President, ladies and gentlemen, 200 000 dead, 250 000 severely wounded, 3 million people directly struck by the earthquake, in addition to the 2 million people needing food aid: these are the stark consequences of the dreadful catastrophe that has befallen Haiti.

The European Union has done its share and continues to do so. It is the main international donor. I must nevertheless stress that the High Representative responsible for the Common Foreign and Security Policy did not immediately go there to coordinate our aid. We would have preferred her to hurry out there to do her job. We would have liked her to be in Haiti helping others.

The Italian Foreign Minister, Mr Frattini, has suggested in particular that the debt owed by Haiti, one of the poorest countries in the world, should be cancelled. Now I call on Parliament to support this proposal, I call on the Union to carry it out and thus call on all creditor nations to support Italy's request to cancel Haiti's debts.

**Zuzana Roithová (PPE).** – (CS) It may be late, but at last we have adopted a resolution on specific measures to help Haiti. It is important that they are focused on the long-term recovery of this terribly impoverished island. As the Vice-Chair of the ACT-EU assembly responsible for human rights, I consider it important for European assistance to be strongly geared towards securing long-term health care and education for the thousands of orphaned children directly in Haiti. We must also prevent the risk of child trafficking. I am disturbed, however, about the media reports today that Haitians are protesting because, despite all efforts, they still have no tents over their heads or enough food and water. I am also outraged that the High Representative for Foreign Affairs, Baroness Ashton, did not sacrifice her weekend to arrive early on the island. It is not a good beginning for the improved foreign policy of the EU following ratification of the Lisbon Treaty.

**Hannu Takkula (ALDE).** – (FI) Mr President, it is very important that the European Union, as the world's largest economy, is robustly involved in helping Haiti's disaster area following the earthquake. Only rarely can earthquakes such as this be predicted. They happen unexpectedly. Consequently, we, the members of the global community, are actually being asked to show our solidarity and how we concern ourselves with our fellow human beings.

As the old saying goes, we are as strong as our weakest link. Now the solidarity of the European Union is also being gauged. We must be robustly involved in taking care of our weakest link, our fellow human beings in Haiti, and ensure that the aid given by the European Union reaches its destination and is effective. How successful the aid and cash effort is will be assessed with reference to these criteria.

Obviously, the Member States also have to be involved in this, and they are too, in the same way as many Christian communities with direct contacts at grassroots level. In this way, we can ensure that the aid gets to those who need it.

**Diane Dodds (NI).** – Mr President, Friday will mark one month since the devastating earthquake in Haiti. The death toll is now believed to be 230 000, with 300 000 injured. This should cause us to do all that we can to ensure survivors are given assistance to rebuild their lives and their country. I supported the joint resolution put forward for that reason, but want to put on record my opposition to the concept of a European civil protection force.

**Daniel Hannan (ECR).** – Mr President, during the debate on this resolution, we saw once again the way in which this House elevates the virtual over the real, the symbolic over the actual. There was all this talk about the need to put an EU flag on aid to Haiti and about the need to establish the principle of a European civil protection force. Baroness Ashton came in for a lot of criticism for not having been there to put a European face on things.

Meanwhile, of course, the Americans were delivering real aid in the most extraordinarily swift manner. And what thanks did they get? They were accused by a French Minister of having occupied the country. Neatly, we see how the American's place is always in the wrong in this House. If he intervenes, he is imperialist. If he does not, he is isolationist.

I would just stand back and ask whether the European Union does not have rather more pressing concerns closer to home than whether it puts flags on things in the Caribbean. Greece is on the verge of fiscal collapse. We are about to mandate a bail-out in plain violation of Article 125 of the treaties. When we have put our own House in order, then perhaps we will be in a position to lecture others.

#### **Motion for a resolution B7-0078/2010**

**Miroslav Mikolášik (PPE).** – (SK) The human rights situation in Iran continues to deteriorate, despite the European Parliament resolution of 22 October on Iran which, in my opinion, has not brought the expected moral pressure. Particularly shocking and regrettable in my view is the execution of underage criminals, of whom about 140 have been executed up to now in Iran. One recent case, for example, was that of 17-year-old Mosleh Zamani in December 2009.

Unfortunately it seems that prohibiting the execution of children is not a political priority in the international arena. Iran bears no consequences for continuing this appalling practice, despite the fact that the Islamic Republic of Iran is a signatory to the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. I would therefore like to call on the EU to take specific and resolute steps and to make full use of the new options provided by the Lisbon Treaty.

**Marco Scurria (PPE).** – (IT) Mr President, ladies and gentlemen, I would like to say something because, as was mentioned previously, the Italian Embassy and other embassies were attacked yesterday in Tehran.

Because of this, Parliament and the Union should also consider expressing their solidarity, formally if possible, with our country and all the countries involved in this attack. We should also send out clear signals, though, and I therefore officially request that Europe should not be present at the celebrations for the anniversary of the Islamic Revolution in Iran and that this should be a clear signal sent by us to the Iranian authorities.

I am also saying this on a special day for Italians, because today is the Day of Remembrance. This is the reason I, like many Italians – including you I hope, Mr President – wear this tricolour rosette in memory of the many Italians who were cast out on this day and forced to leave their own lands.

Through this act of remembrance, I would like to express our solidarity for those who are struggling for democracy and freedom in Iran. For this reason, I call on our authorities not to go to the celebrations for the anniversary of the Islamic Republic.

**Zuzana Roithová (PPE).** – (CS) It is important that we have declared clearly through our vote today that we insist on the Iranian nuclear programme being brought under international control, even though the Iranian Parliament is blocking ratification of the protocol on non-proliferation of nuclear weapons. The Presidency of the Council must ensure that this question is included on the agenda of the next meeting of the Security Council. I welcome the agreement that Baroness Ashton must protest against the incident at the Italian embassy, because this involves not just Italy but the entire European Union. Our declaration today also shows that the Commission, the Council and Parliament are speaking with one voice. I am pleased we agree that the trade agreement with Iran must be made conditional on security and human rights commitments.

**Salvatore Tatarella (PPE).** – (IT) Mr President, ladies and gentlemen, the attack on the European embassies, the Italian Embassy in particular, and the threats made against the Italian Prime Minister, constitute an extremely severe event deserving of reprimand. The systematic repression of any opposition within Iran seems to us even more serious and the Islamic Republic of Iran's nuclear project even more so.

All this has been possible partly due to the wait-and-see, over-tolerant attitude of the West. Now that President Obama's outstretched hand has also been spurned, the West has no alternative except to threaten and immediately implement a system of sanctions that are effective and severe yet selective so that they do not affect the people.

I am well aware that Russia and China are opposed to sanctions, but the European Union must make every effort to persuade these powers to agree to sanctions, which are an alternative to sending in the army.

**Hannu Takkula (ALDE).** – (FI) Mr President, it is very obvious that the situation in Iran has reached crisis point. Since the presidential elections, there have been demonstrations in which the opposition was treated very harshly, human rights violations and, in addition, the threat of nuclear weapons, which poses a huge threat in the Middle East, above all to Israel, but also to the whole of Europe.

It would seem that we in the EU are incapable of talking to Iran. Perhaps it is because of cultural differences, as Shiite theology and European humanism, PostEnlightenment thinking, are pretty much at odds with one another. This being so, we need to find a new path.

In any case, we must be clear and defend European values even in our relations with the Iranians. We must furthermore try very hard to let Iran know what the rules of the game that we play by are: democracy, human rights and freedom of speech. As we have now voted on this resolution, it is very important that it is also translated into Farsi and Arabic, the main languages spoken there, so that everyone can be made aware of the sort of regime and guidelines the European Union wants to see established in that region.

**Ryszard Czarnecki (ECR).** – (PL) Mr President, I endorsed the resolution on Iran, conscious of the fact that it is one of the world's, and Europe's, greatest problems and challenges. At the same time, I did not endorse the amendments proposed by some of our fellow Members, who wanted to identify Iran as an enemy of the West. We should take note of the great culture and history of this country. The current authorities in Iran are, perhaps, denying that great history and culture. We should see the future authorities of Iran as a partner. We continue to receive information about further executions and more death sentences. We must have a fundamental human solidarity with those who want a better Iran, an Iran which will be a partner of the West, and not an enemy.

**Gianni Vattimo (ALDE).** – (IT) Mr President, ladies and gentlemen, I wish to state that I abstained from voting on the resolution on Iran for two main reasons.

The first reason is specific. In the resolution, it is taken for granted that the elections that brought victory to President Ahmadinejad were fraudulent. None of this has been proven in any way and, moreover, a man of the standing of President Lula recently stated that he found these claims to be ridiculous.

The second reason is that Iran is under the continuous threat of military intervention by the United States and Israel and we are not taking this into account either. I feel that a balanced resolution in favour of peace in the region should not adopt the tone of condoning an imminent war before it happens.

#### **Motion for a resolution B7-0029/2010**

**Siiri Oviir (ALDE).** – (ET) I supported the resolution under discussion, because I also believe that the European Union's current legislative framework on human trafficking has not been very efficient, and it has not been implemented sufficiently. We have to deal with this subject again and again.

It is regrettable that the importance of human trafficking has not been understood by 16 Member States' parliaments, including, I have to say, my own country, and that they have not considered it necessary to ratify and adopt the Council's 2005 convention on human trafficking. I hope that the resolution that we have adopted today will give a signal and remind them how important it is to concentrate on fighting human trafficking as well as to avoid any further victims.

**Zuzana Roithová (PPE).** – (CS) I would like to take this opportunity to applaud the work of Edit Bauer and Simon Busuttil, who negotiated hard over the compromises, enabling me to vote in favour of the report and I am delighted that even the socialists kept their word. The report also now resolves the sensitive issues from the programme of the European People's Party, such as support for those that provide assistance to people on the border concerning their exploitation for trade and also a definition of the conditions for providing residence permits, access to the labour market and family reunifications.

**Elżbieta Katarzyna Łukacijewska (PPE).** – (PL) Mr President, we are living in the 21st century and consider ourselves to be civilised nations, but the problem of human trafficking remains unresolved and, on the contrary, is growing. The victims of human trafficking are mostly women and children, and the punishment which threatens the criminals is not sufficiently severe to deter them from this kind of activity. Europe must take more decisive action to restrict this shameful procedure. Therefore, I endorsed the resolution, which calls for development of effective tools for the fight against this phenomenon and for better coordination of action between Member States and the appropriate operational bodies of the European Union, in hope of achieving salutary effects.

**Hannu Takkula (ALDE).** – (FI) Mr President, human trafficking is always an act against humanity. It is very important for us in Europe ultimately to take tangible steps to counter it.

I naturally voted in favour of this resolution, but I am worried about what it will mean in practice. Is it the case that we are appeasing our conscience by having formulated such a resolution? That must not be so: we need concrete action.

Human trafficking is also still a serious problem within the European Union. We need to make every possible effort to fight human trafficking, which mainly affects children and women. In this respect, I hope that the European Union and the Member States, too, will implement concrete measures and start to take action. As I said, human trafficking is always against humanity and human dignity is a value that cannot be compromised. We, as Europeans, must always defend it, and in all circumstances.

#### **Motion for a resolution B7-0064/2010**

**Marisa Matias**, *on behalf of the GUE/NGL Group.* – (PT) Mr President, I would like to say that we would very much have liked to have adopted a stronger resolution on Copenhagen than the one on which we have voted here today. However, we voted in favour, because we believe that it is vital that Parliament express its strong disappointment with the agreement that came out of Copenhagen. That agreement is not binding, although there is an implicit or stated commitment for us to reach a binding agreement within the current year. Yet the problem is getting worse, time is slipping away and we have to take up this stated commitment.

For this reason, I would like to appeal to the European Union to stop using others as an excuse. It is very easy to refrain from acting because others are doing nothing. We have taken a strong stance, however, and we have to proceed from that. This making of excuses is irresponsible and indefensible. There are many things we can do to maintain our strong stance. One of these steps might be the redefinition of the EU budget to ensure our own funds to combat climate change. This has not been done so far. Another step would be to allocate additional funds to help developing countries, rather than removing or cutting the existing humanitarian aid. Otherwise, there is a cynical attempt to resolve the problems of climate change while simultaneously unleashing and ignoring other problems that will jeopardise their survival. We cannot resolve additional problems without additional resources.

We therefore need to make a commitment, and we cannot afford to wait any longer to do so. We took a firm stance at Copenhagen. Let us be able to live up to it, because these are real problems and real people, and we have to deal with them now. That is why we are taking on this responsibility here today.

**Alajos Mészáros (PPE).** – Mr President, I welcome the opportunity to support this resolution.

The Copenhagen Summit was a disappointment in many respects. The EU failed especially in demonstrating a unified and efficient approach to climate change treatment, as well as in strengthening its leading political position in this agenda. I consider, therefore, taking this resolution, an act of utmost importance, in order to demonstrate the unbroken spirit and determination of the EU as the leading force in the world in combating climate change. We have to enhance and promote further activities aimed at climate change treatment.

**Peter Jahr (PPE).** – (DE) Mr President, personally, I feel that it is completely wrong to focus only on reducing CO<sub>2</sub> emissions when combating climate change. Firstly, many people forget that the research into the causes of climate change is still in its infancy and, secondly, it is totally incorrect and unscientific to define climate change as a phenomenon with a single cause. This means that concentrating solely on CO<sub>2</sub> will not make the world a better place.

I believe that it is more important to focus our attention on saving resources. Cutting our consumption of fossil fuels and making greater use of renewable raw materials and energy will reduce our impact on the environment, improve efficiency and create a better world for our children and grandchildren. A more efficient and sustainable use of resources is a far more valuable approach for us, our society and the environment than simply reducing CO<sub>2</sub> emissions, regardless of the cost.

**Anja Weisgerber (PPE).** – (DE) Mr President, the climate negotiations in Copenhagen were disappointing for the European Union, as has already been mentioned. The result was a long way from the EU position and from the position that we need to be in to protect the climate. The only positive aspect is the recognition of the two-degree goal, as this could lead to the necessary reduction commitments.

We must now ask ourselves what we can learn from the failure of the negotiations and what we should do next. It is important to have a period of reflection and to take a critical look at different points on the route that we have been following. We have to ask ourselves how we can make progress jointly with other states. How can we ensure that the EU is also present at the table when the US, China and India meet to negotiate



a compromise? How can we negotiate more effectively with the developing countries and emerging economies? Is it essential that these negotiations take place under the aegis of the UN?

Finally, I would like to say how pleased I am that I was able to vote for the resolution, because in my opinion, it continues to emphasise the pioneering role played by the European Union. We must now answer these questions and continue on our current path, both from a domestic and an international perspective.

**Zuzana Roithová (PPE).** – (CS) The draft resolution on the outcome of the Copenhagen Summit on climate change was the result of the detailed work of Members from a number of committees and is linked to the long-term strategy of a genuine green policy in keeping with the economic goals of the EU in a globalised world. I must protest, however, against the series of irresponsible amendment proposals from the Socialists and Greens, especially regarding the attempts to increase the agreed long-term targets on emission reductions to 40% or the nuclear ban or the transitional European tax for climate change. I also dislike the playing down of climate change on the part of the ERC Group and I am angry about the absurd criticism of the Danish Prime Minister, instead of thanks for the careful preparation of the Copenhagen Summit.

**Albert Deß (PPE).** – (DE) Mr President, I have voted against the motion for a resolution, because in my opinion, it is lacking some important data. Recently, there has been an increasing number of reports of climate scientists having faked data. It is important for us to discuss this and make our opinions known.

In order to ensure that there is no misunderstanding, I would like to explain that I have been committed for many years to reducing our use of fossil fuels and, therefore, our impact on the environment. However, I cannot understand the scaremongering that has been associated with the phrase 'climate change'. I have experienced a great deal in my long career as a politician. In the early 1980s, people said that there would be no trees left in Germany by 2000, but Germany is greener than it has ever been. It is true that the climate is changing, but this has been happening throughout history and will continue to do so in future. For this reason, I have voted against this motion for a resolution.

**Daniel Hannan (ECR).** – Mr President, at his very first press conference following his appointment as President of the European Council, Herman Van Rompuy celebrated the fact that 2009 was the first year of global governance and he looked forward explicitly to the Copenhagen Summit as a step towards the economic global management of our planet.

It is a pity that a number of people have jumped onto the environmental agenda as a way of advancing a different agenda, an agenda that has at its core the desire to take power away from elected national politicians and concentrate it in the hands of international technocracies.

The tragedy is not just that we become less democratic; it is that we lose the consensus that we might have had for tackling environmental problems. Left or Right, Conservative or Socialist, we can all agree that we want a diversity of supply for energy, and that we do not want pollutants being pumped into the atmosphere, but only one set of policies is being applied – those that involve statism and corporatism – the same policies, in fact, which have failed politically and societally are now being applied to the environment. The environment is altogether too important to be left to the Left.

**Syed Kamall (ECR).** – Mr President, when we listen to the discussion here in Parliament, there are many colleagues here who lament the fact that the EU was not listened to in the recent discussions in Copenhagen.

Maybe we should consider why that was. Let us look at our own behaviour here in this European Parliament. For a start, we have two European Parliament buildings. We come to Strasbourg and we keep this building heated and lit when we are not here – gross hypocrisy. Let us look at the expenses regime – an expenses regime that encourages MEPs to take taxis and chauffeured cars – but if you try to take public transport, you are not allowed to claim that back: hypocrisy. If you look at Parliament buildings at night, you see that they keep their lights on and are well lit. Look at the common agricultural policy, which many MEPs in this place support, that not only damages developing countries' economies but damages the environment.

So, before we preach to the rest of the world, it is time we got our own house in order.

**Eija-Riitta Korhola (PPE).** – (FI) Mr President, I supported Amendment 43, which urged everyone to take notice of the recent climate scandals. These scandals are a lot more serious in terms of their consequences than this House would like to believe. We need to be able to trust in independent scientific research; otherwise, there will be no basis for our policy making.

I have been concerned about climate change throughout my 10-year career as an MEP. I have actively sought a climate policy for Europe through emissions trading legislation, one that would not only be ambitious, but also rational, so that we would not simply be moving emissions from one place to another. Our strategy now is bureaucratic and ineffectual: we are not acting like pioneers and we should not be continuing along the former path.

The worst of it is that the EU does not follow what is happening in climate research right now. We have come up with panic solutions based on distorted information. The false statements in the report by the Intergovernmental Panel on Climate Change are such a serious problem that we should demand Rajendra Pachauri's resignation as head of the IPCC and reassess what we know about the progress of climate change due to human activity and how effective our policy actions have been with regard to it.

**Bruno Gollnisch (NI).** – (FR) Mr President, Parliament's resolution shows that, in this field as in so many others, our institution possesses absolutely no powers of judgment with regard to the dogmas that assail us.

Indeed, many experts believe that the notorious hockey stick-shaped exponential global warming curve is, in reality, a graphic fabrication. Glaciers are not melting everywhere. In any event, contrary to what the IPCC announced, they are not melting in the Himalayas. Water levels are not about to rise and cover Bangladesh, quite the contrary. The Ganges delta is rising as a result of alluvial deposits. White bears, which are said to be disappearing, have never been as prolific as they are today. The alternation of hot and cold periods has occurred several times in our history, including quite recently, independently of any human activity. It is probably astronomic in origin and not caused by the alleged greenhouse gases.

Until these questions have been answered, we can only believe that this is a magnificent ideological dogma designed to justify the introduction of a world government.

**Giommaria Uggias (ALDE).** – (IT) Mr President, ladies and gentlemen, I would like to explain my reasons for voting on Amendment 12 by clearly stating that *l'Italia dei Valori* is against the production of nuclear energy.

We already opposed this difficult topic during the electoral campaign and included it in our manifesto. We are now pursuing this goal with determination through a significant action that we affirmed during our recent congress in Italy. We have embarked on a major crusade to promote a people's referendum against an Italian Government law that overturns a majority vote that the Italians have already expressed during a people's referendum.

We are doing this because we want a clean future, with renewable energies, based on solar and wind energy. We are doing this, above all, because, as I was saying before, we want the will of the Italian people to be expressed and not that of the tiny majority that is now sitting in the Italian Parliament.

#### **Report: Leonardo Domenici (A7-0007/2010)**

**Daniel Hannan (ECR).** – Mr President, at the very moment when the good people of Massachusetts were voting against excessive taxation and excessive government, our own Commission nominees were boasting of their plans to harmonise taxation in the European Union and create a separate revenue stream for Brussels. How are we to explain this difference between the two Unions?

It seems to be that you have to look for an explanation in the foundational DNA of the two polities. The US was founded out of a popular revolt against a remote and autocratic government and against high taxation, whereas, of course, the European Union – in line 1 of Article 1 of its foundational treaty – commits itself to ever-closer union. In doing so, it sets its face against the competition, the external curve, which is the main constraint on government. That is why we now see – acting according to its foundational doctrines – this intolerance for tax competition masquerading as an attack on tax havens, by which it in fact means jurisdictions which have run a more efficient system and kept their taxes lower. The reality is that tax competition – tax havens, if you insist on calling them that – is the major way to keep the government small and the citizen large and free.

**Syed Kamall (ECR).** – Mr President, at this time, one has to ask: why all this focus on tax issues, tax cooperation and tax governance?

You only have to look at the evidence in a number of Member States to consider the answer. We have countries that have run up big debts. In my own country, the British Government has been spending money it does not have and now has to plug a massive gap in the budget. Even before the financial crisis, we had countries

that are known not to be collecting sufficient taxes to cover the public services that are needed by the citizens of those countries. We are also spending taxpayers' monies on propping up companies that have failed and are being badly governed, as well as badly run banks.

So, really, what should we be doing? We should be encouraging a solution in the first place to all the problems I have outlined, but we should also never forget that tax competition is a very good thing to have because it encourages governments to take less of our money and to provide services more efficiently for its citizens.

**Vicky Ford (ECR).** – Mr President, today this Parliament has voted on a document relating to tax fraud and evasion; that document did not have the support of my group. Whilst I fully support many measures which have been suggested to stop tax fraud and evasion, this document went far further, and there were three major concerns.

Firstly, taking action against those who commit fraud should not be used as a backdoor way by those who want to increase tax harmonisation across Europe for those of us who honestly pay our taxes. This Parliament has, for a long time, defended the right of Member States to have their own say over corporate tax rates and we should continue to do so.

Secondly, it suggests an EU-level levy on taxation areas. We have resisted plans for this Parliament to have Europe-wide taxes.

The third point is on sharing information. Yes, we should share some information, but we should always think how much, for what purpose and for what benefit, and we should not consider that all circumstances are identical.

#### **Report: Marc Tarabella (A7-0004/2010)**

**Astrid Lulling**, *on behalf of the PPE Group.* – (FR) Mr President, it is a pity that an enthusiastic majority in the Committee on Women's Rights and Gender Equality is trying hard to overload our position on the Committee's annual report on equality between men and women in the European Union with considerations and claims that are counterproductive for women and which harm, among other things, their chances of employment.

Although some considerations may be well-intentioned, let us not forget that too much protection destroys all protection. However, the stumbling block for my group has once again been the right to free social abortion, which is presented as an easy birth control method.

Our group does not disagree with the observation that women must have control over their sexual and reproductive rights. We also believe that young girls in particular must be better informed in the area of sexual and productive health. However, to demand in the same sentence 'easy access to contraception and free abortion' proves that the authors of this text are not making the essential distinction between these two services and are putting them on the same footing as far as birth control is concerned. We do not agree with this.

Furthermore, under the principle of subsidiarity, legislation in the field of legal abortion is the responsibility of the Member States. It is therefore not our responsibility in the EU to interfere in this issue. We have gone to great lengths to reach a consensus with the author of the report, Mr Tarabella, and we have done so in the interests of combating all forms of discrimination that have not yet been eliminated.

I am sorry that a majority in the Committee on Women's Rights and Gender Equality – and also unfortunately in Parliament – has sought to instigate political and ideological disputes instead of concentrating on what should have been the main objective of our activities: to strive to achieve equal treatment and opportunities for men and women. I am sorry that, for these reasons, my group has not been able to vote in favour of the report.

**Filip Kaczmarek (PPE).** – (PL) Mr President, I, too, voted against this report. I did so despite being a supporter of gender equality. I cannot, however, accept that abortion is treated in the report as a specifically understood entitlement, and – as Mrs Lulling said – a method of birth control. In my country, abortion is not understood in this way. I am persuaded that how we view abortion is our own internal matter. It is also dangerous that the report violates the subsidiarity principle, and does so on an ill matter.

**Elżbieta Katarzyna Łukacijewska (PPE).** – (PL) Mr President, equality between women and men is an important subject. Much has been achieved in this matter, but there are still areas where women are treated worse than men. We still earn less, women are at greater risk of poverty and it is more difficult for women

to develop an academic or business career. Parliament's report takes note of these problems, and stresses the necessity of introducing specific measures which will ensure equal participation of men and women in the job market and in education.

Unfortunately, I regret that I could not support this proposal. I voted against the report, because it includes provisions designed to make abortion generally available in the European Union. Firstly, these matters are among those which are exclusively for Member States to decide. Secondly, the question of unwanted pregnancies is a huge problem, but we cannot bring in legislation which is going to treat abortion as a free means of contraception. Neither can I agree that abortion should exempt people from thinking about the consequences and responsibilities associated with becoming sexually active. I think human life deserves better.

**Tiziano Motti (PPE).** – (IT) Mr President, ladies and gentlemen, today we set out to reinforce the role of women in the Union.

This resolution has many points with which I agree of course, and I must say that many of them relate to my personal political activity, especially when it comes to access to the world of work and protecting women from all forms of violence.

However, I must point out that this resolution has also become a soup, to which a skilled cook has attempted to add – or rather, has added – very different ingredients. Let me explain myself better: it talks about violence, about protection against violence. This is followed by a single line about contraception and the termination of pregnancy, abortion, two topics which are actually very different, and which need to be considered very differently. In the case of abortion, for example, we need to focus our attention and our thoughts on the sanctity of life.

This choice has meant that I have been unable to vote in favour of the resolution and I have had to abstain. I think that this carefully worked-out strategy, which seeks to obtain the consensus of politicians and the media, does not really serve the interests of European women.

**Siiri Oviir (ALDE).** – (ET) Mr President, in contrast to the previous speakers, I was among the 381 members of the parliament who supported the adoption of this bill – and this is 10 times bigger than the number of members on our women's rights committee. Equal rights, equal opportunities and equality between the genders in everyday life is definitely in all our interests. Equal rights for women and men is not an aim in itself, but a precondition for achieving the general goals of the European Union, and the rational use of our own potential.

The fact that today we have been talking about this for 40 years definitely gives an indication of how complex and multifaceted this subject is, and how an integrated policy is needed to solve these questions. And I hope this is not just another strategy on paper, and therefore I want to stress what was stressed in the report too – the importance of implementation and supervision.

**Zuzana Roithová (PPE).** – (CS) I did not vote for the controversial and imbalanced report of Mr Tarabella on gender equality either and I am sorry that, with the exception of the European People's Party MEPs, 381 Members did vote in favour of the report. Perhaps they have not read it. In a number of the proposals, it interferes with the exclusive powers of the Member States, especially concerning their pro-family policies and ethically sensitive areas. Moreover, do they really want to set up and finance some form of new institution for monitoring violence against women in the EU? Do they really not know that the Union has instruments, an office and legislation for monitoring adherence to the human rights both of men and women? Do they really believe that we need a charter of women's rights alongside the already existing and binding Charter of Fundamental Rights of all European Citizens? The report also refers to the so-called Barcelona targets, although these are contrary to the recommendations of experts, because infants and toddlers need to have full-time family care at that age, not to be dumped in nurseries on the basis of recommendations from Barcelona. Nurseries should only be the last resort. The recommendations in the report may not be binding, but human stupidity is contagious and Parliament should therefore not support such things. There were only 75 abstentions and I applaud the fact that 253 People's Party members voted against the report.

**Daniel Hannan (ECR).** – Mr President, the Treaty of Rome contains one sentence on this subject. It says, 'men and women shall be given equal pay for equal work'. Now, that sounds pretty straightforward. We all think we understand what that means.

But what has happened in the subsequent decades is that, through a process of judicial activism, the European Court has progressively extended the meaning of that phrase beyond anything that a reasonable person would assume. First, it defined 'equal pay' as meaning equal pension rights and equal holidays and so on. Then it defined 'equal work' as being work of equivalent value. How is an employer supposed to judge that? Is it a question of how hard it looks like someone is working? Do they have to factor in the availability of suitably qualified applicants? Then, in the South-West Trains case in Britain, it was extended to look at the rights of spouses of same-sex unions. Now we are talking about reproductive rights.

There is an argument for all of these things. You can take the view that the state ought not to regulate contracts between employers and employees or you can take the view that we need this legislation. But, whichever side you are on, surely that is an argument that ought to be had by elected representatives who we can vote for and vote against. It is outrageous for them to be imposed on us by a court. A court with a mission is a menace; a supreme court with a mission is a tyranny.

**Joanna Katarzyna Skrzydlewska (PPE).** – (PL) Mr President, my surname is very difficult, too – Skrzydlewska – but I am used to the fact that not many people can say it properly.

During today's voting, we voted on the report on equality between women and men in the European Union in 2009. However, among the provisions relating to problems associated with discrimination against women and their more difficult situation in the labour market, there were provisions calling on Member States to facilitate universal access to abortion and services related to reproductive and sexual health. I would like to point out that matters related to abortion are something to be decided by individual Member States. Therefore, in the final vote I was against the report, because I think that, when fighting for the right to equal treatment for women and men, we should not make this right dependent on choices related to sexual matters.

**Bernd Posselt (PPE).** – (DE) Mr President, I am very pleased that we Christian Democrats from the Group of the European People's Party (Christian Democrats) have voted against this dreadful ideological report put forward by the Socialists, Communists, Greens and, in particular, the Liberals. It is an attack on the right to life of unborn children and an attack on the principle of subsidiarity. In particular, I am horrified by the way in which the Liberals have become the dogsbodies of those on the left and have acted contrary to the principle of subsidiarity.

This type of report damages our acceptance among the population and among the candidate countries. Some of the ideological elements relating to Croatia and Macedonia in the progress reports are also doing us harm. This is why we must explain clearly to people about the *acquis communautaire*, which I am fully in favour of, about the responsibilities of the EU and about dangerous ideological nonsense. To continue the metaphor started by my Italian colleague: we are, of course, in favour of the soup, but against putting cyanide in it.

#### **Motion for a resolution B7-0069/2010**

**Daniel Hannan (ECR).** – Mr President, let me tell you the story of two African countries. In 1978, Kenya banned the hunting of elephants and that decision was followed by an almost total destruction of elephant herds in Kenya. Round about the same time – in 1979 – Rhodesia, as it was still called, made elephants the property of whoever's land they were roaming on. Result – explosion of elephant numbers.

We in this House do not think of the elephant in the way that the African does. We are not threatened by it; it does not trample our crops; it does not destroy our villages; and it does not damage human health. The only way to prevent local populations from doing the logical thing, which is to eliminate a dangerous menace, is by giving them an incentive in treating it as a renewable resource. This, of course, is what Rhodesia – now Zimbabwe – successfully did. Environmental policy should recognise the basic Aristotelian wisdom that that which nobody owns, nobody will care for.

#### **Motion for a resolution B7-0067/2010**

**Romana Jordan Cizelj (PPE).** – (SL) I am in favour of Croatia's membership of the European Union, but it should not be at the expense of Slovenia's national interests. I am talking, of course, about the border dispute between Slovenia and Croatia. This is not merely an abstract concept; it is one that affects people's lives.

Here in Strasbourg, the European Parliament has called on the Slovene Parliament to ratify the arbitration agreement as soon as possible. That of course constitutes interference with the competence of the Slovene Parliament. Secondly, I wonder if anyone has asked themselves the question as to why it is that Slovenia has

not ratified this agreement already. What I would say on that point is that, in August 2007, all the parliamentary groups said that any solution must be in line with the principle of equity.

Naturally, I also wonder why it is that anyone at all should have any objections to this principle. And yet, this principle has not been enshrined in the arbitration agreement. I have therefore voted against the motion for a resolution because it does not reflect this principle.

**Zuzana Roithová (PPE).** – (CS) I was delighted today to support the report on the key progress of Croatia in preparing for accession to the EU. There are long-term links between Czech citizens and Croatians with tens of thousands of families visiting the country every year and having friends there. This is therefore an excellent report for us, because it proves that Croatia will be ready for membership next year. I believe that the ratification process for the accession agreement will not be disrupted by any of the internal politicking within the Twenty Seven, which accompanied the Lisbon Treaty, and I also believe that the parliaments of Slovenia and Croatia will find a fair solution to their border disputes.

#### **Motion for a resolution B7-0065/2010**

**Zuzana Roithová (PPE).** – (CS) Mr President, I, too, will be brief. It is another good report for the Balkans, with Macedonia also progressing successfully on the path to fulfilment of the political criteria that are a precondition for the start of accession talks and also for a visa-free regime with the EU. The recent elections have helped in this. They have shown clearly that the citizens of this country want to share international standards and peaceful coexistence. I also believe that democratic institutions will manage to strengthen negotiations with Greece concerning amicable solutions to problem areas.

#### **Motion for a resolution B7-0068/2010**

**Zuzana Roithová (PPE).** – (CS) I will be very brief again. I would like to say that we have adopted a very frank report on how Turkey can responsibly amend its legislation in accordance with the EU model and also concerning the fact that the political criteria in the area of human rights, especially in relation to women and religious minorities, have not yet been fulfilled, just as the Cyprus issue remains open. Despite this, a majority of MEPs supported the start of accession talks some years ago. I welcome the fact that Turkey is moving towards democracy and towards Europe, but I would like to say once again that a better solution to economic relations would have been to set up a privileged partnership rather than to promise accession to Turkey with its 70 million-strong population. It would also be more frank in view of the fact that, as I fear, an accession agreement would not be approved in a future referendum anyhow.

**Bernd Posselt (PPE).** – (DE) Mr President, I am pleased that this House has rejected by a large and clear majority the attempt by the Socialists and the Greens to set the goal of full membership for Turkey. The process must remain open and, to put it even more clearly, it must be diverted immediately towards a tailor-made special status or a privileged partnership.

Turkey is not a European country, but it is our most important partner on the margins of Europe. This is why we want close cooperation, but, in response to Mr Kreissl-Dörfler who brought this up earlier, without Turkey becoming a member of the European institutions and without full freedom of movement. However, we do want close economic and political cooperation. This is a very precise concept and I believe that it has a chance of being implemented, because the majority of the people of Turkey and of the European Union are not in favour of full membership. Therefore, it would be more sensible not to waste any more of our effort, but instead to focus solely on the goal of partnership.

**Miroslav Mikolášik (PPE).** – (SK) Any country that is making efforts towards joining the European Union must not only formally complete but also internally identify with minimum requirements in the area of democracy and respect for human rights.

According to the Progress Report for 2009, Turkey still has a long way to go. It may have committed itself to reforms, good neighbourly relations and gradual progress towards the standards and values of the EU, but this is the fourth year that it has failed to implement provisions arising from the association agreement between the European Union and Turkey.

In my view, it is unacceptable to consider membership for a country in which women's rights and freedom of religion, thought and expression are violated, where torture, discrimination and corruption are tolerated and where the army continues to interfere in political life and foreign policy. The reforms should also include

reform of the electoral system through a reduction in the ten percent threshold, in order to secure a better pluralistic democracy.

### Written explanations of vote

#### Report: David Casa (A7-0008/2010)

**Sophie Briard Auconie (PPE)**, *in writing*. – (FR) The report by Mr Casa on the common system of value added tax with regard to invoicing rules has been adopted by a very large majority of Members, including myself. Under this system, VAT invoicing rules will be simplified thanks to the increased harmonisation of European requirements and the widespread use of electronic invoicing. The entry into force of this directive will therefore serve to reduce the administrative burdens weighing down companies and to increase the efforts to combat VAT fraud.

**Ilda Figueiredo (GUE/NGL)**, *in writing*. – (PT) This proposal relates to the creation of a self-assessment system in relation to the supply or provision of certain goods or services susceptible to fraud, on an optional trial basis. According to the European Commission, this is required because there are still a substantial number of cases of VAT fraud, and the Commission also has information about alleged cases of fraud related to the trading of greenhouse gas emission licences.

Based on this information, the report by Parliament proposes that the Member States that vote in favour of this system should be obliged to do the same for the greenhouse gas emission allowance trading scheme.

We believe that the experimental nature of the proposal may have some merit, so we support the amendments made by Parliament, particularly the proposal on a report that assesses 'the overall effectiveness and efficiency of the measure, applying the mechanism and the cost-benefit ratio of the measure in order to re-evaluate whether an extension or a widening of its scope would be appropriate.'

**Ian Hudghton (Verts/ALE)**, *in writing*. – This report deals with important issues relating to fraud, including in the field of greenhouse gas emissions. The Commission must report on the effectiveness of the reverse charge mechanism with a view to establishing whether it would be appropriate to extend the mechanism elsewhere.

**Nuno Melo (PPE)**, *in writing*. – (PT) The adoption of Directive 2006/112/EC was an important step in combating tax evasion. For all its good points, however, it was not effective enough to tackle so-called 'carousel fraud' in VAT. This type of tax fraud is to blame for much of the loss of tax revenue in the Member States, and it has been one of the most widespread methods. At this time of economic crisis, when the fight against tax fraud is all the more important given the seriousness of loss of revenue, we must make every effort to combat it, as this will have an important impact not only on our response to the current international crisis, but also on the possibility of pursuing the appropriate social policies.

**Alfredo Pallone (PPE)**, *in writing*. – (IT) I was among the first supporters of the idea behind the European Commission's proposal.

We in the Committee on Economic and Monetary Affairs have analysed and somewhat improved the Commission's document. I agree with the rapporteur, in particular, on the clarifications regarding the optional application of the reverse charge mechanism and reporting obligations. In fact, Member States should have the option either to require transaction-by-transaction reporting or global transaction reporting.

The proposal under examination reinforces the safety of the ETS allowances vis-à-vis fraudsters whilst, at the same time, reducing the administrative burden on honest businesses.

Lastly, I believe that Parliament should be fully informed of the outcome of this temporary implementation of the reverse charge mechanism.

**Bart Staes (Verts/ALE)**, *in writing*. – (NL) It is with great conviction that I voted in favour of Mr Casa's report. As first vice-chair of the Committee on Budgetary Control, and as rapporteur of a report adopted in September 2008 on VAT fraud, I have repeatedly argued the case for effective combating of VAT fraud, as this constitutes a major issue in terms of the income of the Member States and the proper functioning of the internal market. A common and particularly serious form of this fraud is known as carousel VAT fraud. The total amount of uncollected income is estimated at between EUR 20 and 100 billion per annum. That is a huge sum, and one that could certainly be put to good use in times of economic crisis.

Criminals active in this area are particularly inventive. It has recently come to light that they are also pursuing their criminal activities within the emissions trading scheme (ETS). The transfers of emission rights between taxable parties within the ETS, which takes place entirely electronically, are regarded as services and are taxable in the country in which the recipient is established. Traders purchase carbon credits from VAT-free sources in other Member States and then sell them on to companies in their own Member State at a price including VAT. Missing traders then fail to remit the VAT to the national exchequer. It is crucial that we tackle this kind of crime.

**Viktor Uspaskich (ALDE)**, *in writing*. – (LT) I welcome the application of the reverse charge VAT system. However, I discern an error in it. For example, subject A sold something to subject B. Subject B sold it to subject C. Subject C sold it to the end consumer or non-payer of VAT. Meanwhile, subject A does not pay VAT, as he is not the end-seller. Only subject C selling the final goods to the consumer pays VAT. The crux of this is that subject B is not taxed at all although the basis of his business is to buy low and sell high. Therefore, it is being proposed that subject B should pay VAT on the price difference to the state's treasury. This scheme has many positive points, with one exception: no one will apply to the treasury for a VAT refund, but if subject C is a fraudster, then he simply will not pay VAT as the final seller. In other words, by applying the reverse charge VAT system, there will not be a negative balance, as no one will apply for a VAT refund and I feel that it will be very easy to administer this scheme, as state tax inspectorates will very easily be able to reveal the difference in the prices of goods. If I am mistaken, I would be very grateful for a written reply on the suitability or inadequacy of the scheme I have proposed.

**Anna Záborská (PPE)**, *in writing*. – (FR) The resolution is designed to amend the Council VAT Directive 2006/112/EC in order to allow for temporary application of the reverse charge mechanism so as to combat fraud relating to the trade in emission certificates and transactions on certain goods susceptible to fraud. Tax fraud is an important problem in terms of the smooth operation of the internal market and puts the Member States' tax revenues at risk. That is why several of them have asked to be allowed to combat fraudulent mechanisms using a reverse charge mechanism targeted at certain sectors susceptible to fraud and certain goods. The most common form of fraud is where a VAT-registered supplier invoices supplies of goods and then disappears without paying the VAT owing on them, while leaving buyers (also VAT-registered) with valid invoices which allow them to deduct their VAT. The national Ministers of Finance do not therefore collect the VAT owing on the goods in question and have to reimburse the next trader upstream in the VAT chain for the VAT paid by them. Thus, the Member States loses twice. That is why I voted in favour of this legislative resolution.

#### **Report: Lambert van Nistelrooij (A7-0048/2009)**

**Elena Oana Antonescu (PPE)**, *in writing*. – (RO) Providing access to housing for citizens, especially vulnerable people, from communities facing dire poverty and marginalisation must be a fundamental concern of our society. The financial support from the Structural Funds can make a considerable contribution to the efforts made by national authorities to resolve this problem. Both the European Parliament and the Council have asked the European Commission on repeated occasions to take action in favour of promoting the inclusion of these communities. As a result of today's vote, we have received a new, amended regulation, which will enable all 27 Member States to use money from the European Regional Development Fund (ERDF) to renovate or replace housing in marginalised communities, thereby supporting the most disadvantaged groups in society.

**Mara Bizzotto (EFD)**, *in writing*. – (IT) I must point out that the report fails to give a general indication as to who is to be on the receiving end of the measures if they are introduced: reference is made to the concept of 'marginalised communities', but the substance of this expression, which can mean many different things in sociological terms alone, is not specified. The only references – which anyhow are already in the Commission's proposal – concern the Roma population. The report's request that the reference to the Roma should not preclude interventions to help other socially marginalised groups offers no guarantee that other individuals who are 'socially marginalised', because of particularly difficult economic, work-related or family situations, can benefit from the portion of ERDF that is to go towards housing policies. Lastly, according to the report presented to Parliament, the power to determine the criteria applied to establish which part of the ERDF can be assigned to helping marginalised communities should lie with the European Commission: this provision seems to allow the Commission alone broad discretionary powers in determining the aforementioned criteria; criteria on which the extent and the scale of the measure will effectively depend, at a time when Parliament will have no foreseeable way of acting and expressing its views. In anticipation of the future parliamentary follow-up of the report, and since this is the first reading, I will abstain from voting.



**Vilija Blinkevičiūtė (S&D)**, *in writing*. – (LT) I support this Framework Agreement, since cooperation between the European Parliament and the European Commission is particularly important in strengthening the stability of the European Union and the effectiveness of its work. According to this agreement, once a legislative initiative request has been submitted to the European Parliament, the European Commission must answer within a month, and prepare a suitable piece of European Union legislation within a year. If the European Union refuses to prepare the act requested, it will have to justify its decision in detail. Until now, only the European Commission was able to initiate European Union legislation, but in the Treaty of Lisbon, it is provided that a majority of the European Parliament has the right to create European Union legislation. Parliament and the Commission will cooperate closely at an early stage on any legislative initiative requests emanating from citizens' initiatives. When signing international treaties, European Parliament experts will also be included in the discussions. In the agreement, Parliament will be granted the right to participate as an observer in certain European Union international talks, as well as the right to obtain more information about international treaties.

**Carlos Coelho (PPE)**, *in writing*. – (PT) I am happy to vote in favour of this amendment to the European Regional Development Fund (ERDF) in order to extend the scope of its interventions in the housing sector so as to help marginalised communities in all the Member States. Up until now, interventions in the housing sector could only take place within the scope of urban-development projects relating to the renovation of housing. In my view, this criterion is unreasonable and discriminatory given that, as is the case in Portugal, the majority of these families live in shelters in rural areas. These are the people most in need, and they should not be excluded by reason of their location. I welcome the amendment made by Parliament, which supports territorial cohesion.

Moreover, unlike the European Commission's initial proposal, which restricted its implementation to the new Member States, these new regulations widen the scope of implementation to all Member States, thus avoiding senseless discrimination between marginalised European families. This is a global problem, and it affects thousands of families all over Europe! This situation is particularly severe in Portugal due to the economic crisis that it is experiencing, and the extreme poverty of many families.

**Proinsias De Rossa (S&D)**, *in writing*. – I support this report which extends eligibility of housing interventions in marginalised communities to the European Regional Development Fund (ERDF). Under the new rules, all Member States will be able to avail of such EU funding to improve the conditions of marginalised households previously unavailable to Member States which joined since 2004. Physical degradation of housing stock denies its occupants the right to decent living conditions and is a major obstacle to integration and social cohesion. This regulation will allow for housing renovation projects to draw on the ERDF but, in order to counter segregation risks, these initiatives must be part of a wider social integration framework in the fields of health, education and social affairs.

**Diogo Feio (PPE)**, *in writing*. – (PT) The European Commission is attempting to alter the provisions of the European Regional Development Fund (ERDF) regulations to allow the new Member States to use these funds to intervene in the housing sector in favour of marginalised communities living in rural areas.

This amendment applies only to the new Member States which, let us not forget, have large marginalised migrant communities living in rural areas. This justifies the adoption of a special rule within the ERDF regulations.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) In working to tackle poverty and improve living conditions for the most disadvantaged sectors of the population, where deprivation has been exacerbated by the severe crisis of the last few years, the European Union has a duty to safeguard and promote sustained policies for social inclusion. Apart from hygiene issues, the deterioration of housing conditions exacerbates and often causes the risk of segregation and marginalisation. Living conditions are crucial for every citizen's self-esteem and sense of social worth. Alongside education, health and employment, they play a pivotal role in the construction, development and consolidation of any attempt at sustainable living, be it at individual or family level.

It is important, however, that we make sure that intervention strategies within the European Union do not make any distinctions on the basis of gender, race or ethnicity. If Europe is to have a more balanced society, it is just as vital that we avoid the emergence and expansion of ghettos or zones that are easily associated with a particular disadvantaged or marginalised community. Policies on social inclusion also need to be aimed at those who are most in need of them without making any kind of distinction between European citizens.

**David Martin (S&D)**, *in writing*. – This regulation allows Member States to use the European Regional Development Fund in an integrated and sensible way. By making existing money available for marginalised communities, many of whom are in rural areas and shelters and could not benefit under previous rules, this new regulation will contribute significantly towards the Economic Recovery Plan for Europe.

**Erminia Mazzoni (PPE)**, *in writing*. – (IT) These are the reasons that led me to vote in favour of the following amendments. First of all, I believed it necessary to widen the geographical perimeter of the motion to all 27 EU Member States, since the problems we intend to combat with this regulation arise throughout the European Union. Therefore it makes no sense to limit the regulation to only the new EU-12 Member States. Secondly, I believed it was right to restore the previous version of the final part of Article 7 ('the Commission shall adopt', instead of 'may adopt'), so that the Commission can continue to fulfil its original regulatory brief of evaluating and deciding upon the criteria for interventions, in order to guarantee the policy's effectiveness and added value, also taking its cost into account.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) The housing situation in the EU is critical. What we need is a European policy of decent housing for all, a binding and ambitious EU social housing policy. Of course, it was essential for Parliament to adopt a position on the renovation of insalubrious housing and the replacement of slums with decent accommodation, but it is just as essential and just as urgent for the EU to make the availability of decent accommodation a fundamental human right. It has a duty and the means to ensure this. The EU cannot allow itself to become a socially underdeveloped region.

**Nuno Melo (PPE)**, *in writing*. – (PT) The adoption of this report is very important, because it makes an amendment to the European Regional Development Fund that will help marginalised members of the public, whether or not they live in urban areas.

**Rareș-Lucian Niculescu (PPE)**, *in writing*. – (RO) I voted for this report and I want to emphasise that such regular reviews of the texts regulating the use of European funds are welcome. Many of the restrictions stipulated by these regulations are no longer suited to the current economic and social situation, thereby necessitating new forms of intervention. Another example in this regard is the relaxation of the conditions for using ERDF funds to improve energy efficiency in housing, approved by Parliament last spring.

**Alfredo Pallone (PPE)**, *in writing*. – (IT) The current worldwide economic crisis represents a difficult challenge for the European Union, which is in need of policies offering rapid, flexible and efficient responses.

With its total financial resources of EUR 347 billion for the programming period 2007-2013, the European Cohesion Policy is the greatest source of investment in the real economy, able to help Europe and its regions to recover from the crisis and to regain confidence and optimism.

I agree with the need to deal with the question of housing for marginalised communities, in the context of a change in the ERDF regulation. Since the current laws cannot be applied to marginalised communities, the proposed change would fill a gap in the legislation, in order to cope with the problem of these people's precarious conditions of life in a more appropriate way.

This measure respects the principle of subsidiarity, increasing the ability of Member States to provide support and housing aid for marginalised communities, in whatever way they judge to be most appropriate, and, at the same time, maintaining the integrated approach as a minimum condition for implementing the aid.

**Aldo Patriciello (PPE)**, *in writing*. – (IT) Mr President, ladies and gentlemen, I congratulate Mr van Nistelrooij on the excellent text he proposed, which has been further improved by numerous amendments tabled within the Committee on Regional Development, allowing this measure to be extended to all the European Union Member States.

Today's text will enable us to make the dreams of many people who wish to own their own homes come true. I am certain that, in doing this, we will show our citizens that Parliament is capable of finding solutions to the challenges posed by opening up borders and by the free movement of people. And for this reason, I will vote in favour of the report.

**Maurice Ponga (PPE)**, *in writing*. – (FR) I welcome the adoption, today, by a large majority (558 votes to 57), of the report by Mr van Nistelrooij. By adopting this report, Parliament is sending out a strong message to citizens and is responding to the social concerns relayed in particular by Eurocities. The report provides for the possibility of using the ERDF for the renovation and replacement of existing buildings and for new

structures designed to help marginalised communities in rural or urban environments in each of the 27 Member States.

This extension from the 12 States that joined in 2000 and 2007 to all the Member States offers solutions to the problems that insalubrious housing poses for certain marginalised communities throughout the EU. It will thus be possible to establish an integrated and sustainable approach at EU level. Furthermore, this extension dovetails perfectly with the aim of the 2010 European Year for Combating Poverty and Social Exclusion. I am pleased that Parliament has voted for these amendments and I hope that the regions concerned will find it a useful tool for solving what is an urgent and fundamental problem for these communities.

**Marie-Thérèse Sanchez-Schmid (PPE)**, *in writing*. – (FR) I have supported this report from the outset, especially in terms of enlarging the scope of intervention to all EU Member States. It allows the 27 to use the ERDF to finance the construction of new dwellings for marginalised communities and for the renovation and replacement of existing buildings.

During this serious economic crisis which has hit Europe and affected all the Member States, housing problems are now even worse. The European Union had to intervene and use all the instruments at its disposal to come to the aid of badly-housed people, especially marginalised communities who were previously unable to benefit from ERDF resources.

Thanks to the amendments which the members of the presidential majority tabled in the Committee on Regional Development, eligibility for the fund is vested not only in the new Member States of the EU, but in all 27, all of which face the same difficulties. The regions concerned will be able to replace unhealthy housing in socially excluded communities and develop global, integrated and lasting solutions to their housing problems.

This report gives the EU concrete means for helping its citizens. Let us hope that it will be a step towards a social Europe close to the people.

**Nuno Teixeira (PPE)**, *in writing*. – (PT) The report that we approved today alters the European Regional Development Fund (ERDF) regulations, extending its scope in the housing sector in favour of marginalised communities, since currently, the fund can only be used within the context of urban development initiatives. The amendments that I and my fellow Members proposed, and which were confirmed today in Parliament, mean that the older Member States, not only the new ones, as suggested in the original proposal by the Commission, can also benefit from this new source of funding from the ERDF.

I have also tried to prevent what I see as a precedent which would exclude the older Member States, particularly Portugal, from this funding, and possibly from using other additional sources of Community aid. I would like to reiterate that the length of time for which a country has been a member of the European Union should not be a criterion for the allocation of structural funds, and that the post-2013 Cohesion Policy should continue to focus on the principle of solidarity, aimed at territorial cohesion, something which is crucial for the outermost regions, such as Madeira. It must also be aimed at greater flexibility, transparency and a results-oriented approach that rewards the regions that have demonstrated an exemplary use of Community aid, rather than punishing them.

**Viktor Uspaskich (ALDE)**, *in writing*. – (LT) In order to improve the assimilation of European Union funds for the renovation of buildings and homes, and given the practice of the Member States and difficulty of cofinancing, it should be proposed that national governments create a common fund, in which they could save money, covering cofinancing with state money. In other words, until cofinancing is covered by the state, the proprietors of buildings and home owners have to pay the same absolute amount they paid until renovation. The reason is that often, the proprietors of premises and home owners can neither cover cofinancing with their own money nor obtain a bank loan for this. I welcome the second point of this initiative – to direct funds earmarked for renovation to rural areas.

Most private houses in villages are heated autonomously, meaning that heating is not paid for in a centralised way and therefore it is proposed that an absolute monthly amount should be set, which in time, could cover the cofinancing of these homes. This would make it easier for the Member States to legally implement the cofinancing for rural home renovation.

**Anna Záborská (PPE)**, *in writing*. – (FR) This rule allows for financial support from the ERDF for interventions in the housing sector for the benefit of marginalised communities in the new Member States. A large majority of these communities live in rural areas and in shelters (in both rural and urban areas). They are unable to

benefit from ERDF support. Intervention in the housing sector is possible during urban development operations and by renovating existing houses. Support for intervention in the housing sector in rural areas or to replace mediocre housing in urban or rural areas is not eligible for ERDF support. In order to prevent unwarranted discrimination, intervention targeted at the Roma should not exclude other groups in similar social and economic circumstances. In addition, as intervention is just one part of a complex problem, it should be addressed within the framework of an integrated, multi-dimensional approach at national level, with strong partnerships and taking account of aspects relating to education, social affairs, integration, culture, health, employment, security and so forth. The objective of the proposal is to provide acceptable housing conditions within the framework of an integrated approach.

**Report: Magdalena Alvarez (A7-0006/2010)**

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) Fraud and tax evasion are an attack on the construction of a fairer, stronger and more equal Europe in terms of social and economic development. The consequences of this have become all the more apparent and serious in this time of severe economic and financial crisis, as the budgets of the Member States have been particularly weakened and strained by the need for public investment and expenditure on social policy. It is worth noting that tax fraud in the European Union stands at more than EUR 200 billion per year, which amounts to more than 2% of GDP.

Within the context of the open market and the free circulation of goods and people, the control and surveillance mechanisms have become ever more complex due to the inalienable rights of sovereignty of each Member State. To make matters worse, unscrupulous economic operators, mostly motivated by opportunities to make easy money from the economic crisis, are resorting to ever more sophisticated and ingenious methods of tax avoidance.

This proposal strengthens administrative cooperation between the EU Member States in the field of taxation, as the process of European integration shows a clear imbalance between the legislation produced and the mechanisms of control and surveillance.

**Ilda Figueiredo (GUE/NGL)**, *in writing*. – (PT) We have some doubts as to the formulation of the proposal which seeks to widen the scope of the directive, extending 'cooperation between Member States to cover taxes of any kind', and the fact that it 'shall also apply to compulsory social security contributions payable to the Member State or a subdivision of the Member State or to social security institutions established under public law'.

We disagree that the officials of a Member State should be given the authority to act within the territory of other Member States, so we believe that Parliament's proposal to limit the issue to cases where there is agreement between the Member States is the correct approach, at the very least.

We also have our doubts about the requirement for the automatic exchange of information about the tax habits of individuals, although there are some references to data protection, particularly in the report by Parliament.

We will be carefully watching the treatment of these issues as they progress.

**Ian Hudghton (Verts/ALE)**, *in writing*. – Whilst I believe that the EU's Member States should retain control over their own taxation systems, it is clear that there must be cooperation across the EU and indeed with third countries in order to counter tax evasion. I believe that the compromise agreed today will be a useful tool in combating fraud and evasion.

**Astrid Lulling (PPE)**, *in writing*. – (FR) I voted resolutely against the Alvarez report on administrative cooperation in the field of taxation, as I am sorry that the fight for citizens' freedoms, which Parliament is supposed to spearhead, is changeable and inconsistent.

When the introduction of body scanners or the SWIFT agreement with the United States is on the agenda, the staunch defenders of individual freedoms make their voices heard, even if it means creating diplomatic tension.

But when the protection of banking data is at issue, the good suddenly turns into the evil.

Wholesale automatic exchange, which forms the basis of the Alvarez and Dominici reports, is the scanner that strips you at every turn; it is the SWIFT agreement on an even larger scale.

This inconsistency cannot even be justified in the name of efficiency.

The automatic exchange of all data on every non-resident in Europe will lead to an unmanageable flood of data. The precedent in the field of taxation of savings should set alarm bells ringing.

And to those friends of mine who are concerned about the excessive bureaucracy that this construct might entail, I say that the only solution is to oppose it on principle rather than be surprised at its disastrous consequences.

**Nuno Melo (PPE), in writing. – (PT)** Since previous legislation, which made fraud and tax evasion a priority for the European Union, a series of legislative proposals have been adopted relating to this area. Administrative cooperation in the field of taxation is a fundamental part of the common strategy to combat fraud and tax evasion. Effective combating of tax evasion and fraud has a significant impact on national budgets and the loss of substantial revenue for general public expenditure, especially in health, education and research.

Tax evasion and fraud violate the principle of equal fiscal treatment, to the detriment of citizens and businesses that meet their tax obligations, and it leads to the distortion of competition, which affects the proper functioning of the markets. At this time of crisis, it is all the more important for us to use all the methods at our disposal to combat tax evasion and fraud in order to meet the exceptional costs that are necessary to remedy the effects of the crisis and to reduce the high budget deficits as much as possible.

**Alfredo Pallone (PPE), in writing. – (IT)** The importance of the proposal lies in the serious consequences that tax fraud in the EU (estimated to exceed 2% of GDP) has on Member States' budgets, on the principle of fair taxation, which is weakened as a result of it, and on the operation of markets, because competition is distorted.

The proposal presented by the Commission is a step forward in meeting the need for more effective cooperation measures to combat fraud and tax evasion on a European scale. The proposed directive involves both a quantitative and qualitative leap: quantitative because it establishes new obligations; qualitative because it broadens and specifies the existing obligations.

It agrees to include all types of direct or indirect tax, except VAT and excise duties, introducing the automatic exchange of information between tax administrations, instead of exchange on request.

The proposal will mean we can call on more effective cooperation measures to combat fraud and tax evasion, creating a reliable, easy-to-use and effective system. This will help us achieve appropriate tax integration, an essential part of the European project and a further step towards the genuine harmonisation of tax policies.

**Marie-Christine Vergiat (GUE/NGL), in writing. – (FR)** Like the Confederal Group of the European United Left – Nordic Green Left, I voted in favour of this report, which aims to step up the fight against fraud and tax evasion, since this fight is important in the context of the economic crisis that our Member States are experiencing. Taking up these matters seems to us to be a priority in the light of the economic crisis that the Member States are experiencing and at a time when budgetary rigour places an increasingly heavy burden on the smallest States.

According to some estimates, tax fraud amounts to EUR 200 billion, or 2% of GDP, and double the sums allotted by the European Union to the so-called European Economic Recovery Plan.

Furthermore, the European Parliament's report introduces the need to improve data protection, an important principle since we are talking here about information and data exchange.

Like the report, we shall press the Commission and the Council to explain to the European Parliament how its position has been taken into account and what progress has been made with regard to cooperation between the Member States in combating tax fraud and evasion.

**Anna Záborská (PPE), in writing. – (FR)** The aim of the directive is to improve administrative cooperation in the field of taxation. Now more than ever, we need to help each other in this field. The mobility of taxpayers, the number of cross-border transactions and the globalisation of financial instruments have evolved considerably. It is hard for the Member States to assess the amount of taxes and duties correctly. This increasing difficulty is having repercussions on the functioning of the tax systems and resulting in double taxation, which encourages tax fraud and evasion, while controls remain the responsibility of the national authorities. This is putting the smooth operation of the internal market at risk. Automatic exchange of information between the Member States would be mandatory for directors' fees, dividends, capital gains, royalties and

life assurance products not covered by other EU legal instruments relating to the exchange of information and similar measures and the resultant pensions, property ownership and revenue. In order to improve the exchange of information between the various national authorities, it is also proposed to establish monitoring of cases in which the Member States have refused to provide information or to carry out an administrative enquiry. All these measures help to combat tax fraud, which is why I voted in favour of this legislative resolution.

**Report: Theodor Dumitru Stolojan (A7-0002/2010)**

**Ilda Figueiredo (GUE/NGL), in writing. – (PT)** It is curious that the European Commission acknowledges that ‘the free movement provisions of the EU Treaty make it difficult for Member States to ask for guarantees for the payment of taxes due on their territory’.

Could we say, then, that instead of adopting rule after rule which later prove to be ‘insufficient’, and bearing in mind the ‘poor results obtained so far’, why not simply go to the root of the problem by changing the rules that relate to freedom of movement?

However, we have doubts about the implementation of the proposal which states: ‘The scope of the mutual recovery assistance should be extended to other taxes and duties than those already covered now, as the non-payment of any kind of tax or duty affects the proper functioning of the internal market. The scope should also be extended to compulsory social security contributions’.

We disagree that the officials of a Member State should be given the authority to act within the territory of other Member States, so we believe that Parliament’s proposal to limit implementation to cases where there is agreement between the Member States is at least the correct approach.

**Ian Hudghton (Verts/ALE), in writing. –** The increased mobility of both persons and capital lies at the heart of the EU and has been a great success. However, it carries with it certain downsides and these include the increased possibilities for fraudsters to avoid paying taxes and duties. It is apparent that the existing systems of mutual assistance has proved insufficient and today’s vote should bring about much-needed improvements in this area.

**Petru Constantin Luhan (PPE), in writing. – (RO)** As far as the recovery of claims relating to taxes and duties is concerned, the situation in the European Union is not exactly welcome. The statistics show us that the overall recovery rate is just 5%. In order to improve the effectiveness of claim recovery activities, closer cooperation is required at Member State level. With this in mind, I voted for the proposal on mutual assistance in this area. I hope that we will actually manage to eliminate the deficiencies of existing measures which have resulted in a lack of transparency and coordination between states and in an unjustified delay in the recovery process.

The new directive is proposing to define more clearly the norms based on which the competent authorities in Member States provide assistance, along with the rights and obligations of the parties involved. Standard instruments will be drawn up to facilitate enforcement or precautionary measures in order to avoid the problems linked to recognising and translating instruments issued by other authorities. The Commission will support good cooperation between Member States and will constantly monitor any complaints received in connection with the exchange of information or assistance.

**Nuno Melo (PPE), in writing. – (PT)** The increasing number of requests from Member States for assistance in the recovery of claims relating to certain taxes, along with the lack of efficiency in collecting them, at only 5%, shows that there needs to be an amendment to Council Directive 1976/308/EEC. We need this resolution if we are to tackle the problems of slowness, disparity, lack of coordination and transparency.

**Alfredo Pallone (PPE), in writing. – (IT)** The current system for the recovery of claims relating to taxes, duties and other measures is characterised by slowness, disparity and a lack of coordination and transparency. We therefore need to take action at a Community level, to reinforce and improve recovery assistance between Member States.

To this end, the proposal offers uniform instruments permitting enforcement or precautionary measures in order to avoid problems of recognition and translation of instruments emanating from other Member States, and a standard form for the notification of documents relating to the claims on the territory of another Member State.

The introduction of a uniform standard form for notification of instruments and decisions relating to the claim will resolve the problems of recognition and translation of instruments emanating from another Member State. This instrument will be essential for the development of trade within the Community and for strengthening the internal market.

**Anna Záborská (PPE), in writing.** – (FR) The Council Directive aims to fundamentally revise the functioning of mutual assistance for the recovery of claims relating to taxes, duties and other measures. National provisions relating to recovery only apply within the territory of each Member State. The administrative authorities are unable to recover taxes and duties themselves outside their own Member State. At the same time, the mobility of people and capital is increasing, and fraudsters take advantage of the territorial limitation of the competences of the national authorities to organise their insolvency in countries in which they have tax debts. The first provisions concerning mutual assistance for recovery were established in Directive 76/308/EEC (consolidated in Directive 2008/55/EC) on mutual assistance for the recovery of claims relating to certain levies, duties, taxes and other measures. However, this instrument proved to be inadequate in terms of responding to changes in the internal market over the last 30 years. It is therefore necessary to repeal the current directive and make provision for an improved system of assistance for recovery within the internal market that will guarantee fast, effective and uniform procedures throughout the European Union. That is why I voted in favour of this resolution.

#### **Motion for a resolution RC-B7-0072/2010**

**John Stuart Agnew, David Campbell Bannerman, Derek Roland Clark and William (The Earl of) Dartmouth (EFD), in writing.** – UKIP fully supports the relief efforts and is horrified at the loss of life and those affected by the disaster, but we cannot support legitimising the EU in spending hundreds of millions of taxpayers' money, along with its militaristic and diplomatic ambition to circumvent democratic and accountable nation states intervening in the crisis.

Of course, we encourage government and individuals to give relief and money to help those affected and rebuild the country. However, this must be done transparently with the public and not by secretive, unelected bureaucrats with international ambitions of grandeur.

**Liam Aylward (ALDE), in writing.** – (GA) I voted in favour of this resolution and in favour of the financial aid the European Union will provide for long-term support, which will be managed in partnership with local authorities and the people of Haiti. This money must be used to address the fundamental reasons for poverty in Haiti, to help the country strengthen its democratic structure and to build a sustainable economy.

Conditions in Haiti have improved recently, thank God, and humanitarian aid is being distributed effectively and in order of priority; this is thanks to the cooperation and the coordination of international organisations, non-governmental organisations and the people of Haiti who have all been working together.

**Sebastian Valentin Bodu (PPE), in writing.** – (RO) The European Union, like the entire international community, is facing an important test of solidarity with regard to the situation in Haiti. The forthcoming EU summit must present a decisive, well-coordinated solution, with a single voice, to meet the needs for reconstruction and aid which Haiti is experiencing as a consequence of one of the greatest natural disasters in modern history. The call from the European Parliament and request submitted to the European Commission to come up with a specific proposal to set up a Civil Protection Force which can respond quickly in the event of a natural disaster anywhere in the world must be answered.

The 'Haiti Lesson' must not be forgotten and the European Union must show, in this case, not only that it knows what solidarity means, but also that it is an adaptable and flexible institution which is learning from the current painful events. The European Union has all the data and instruments for getting involved in the long-term reconstruction of Haiti. Coordination is required with the United States and Canada so that the whole international community can speak with a single voice. The Haitian people, sorely tried by history and nature, must receive from the international community the necessary instruments to learn to help themselves.

**Maria Da Graça Carvalho (PPE), in writing.** – (PT) I welcome the commitment that the EU has made to provide aid to the people of Haiti following the earthquake that hit the country in January. Before the earthquake, more than 70% of people in Haiti were living below the poverty line, and the country's foreign debt amounted to USD 890 million. The international community now has a duty to contribute to drawing up a strategy of reconstruction for the country which will be sustainable in the short, medium and long terms.

This is a critical time in the coordination of reconstruction efforts between international aid donors, the Haitian authorities and civil society, and I welcome the recent decision by the G7 to write off Haiti's debts, including debts to multilateral credit institutions. It is vital that we help this country to recover from the earthquake, but the international community must also take advantage of this opportunity to help to resolve the economic, social and political inequalities within Haiti.

**Carlos Coelho (PPE)**, *in writing*. – (PT) The earthquake which struck the island of Haiti on 12 January 2010, killing thousands of people and causing terrible devastation and chaos, calls for our firm solidarity with the people of Haiti. I had the pleasure and honour of contributing to the drafting of this resolution by Parliament. First and foremost, I would like to offer my sincere thanks to the professionals whose generous and prompt work, through the Mobile Intervention Centre, helped to save lives and alleviate the urgent needs on the ground for health care, water, hygiene, clothing, etc. This proved that the investment demanded by Parliament over the years can have a practical and positive impact.

On the other hand, as after the Asian tsunami, we need to draw lessons from what happened. Following the Barnier report in 2006, the European Commission should submit legislative measures as soon as possible for the creation of a single, independent and permanent EU Civil Protection Force capable of carrying out rescue missions and ensuring an integrated approach to aid, rehabilitation and development. I would also like to thank the Member States, NGOs and civil society for all the humanitarian aid that they have provided.

**Lara Comi (PPE)**, *in writing*. – (IT) The earthquake which devastated Haiti on 12 January, leaving 200 000 dead and approximately 250 000 injured, has prompted the European Union Member States and the entire international community to engage in a tangible and shared commitment to reconstruct the country.

Such coordination has shown itself to be effective in the short term, and has seen an initial pledging of considerable sums by the European Commission and by individual Member States. I believe it is essential to direct this joint effort so that the reconstruction is sustainable in the medium and long term, and so that the population of Haiti is the main beneficiary of this commitment.

I add my voice to the appeal by international humanitarian organisations to prevent the enormous number of children orphaned as a result of the earthquake becoming victims of human traffickers. I therefore believe that we need a plan to supervise such an emergency, ensuring that the primary needs of the weakest groups in the community take first place amongst the priorities of Europe and the United States.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the motion for a resolution on the earthquake in Haiti, which caused 200 000 deaths and 250 000 casualties. I would like to express my heartfelt condolences and solidarity with the people of Haiti and other nations, the staff of international organisations, including the UN and the European Commission, and the families of the victims of this tragedy. I would like to emphasise the hard work of some EU Member States through the EU Civil Protection Mechanism, coordinated by the Monitoring and Information Centre. I also welcome the proposal to undertake an assessment of the European response to the humanitarian crisis in Haiti, so that the European Commission can present proposals for improving the capability of the EU to respond rapidly to future disasters.

**Diogo Feio (PPE)**, *in writing*. – (PT) 12 January 2010 will go down in Haitian history as one of the most terrible days that the country has ever experienced. A people and a country already plagued by poverty and underdevelopment were suddenly devastated by a merciless and murderous natural disaster of massive proportions.

The tens of thousands of fatalities recorded in statistics that were already outdated by the time they were issued and the anguish and despair in the eyes of those who have lost everything more than justified the mobilisation of the international community and civil society throughout the world, and I must commend these efforts.

Despite this surge of solidarity that only sheds a good light on those who have been playing a part, this aid will need to be maintained even when the focus of global attention shifts to another country.

In spite of international efforts, the reconstruction of the country can only take place if those in charge and the citizens themselves are capable of taking the lead in the process and assuming their respective responsibilities.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) The calamity that hit Haiti, following a violent earthquake on 12 January this year, presented a new challenge to solidarity between people and nations. By virtue of its history and cultural identity, not to mention its importance in the global economy, the European Union



must act as an example and encourage aid for the Haitians and the reconstruction of one of the poorest countries on earth. We must clear the way for financial and logistical tools that will minimise the suffering of those affected by the tragedy, as a matter of urgency, and ensure the rapid restoration of basic living conditions for the people. However, the conditions for the promotion of sustainable development within the country must already have been assessed and ensured so that we can counter the situation of extreme poverty which affects a huge number of people within the country. Beyond incentives for profitable farming, industrialisation and the sustainable cycle of development for the marketing of products, I believe that support for the implementation of a robust strategy for environmental improvement is crucial, since Haiti is a blatant and dramatic example of the devastating impact that climate change can have on humanity. I therefore voted in favour.

**João Ferreira (GUE/NGL), in writing. – (PT)** In the face of the dramatic scenes of complete destruction in Haiti, we need prompt, effective and genuine solidarity that will help to mitigate the suffering of the Haitian people. There also needs to be rejection and condemnation of any attempt to exploit the tragedy of the Haitian people by military occupation of their country, along with the unequivocal defence of Haiti's sovereignty and independence – something that is missing from the document in question. It is regrettable that the resolution has come much later than the statements by certain Heads of State and UN officials about the deployment of tens of thousands of US troops in the country. Haiti and its people need fire-fighters, doctors, hospitals and basic necessities.

The response of the EU on welcoming the resolution was 'the Council's decision to send 350 military police officers'. It is worth recalling the rapid assistance provided to Haiti by countries such as Cuba, which promptly sent 400 doctors, saving lives and preventing epidemics, building medical infrastructure and distributing basic necessities, or Venezuela, which offered debt relief and supplied fuel.

**Ilda Figueiredo (GUE/NGL), in writing. – (PT)** We believe that this is a time for giving all the humanitarian aid, cooperation and support for reconstruction that the people of Haiti deserve, given their dignity and courage. Unfortunately, too much time was wasted on protection, and not everything has gone smoothly. We have already denounced the way in which certain parties, particularly the US, have been more concerned with bolstering their military presence within the country with their troops than with the people of Haiti.

We regret that the resolution passed does not go far enough in defending Haiti and its people. It would have been a good start to denounce anyone or any country that seeks to profit from this catastrophe by returning to neocolonialism. Such an attitude seems to be behind the deployment of thousands of armed North American troops, despite the fact that the majority of the population live in poverty and remain victims of exploitation by multinational companies and the interference of external bodies, particularly the United States.

We will continue to express our sincere solidarity with the people of Haiti.

**Sylvie Guillaume (S&D), in writing. – (FR)** I supported this resolution in order to highlight the major commitment to solidarity that the European Union needs to deploy in order to come to the aid of this country, which was devastated nearly a month ago. Following the emergency, long-term assistance needs to be developed, especially for the most vulnerable persons and for the government structures, which have no alternative today but to transfer their authority to the US forces. Finally, Europe needs to learn lessons from such incidents, so that it can respond more quickly and efficiently in future and provide optimum humanitarian aid for the people who need it most.

**Richard Howitt (S&D), in writing. –** Labour MEPs would like to express our deepest sympathy for all those in Haiti who have had their lives shattered by this catastrophic earthquake and we fully support international relief efforts. We have supported this resolution with the clear aim of sending the message that the European Parliament and Labour MEPs stand side-by-side with the people of Haiti in the long-term work of rebuilding the infrastructure, communities and lives which have been torn apart. We were particularly pleased in this resolution to highlight the decision of Britain and the other G7 countries to cancel their claims on Haiti's international debt and to call on other nations to follow.

We do not however agree with paragraph 24 of the resolution as we believe that any proposal for improvement of EU disaster response should be made with full consultation and deliberation, and not simply in the context and immediate aftermath of one humanitarian tragedy, however appalling. In particular, the paragraph prejudices the current voluntary arrangements for EU Member States, and we should not underplay national response capacities, particularly when the UK's own standing response team rolled into action within one hour of the earthquake in Haiti.

**Ian Hudghton (Verts/ALE)**, *in writing*. – In recent weeks, we have all seen horrific footage of the situation which has hit the people of Haiti. As is always the case in large natural disasters, the attention span of the press and media is short and the headlines soon move on elsewhere. It would not be acceptable for political leaders to move on so quickly and it is correct that this parliament seeks to keep the disaster top of the agenda. This resolution notes the good work done thus far both by EU institutions and bodies within Member States and it is to be hoped that the EU High Representative takes full note of the specific issues Parliament has highlighted today.

**Anneli Jäätteenmäki (ALDE)**, *in writing*. – According to the Haitian authorities, the total loss of life after the earthquake exceeds 230 000 persons. This makes the catastrophe even bigger than the 2004 Asian tsunami. After emergency aid, our focus should gradually turn to the long-term development of Haiti. Being one of the poorest countries in the world, Haiti was totally unprepared to confront a catastrophe of this magnitude. I warmly welcome the recent debt-relief pledges to Haiti and urge all the donor countries to help with long-term and sustainable reconstruction. Finally, some colleagues have questioned Baroness Ashton's decision not to visit Haiti immediately after the earthquake. Their criticism is right if her visit would have resulted in something useful in helping the Haitians. If, however, that would have just been a publicity stunt to show that the EU is present, her decision was absolutely right.

**Eija-Riitta Korhola (PPE)**, *in writing*. – (FI) Mr President, I voted in favour of the resolution on Haiti. The human distress caused by the Haiti earthquake is on a massive scale: hundreds of thousands are dead or injured, and Port-au-Prince is almost completely destroyed. The number of those in need of outside assistance is estimated at two to three million.

While the sympathies of Europeans are with the relatives of the victims, there is a need to act. The largescale and prompt commitments in the form of assistance from the EU are obviously vital. The tardy reaction on the part of the new foreign affairs administration has provoked amazement, with good reason. It is obvious that the EU High Representative must be responsible in future for ensuring that the Union reacts faster and with greater coordination. Haiti will need help for a long time. Its wounds need tending and its homes need building one by one.

The philosopher Ludwig Wittgenstein proposed the idea that no distress can be greater than what a single person can suffer. I imagine that he meant something like this: there is no greater unit of consciousness in the world than the consciousness of a single individual. You cannot tot up pain. There is no aggregate consciousness that would suffer more distress than a single one. The distress of the masses is always the distress of the single person. Therein also lies hope. Mother Teresa is reported to have said that if she had ever considered the masses, she would not have achieved anything. If I succeed in helping one person, I will be helping the greatest possible unit: one person's entire world.

**Petru Constantin Luhan (PPE)**, *in writing*. – (RO) I think that the EU needs to promote better coordination and a higher profile in supporting the Haitian state. At the moment, the biggest challenge is posed by logistical bottlenecks (restricted capacity for landing and unloading goods at Port-au-Prince airport), as well as the quest for a solution to help those who are still homeless, especially in light of the rainy season which is imminent.

We must think about the future and the ways in which we can act more quickly and efficiently in such situations. I supported this resolution because it asks the Commissioner for International Cooperation, Humanitarian Aid and Crisis Response to ensure that the European Union plays a leading role in crisis situations, coordinating more efficiently the European Union's response to future crises, based on the responsibilities created under the Treaty of Lisbon.

Furthermore, it is of paramount importance that the European executive tables before Parliament as soon as possible proposals for setting up a European civil protection force, based on the EU Civil Protection Mechanism. This will enable the European Union to gather the resources required to supply emergency humanitarian aid within 24 hours of a disaster occurring.

**David Martin (S&D)**, *in writing*. – The devastating earthquake in Haiti last month caused catastrophic damage, and the global relief effort will need to be long-term and committed. I am pleased that the EU has responded swiftly with EUR 196 million so far in assistance. I support the resolution calling for effective and coordinated humanitarian efforts from the EU, to ensure Haiti receives long-term assistance and reconstruction.

**Nuno Melo (PPE)**, *in writing*. – (PT) Besides causing many fatalities, the earthquake that struck Haiti on 12 January 2010 continues to affect the daily lives of about 3 million people who are in critical need of humanitarian aid. The role of the EU's foreign policy has been clarified, and the values that the EU is trying to promote are aimed at, amongst other things, contributing to world peace and security, and the protection of human rights. Thus, we should welcome all efforts undertaken by Member States in order to help the country to emerge from this catastrophe as a fully functioning democracy, with an economy that can support its population. We should also bear in mind that the Haitian people must always be an integral part of the whole reconstruction process, along with their government.

**Willy Meyer (GUE/NGL)**, *in writing*. – (ES) I have abstained from voting on Resolution RC-B7-0072/2010 regarding Haiti because I believe it is urgent for civilian professionals such as doctors, architects and fire-fighters to be sent to the region instead of troops. Haiti will only be able to achieve the political, economic and social stability it needs if its country's freedom is protected from foreign interference. Financial institutions such as the World Bank, the International Monetary Fund and Haiti's social partners should cancel Haiti's foreign debt immediately.

Furthermore, I support the measures adopted by the countries of the Bolivarian Alternative for the Americas (financial aid through the Humanitarian Fund, energy support and promotion of farming and production initiatives) which are proof of the brotherly solidarity that exists between the different countries. By abstaining, I have tried to highlight that the reconstruction of Haiti cannot be undertaken through the militarisation of aid but rather by putting an end to the mechanisms that have caused the underlying poverty in Haiti, such as external debt, which I am requesting be cancelled.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Even before the earthquake, Haiti was a poor country without guaranteed local food supplies for more than two million people and with hundreds of thousands of orphans on the streets or in homes. For the people of Haiti it is, of course, important that the infrastructure and the institutions of the state are rebuilt in the long term. However, we must not forget that the distribution of aid is not going smoothly and that many women and children are in a very vulnerable situation. We must act cautiously in this case. The motion for a resolution appears to do justice to the majority of problems and for this reason, I have voted in favour of it.

**Wojciech Michał Olejniczak (S&D)**, *in writing*. – (PL) The earthquake which hit Haiti in January this year is one of the greatest humanitarian catastrophes of the 21st century. The scale of the disaster is exacerbated by the fact that the destructive action of the earthquake affected one of the poorest countries in the world. The tragedy has turned the eyes of the entire world on Haiti. Humanitarian aid must not stop only at reconstruction of the island, but must involve restructuring of the social relations which operate there, in a spirit of respect for human dignity and social justice. For this to be possible, it is essential not only to give Haiti non-refundable aid, but also to make sure that the country and its society are given a fresh start.

Therefore, I support the call to cancel Haiti's international debt. I also oppose solutions which will bring about an increase in Haiti's debt as a result of international 'aid'. Taking all these factors into account, I decided to support the joint motion for a resolution of the European Parliament on the recent earthquake in Haiti.

**Alfredo Pallone (PPE)**, *in writing*. – (IT) I voted in favour of the joint motion for a resolution on the recent earthquake in Haiti.

I particularly agree with the content of paragraphs 4, 8 and 9, especially the parts stating that EU priority should be given to assisting with the reconstruction efforts and improving the humanitarian situation, focusing on vulnerable groups, such as women and children, and on providing shelter, medical facilities, logistical assistance and food; we call on all Member States to be prepared to meet UN requests for further assistance; we welcome the Commission's preliminary commitments to EUR 30 million in humanitarian assistance; we welcome the decision by the G7 countries to cancel their claims on Haiti's international debt, and we also call upon the International Monetary Fund to provide full relief of the country's outstanding debt – and we stress that any emergency earthquake assistance must be provided in the form of grants, not debt-incurring loans.

**Anna Záborská (PPE)**, *in writing*. – (FR) In the event of a natural disaster, humanitarian aid needs to arrive without delay. In Haiti, only the United States was able to provide effective humanitarian aid without bureaucratic delay. It is also clear that the fastest and most efficient humanitarian agencies are those which are regularly condemned in resolutions by this illustrious House: the Catholic Church and humanitarian initiatives by Christian organisations. In this resolution, which I support fully, Parliament calls on the international community to ensure that the Haitian people and their government are the main actors in the

reconstruction process, so that they can be masters of their own destiny. Members are also supporting EU action to re-launch local food production by restoring damaged infrastructures and providing the necessary materials (seed, fertiliser and tools) to small farmers, especially for spring sowing, which starts in March and represents 60% of national food production. At present, while the international community is investing in establishing earthquake-proof infrastructures, I should like to highlight the fact that religious buildings have also been hit and that international funds should also be allocated to the reconstruction of churches and seminaries.

#### **Motion for a resolution B7-0078/2010**

**John Stuart Agnew, Andrew Henry William Brons, David Campbell Bannerman, Derek Roland Clark and William (The Earl of) Dartmouth (EFD), in writing.** – UKIP is gravely concerned with the situation in Iran and calls for governments on both sides to come to a diplomatic, but above all, peaceful solution to the ongoing political and humanitarian breakdown in the country. The EU must not intervene in this situation as it will only exacerbate the tense situation. Unaccountable EU bureaucrats, instead of elected politicians leading the negotiations, will end up with a bad outcome for Iran and the rest of the world. Negotiations should be taken in cooperation with other national governments, not forced upon from above by the EU. There are many countries wanting to stay neutral, such as Ireland, and the EU representing those countries on this issue seriously undermines their democratically-backed policy.

**Mário David (PPE), in writing.** – (PT) I voted in favour of this document with a great sense of responsibility, hoping that this resolution can bear fruit. I would like to commend the efforts at unity made by the various political groups in Parliament, which have allowed the home of European democracy to speak with one voice and emphasised the strong pragmatic bent of this resolution, which suggests ways, solutions and specific measures for the EU to deal with the Iranian regime. In view of this, I would like to highlight the need: a) to strongly condemn businesses that supply the Iranian authorities with equipment and technology which is aimed at censorship and surveillance, and which should be prohibited for European businesses; b) to request, or better, demand, acknowledgement of the absolute necessity of respect for the Vienna Convention and the rules of diplomacy; c) to introduce more sanctions for Iranian organisations or officials who are operating abroad and who are responsible for the repression and restriction of freedoms in Iran, along with those linked to the violation of Iran's international commitments relating to the nuclear issue; and d) despite everything, to promote continued and deeper dialogue with Iran, especially with civil society.

**Edite Estrela (S&D), in writing.** – (PT) I voted in favour of the motion for a resolution on the situation in Iran, as I am worried by the continual violations of human rights there, particularly with regard to freedom of association, expression and information, and because I support the democratic wishes of the Iranian people.

**Diogo Feio (PPE), in writing.** – (PT) Two pieces of news have come out of Iran in recent months, neither of which, unfortunately, is encouraging. Firstly, the advances made in the enrichment of uranium for nuclear purposes and, secondly, the repression of the moderate faction led by Mr Moussavi, which is contesting the results of the recent presidential elections. These two developments are worrying enough on their own, but together they are a cause for more serious concern.

What can be said about this unstable country where the increasingly radical government is killing, torturing and imprisoning the opponents who are protesting against it in the streets and which, at the same time, is involved in a tenacious programme of uranium enrichment aimed at obtaining nuclear energy?

For all that the fundamentalist regime of the ayatollahs proclaims that its intentions are good and that it is pursuing nuclear energy for peaceful ends, the international community is not convinced and, justifiably, views Iran as a growing threat.

In addition to denouncing from the very outset the brutal repression that has fallen on Iranian moderates, the European Union and its allies and other international players must fight to strengthen and toughen the sanctions against Tehran and not rule out any concerted effort to tackle this threat.

**Ilda Figueiredo (GUE/NGL), in writing.** – (PT) We defend freedom of expression and democracy, and we agree with the need to express our concern with the developments in Iran over recent months, particularly those relating to repression of the masses by the Iranian security forces. However, the proposed text does not do this in the best way.

In our opinion, our necessary expression of concern with the development of the situation cannot ignore the great threat to the sovereignty and territorial integrity of Iran, including the escalation of diplomatic and military involvement led by the US administration, including the concentration of US military forces in the region. We should not forget that these elements also threaten the rights of the Iranian people and the very forces that are continuing the struggle for democracy, progress and social justice in Iran. The adopted text does not make any mention of this.

The right to determine the future course of Iran belongs exclusively to the Iranian people and their political and social action. We would like to express our solidarity with the democratic organisations and the people of Iran who are fighting for social justice and progress in their country.

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) I supported the resolution condemning Iran's attitude both from the point of view of its intentions in the nuclear sector and in the attacks on freedom of expression to which its people fall victim on a daily basis. The recourse to violence taken by the Iranian authorities towards demonstrators is unacceptable, as are the censorship of the press and obstacles to information.

**Nuno Melo (PPE)**, *in writing*. – (PT) The current social upheaval in Iran, the systematic repression of the people and those who oppose the regime, the restrictions on freedom of the press and freedom of expression, the failure to abolish the death penalty and the continued pursuit of a nuclear programme against the international community are reasons for massive concern. Even more worrying is the news that last month, Iran successfully tested a new long-range missile, thus jeopardising regional and global security. The recent cancellation of the planned visit by Parliament's delegation is another clear signal that this country is not willing to cooperate. This leads us to condemn the policies pursued by the Iranian regime.

**Andreas Mölzer (NI)**, *in writing*. – (DE) There are many countries where democracy and human rights are in a precarious position. The EU must continue its attempts to change this situation by means of appeals and similar methods. We should not be surprised by the actions of Iran and its attempts to become a nuclear power. This is a result, among other things, of misguided US policy. The situation can only be defused by the use of diplomacy, but the EU must not let itself be taken advantage of by the US in this respect. The motion for a resolution states that no significant progress has been made and that dialogue is the only solution. I am in agreement with this.

**Śławomir Witold Nitras (PPE)**, *in writing*. – (PL) I would like to express my support for the resolution, whose objective is to state clearly the position of the European Union on respect for fundamental human rights in Iran. I am outraged, as most of us are, by the way in which the Iranian opposition has been treated. The sentencing of Mohammed Reza Alizamani and Arash Rahmani to death for political activity is, in my opinion, a contravention of all standards held in the modern world. I am glad the EU is taking a very clear position on this matter. At the same time, I would like to express my regret that an equally strong reaction was not expressed when a demonstration organised by the Russian opposition on 31 January 2010 in Moscow and Saint Petersburg was prevented and its organisers arrested, including Oleg Orlov, Chair of Memorial, the organisation which was awarded the Sakharov Prize last year. I think the reaction of the EU High Representative on this matter should be as dynamic as it was in the case of Iran, and that it should also accord with the firm criticism of the Russian authorities expressed by the President of the European Parliament, Mr Buzek.

**Franz Obermayr (NI)**, *in writing*. – (DE) It is extremely important for us to reopen the dialogue with Iran. Therefore, I very much regret the postponement of the EU delegation's visit to Iran and I hope that it can be rearranged as soon as possible. There is definitely a lack of respect for human rights and democracy in Iran in its current situation. However, tightening sanctions against Iran is not the right approach to take. The opponents of the Iranian Government are also against the imposition of more stringent sanctions, because their main impact would be on the people of the country. Apart from this, the EU is once again applying double standards. In the case of important economic partners such as China or India, it is happy to turn a blind eye. For these reasons, I have abstained.

**Alfredo Pallone (PPE)**, *in writing*. – (IT) Mr President, ladies and gentlemen, I voted in favour of the motion for a resolution on Iran, particularly following the recent attacks, including yesterday's attacks against the Italian and French embassies.

In fact, the European Union must make itself the spokesperson for a clear stance on the regime in Tehran. The Iranian authorities play a part in stirring up this dangerous climate of intolerance and intimidation

towards certain European Union countries. The attack on the embassies was perpetrated by those who want to clip the wings of democracy and who are against freedom.

I hope that the European institutions will adopt a clear stance condemning what has happened as soon as possible, and that they will decide on diplomatic measures to be undertaken regarding Iran.

**Geoffrey Van Orden (ECR)**, *in writing*. – The ECR supported a strong resolution on Iran. We are in favour of robust international action to deal with Iran's growing nuclear capability. It is most regrettable, therefore, that the opportunity was not taken by the European Parliament to support international calls for additional sanctions. It should also be clarified that fortunately there are no 'EU embassies' in Tehran. There are national embassies.

**Anna Záborská (PPE)**, *in writing*. – (FR) The Islamic Republic of Iran is unstinting in condemning poor treatment of Muslims throughout the world. However, the mullahs will not stop persecuting Christians and will not condemn the conditions which are reserved for Christians. Conversion to Christianity is considered as a form of apostasy and is punished by the death penalty. Unfortunately, the European Parliament does not have the courage to condemn the situation of the Christian martyrs in Iran. Pope Jean-Paul II said: 'Persecution includes various types of discrimination against believers and against the whole community of the Church. Such forms of discrimination are often practised at the same time as is recognised the right to religious liberty and to freedom of conscience, and this in the law of individual countries as well as in declarations of an international nature ... Today, besides prison, concentration camps, forced labour camps, and expulsion from one's country, there are other punishments less known but more subtle: not violent death but a kind of civil death, not only isolation in prisons or in camps, but social discrimination or permanent restriction of personal liberty.' If Parliament wants to take its call for respect for human rights seriously, it should take a clearer stand in favour of Christians persecuted in Iran.

#### **Motion for a resolution B7-0021/2010**

**Diogo Feio (PPE)**, *in writing*. – (PT) Yemen is threatening to become the new Afghanistan: al-Qaeda's favourite training camp and a hotbed for the spread of fundamentalists and terrorists throughout the Islamic world.

The situation of social, political and economic degradation, if not complete breakdown, which is marked by civil war and the absence of any government that might effectively control its whole territory, have turned the country into a place without the law or order that might halt the emergence and growth of these outbreaks of violence and radicalism.

This means that there needs to be more focus and firmness from the international community in dealing with the Yemen issue, and that aid given to this country should be carefully aimed at the effective improvement of living conditions for its people.

**Nuno Melo (PPE)**, *in writing*. – (PT) The overall situation in Yemen is of serious concern worldwide, and in the light of the recent terrorist threats, the EU must play an increasingly active role in preventing Yemen from becoming another failed state within the international community.

**Andreas Mölzer (NI)**, *in writing*. – (DE) The spotlight of the fight against terrorism has fallen on Yemen, which is a hotbed of Islamic extremists. Combating poverty and increasing military aid will not make Yemen's problems disappear. The solution is to provide more development aid in order to pull the rug from under the feet of some of the jihadist recruits. Ultimately, the EU must not allow itself to be forced into the role of paymaster for the US. Instead, it must take the position of an impartial broker, in order to bring about dialogue and pave the way for a long-term political solution. This motion for a resolution takes a similar approach, which is why I have voted in favour of it.

**Geoffrey Van Orden (ECR)**, *in writing*. – Whilst I agree with the thrust of, and was involved in the drafting of, this resolution on the current situation in Yemen, I cannot agree with the reference it makes to the coordinating role that the future EU External Action Service will play with regard to Yemen. I asked to have references to the EAS removed during the drafting stage, but other political groups refused. The EAS is a direct product of the Treaty of Lisbon, a treaty I do not approve of and one which has no democratic legitimacy. The EAS is to have a network of 'EU embassies' and, under the watchful eye of the new EU High Representative/Vice-President of the Commission, is to be responsible for creating and implementing EU military and foreign policy.

I have been a long-time opponent of the EU having a role in these two policy fields, which I sincerely believe must remain the sole prerogative of the sovereign Member States.

#### **Motion for a resolution B7-0029/2010**

**John Stuart Agnew, David Campbell Bannerman, Derek Roland Clark and William (The Earl of) Dartmouth (EFD)**, *in writing*. – UKIP is totally opposed to people-trafficking as it is a modern day version of slavery. We call for the highest penalties in the land for those criminals perpetrating such a crime and for serious measures to wipe out such activity. However, we cannot support the EU using people-trafficking as a pretext to harmonise immigration and border policies over the heads of elected governments. It must be up to electorates through the ballot box, and elected politicians, to decide national policy on these matters, not for the EU to make yet another policy grab that will take away democratic accountability. If there were not open borders within the EU, and each country had its own immigration policy, serious organised crime and people-trafficking would be much easier to stamp out.

**Liam Aylward (ALDE)**, *in writing*. – (GA) I voted in favour of this motion for a resolution, because we must ensure that both practical and moral priority be given to tackling the issue of human trafficking and the way in which this trafficking is used as a resource in the labour market.

Under the Lisbon Treaty, the European Union has both the power and the opportunity to strengthen European policy in relation to human trafficking. As I said during the debate on this resolution, this issue must be given an important place on the agenda. As a result of its important role in global trade matters and its commitment to protecting human rights, the European Union has a responsibility to combat human trafficking, and child labour in particular.

**Zigmantas Balčytis (S&D)**, *in writing*. – Trafficking in human beings is one of the most horrific and serious crimes. The fight cannot be effective without a coherent policy approach focusing on prevention, protection of victims and effective sanctions for traffickers. Free movement within the EU has brought substantial benefits to our citizens but, at the same time, has opened many ways for traffickers. Tens of thousands of young women and children from new Member States become victims of human trafficking every year. The European Parliament will have a crucial role to play in combating trafficking in human beings. It will be for us to ensure that prevention, protection and support for victims are put high on the political agenda. We must demand that Member States fully implement current EU policies and other instruments on trafficking in human beings and ensure that tougher penalties and sanctions are put into place.

**Vilija Blinkevičiūtė (S&D)**, *in writing*. – (LT) I voted for this resolution because the European Union must combat illegal immigration and human trafficking. With growing unemployment, there will be an increase in the number of people who may become victims of human trafficking or may be exploited for forced labour. Above all, people who have lost their jobs in their own country, who have lost hope for a better life, will seek success elsewhere. Such a situation can be exploited by criminal gangs. The main area of trafficking involving children, in particular, girls and women, has not changed for many years. Sexual exploitation in conditions akin to slavery is particularly prevalent in Eastern Europe, which is like a transit route for trafficking human beings to the west. We must prepare a strategy of measures to combat trafficking in human beings, in which most attention is devoted to fighting human trafficking, to prevention and to the protection of victims and penalties. All Member States must take severe measures to fight against human trafficking, ensuring the coordination of national legislation. We must strive for closer cooperation among all the interested parties on the question of human trafficking.

**Carlos Coelho (PPE)**, *in writing*. – (PT) This modern form of slavery has seen an alarming increase in recent years, and has become organised crime's third most lucrative activity. In 2009, the UN estimated that there were 270 000 victims and Europol recorded no decrease in the trafficking of women for sexual exploitation, noting an increase in the number trafficked for forced labour. This is unacceptable, and legal loopholes must not be allowed to facilitate it. We need a rapid, global, comprehensive and coordinated response, whether it be legislative or operational. With the entry into force of the Treaty of Lisbon, I urge the Commission to present a new proposal as soon as possible, making the creation of a coherent European policy on effectively fighting the trafficking in human beings one of its main priorities. This proposal should cover all aspects of the issue, including questions relating to countries of origin, transit and destination, people who recruit, transport and exploit and other middlemen, customers and beneficiaries.

At the same time, we must ensure that there is adequate protection for victims and witnesses through immediate assistance. Efforts must also be made to make the most of instruments that, unfortunately, continue to be underused in this field by bodies including Europol, Eurojust and Frontex.

**Vasîlica Viorica Dăncilă (S&D)**, *in writing*. – (RO) I firmly believe in and support the setting up of a permanent platform at European Union level, which will guarantee that human trafficking policies cover aspects linked to both social matters and social integration, as well as the adoption of suitable and effective programmes to support the social reintegration of victims, including measures relating to the labour market and social insurance system.

**Lena Ek, Marit Paulsen and Olle Schmidt (ALDE)**, *in writing*. – (SV) We feel that the original wording of paragraphs 13 and 15 regarding the distinction between victims of human trafficking and irregular immigrants and concerning residence permits for people who have been exposed to trafficking is preferable, but we are voting in favour of the amendments to these paragraphs in order to achieve a compromise. As a result of this compromise, victims of human trafficking will be granted temporary residence permits and the border-control agencies will become more aware of the issues of human trafficking. This is a first step. We prefer to see the resolution being adopted now and will continue to work towards victims of human trafficking being granted permanent residency.

**Ioan Enciu (S&D)**, *in writing*. – (RO) I voted for the European Parliament resolution on preventing trafficking in human beings as I believe that it is extremely important to step up the battle against human trafficking, which has assumed alarming proportions and constitutes a serious violation of fundamental human rights.

The draft directive which is due to be tabled shortly before Parliament for consideration must stipulate tough penalty measures at European level against any person involved in this kind of trafficking. An amendment needs to be made to the Member States' legislation with regard to harmonising sanctions in order to ensure that the maximum penalties are imposed on traffickers, as they currently vary considerably from one state to another.

From this perspective, a cross-border approach is also required to tackle this scourge by stepping up cooperation with countries of origin and transit, in some of which human traffickers have only negligible fines imposed on them. At the same time, protection and assistance must be provided to victims of human trafficking, primarily women and children, who, according to the data, account for approximately 80% of all victims.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the resolution on the prevention of trafficking in human beings by supporting the need for the Commission and the Council to ensure that the fight against this scourge will continue to have a prominent place among their priorities, even in times of economic and financial crisis. Member States that have not yet done so should fully implement all the EU policies on trafficking in human beings at national level and ratify other legal instruments in this field as soon as possible in order to ensure greater protection and assistance for victims of trafficking.

**Diogo Feio (PPE)**, *in writing*. – (PT) The trafficking of human beings today is, for its victims, an inhumane present-day form of slavery. For its perpetrators, criminal organisations involved in prostitution and sexual exploitation, illegal adoption, forced labour, illegal immigration and illegal trafficking of organs, it is an extremely lucrative activity.

Sadly, this terrible reality also takes place within the European Union. I therefore urge the European Commission to take strict and robust measures to combat trafficking in people. There must be a three-pronged approach: (i) sufficient protection for the victims, who are mostly women and children, safeguarding their most fundamental rights, such as life, freedom, physical and moral integrity and sexual self-determination; (ii) preventative measures in the investigation and dismantling of networks that promote and profit from human trafficking; and, finally, (iii) severe punishment for trafficking and exploiting human beings for whatever nefarious purposes, and penalties commensurate with the crimes committed.

**Ilda Figueiredo (GUE/NGL)**, *in writing*. – (PT) As stated in the adopted resolution, urgent measures need to be taken 'against trafficking in human beings on the basis of a holistic approach centred on human rights and focusing on combating trafficking, prevention and protection of victims'. 'To adopt a victim-focused approach, meaning that all potential categories of victim must be identified, targeted and protected, with special attention being given to children and other at-risk groups.'



We regret, however, that the amendments that we put forward for this resolution have been rejected, although they focused on the causes behind trafficking in human beings and ways of combating it, particularly the following:

- Combating unemployment, marginalisation and poverty as fundamental causes of trafficking in human beings, emphasising the urgent need for a change in economic and social policy in order to prioritise the strengthening of social and employment rights, jobs with rights, good public services and economic and social progress.

- Strengthening of cooperation and solidarity with the migrants' countries of origin, especially by contributing to the development of their economy, greater access to knowledge, cancellation of their debt and the taxation of financial transactions.

**Bruno Gollnisch (NI)**, *in writing*. – (FR) Mr President, ladies and gentlemen, we have voted against this resolution on trafficking in human beings, even though it is one of the most despicable crimes there is. We have done so, firstly, because you are exploiting it politically in order to further increase the powers of the Europe of Brussels, of its institutions and of its numerous agencies, which nonetheless continue to demonstrate their inefficiency. We have done so, secondly, and above all, because you are using the attention that would normally be paid to the victims in order to create a new suction pump effect where immigration is concerned: social and legal assistance, an automatic residence card, access to the job market, simplified access to family reunification and social welfare. All this would be granted irrespective of whether the victim cooperates with the authorities to help them catch the traffickers and dismantle the networks. Thus, all any illegal immigrant will have to do to get into Europe is to say that he is the victim of a network that is extorting thousands of euros from him. Consequently, whatever you may think about it, illegal immigrants will claim this status and this welfare, and you will grant these to them! You are irresponsible!

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) I voted in favour of the resolution on the prevention of trafficking in human beings tabled by the left-wing and centre groups in the European Parliament, because we need to affirm loudly and clearly that the victims of trafficking, most of whom are women and children, should benefit from unconditional protection and assistance. These victims should have a priority right to free legal aid, penalties against traffickers should be more severe and ways should be found of discouraging the demand for services by clients. This is a form of unacceptable violence against women, and joint action should be taken to prevent such trafficking, to protect the victims of trafficking and to prosecute the perpetrators of such violence.

**Ian Hudghton (Verts/ALE)**, *in writing*. – Whilst many people within the EU live reasonably comfortable lives, the reality is that across the EU, and including within the very richest areas, numerous people are living in slavery. The very cross border nature of human trafficking means that this is an issue where the EU's institutions have a key role to play and I therefore welcome today's resolution.

**Livia Járóka (PPE)**, *in writing*. – (HU) Human trafficking is one of the gravest violations of human rights, and it can take a number of forms, from sexual exploitation and forced work through the organ trade, to domestic enslavement, with the victims primarily being women and children. The current legal framework within the Union for combating human trafficking is insufficient, so it is essential that the European Union, drawing upon the mandate provided by the Treaty of Lisbon, undertake much more vigorous action against this phenomenon, with particular regard for the protection of, and assistance to, groups at risk, especially children. In this sense, the initiative to establish an EU Anti-Trafficking Coordinator is welcome, and the fact that the motion calls for Member States to impose deterrent sentences reflecting the severity of the crime is also positive. As a very important development, the motion for a resolution stipulates that the victim's consent to exploitation is irrelevant in terms of a prosecution, and that assistance is to be provided to the victim irrespective of his or her willingness to take part in the procedure.

It is also important to involve civil society as much as possible in institutional action to eliminate human trafficking, and to initiate information and awareness campaigns for the groups most at risk. Hopefully, Member States will soon implement this integrated approach covering prevention, sanctions and victim protection in their own legislation, and by ratifying the appropriate legal instruments, they will take a major step towards the elimination of modern-age slavery.

**Filip Kaczmarek (PPE)**, *in writing*. – (PL) Mr President, I endorsed adoption of the resolution on human trafficking. Human trafficking is one of the worst wrongs which people can inflict on others. It is horrifying how common this terrible phenomenon is. I cannot find any justification, or any mitigating circumstances, for those who, in this way, trample underfoot all those values which are so important to us. Human trafficking

is a negation of liberty, dignity and equality. I hope the European Parliament will contribute to the restriction and, in the future, complete elimination of human trafficking.

**Timothy Kirkhope (ECR), in writing.** – The ECR Group are united in the view that the trade in human beings is intolerable and should be stopped. However, we have grave reservations about the adequacy of this resolution in tackling the root causes that lead to human trafficking and hence we have chosen to vote against. The ECR Group feel that this resolution takes a ‘victim-centred approach’ which prescribes how Member States should look after victims once they have been trafficked, thus assuming that the incidence of human trafficking is inevitable. The ECR Group have, however, along with the EPP, signed a resolution calling for enhanced cooperation between Member States, police and border control agencies where personal data can be safeguarded and where the care of a victim can be decided by individual Member States.

**Jean-Luc Mélenchon (GUE/NGL), in writing.** – (FR) All forms of slavery, ‘modern’ or otherwise, are utterly reprehensible. This resolution therefore deserves credit for trying to protect victims of violence from the dehumanised appetites for profit and from the social and psychological misery they create. Still, it is regrettable that it confines itself to dealing with the victims of criminal networks in the underground economy, because trafficking in human beings also has its legal counterpart, which is no less despicable.

Neoliberalism, with its obsession with profit, its continual pitting of workers against one another, and its relocations also inflicts both symbolic and physical violence on citizens. It forces them to migrate against their will and plunges them into such difficulties that work-related suicides are on the increase. To subjugate citizens in this way, to make them mere balancing items in an inefficient, unhealthy system, tools used to serve the interests of the financial elites, without showing any consideration for, and by endangering, their lives, what is that if not the equivalent of the ownership of human beings that is slavery? While crime must indeed be combated, it is just as necessary to combat institutionalised wrongdoing and to make the European Union a union for the emancipation of citizens.

**Nuno Melo (PPE), in writing.** – (PT) Trafficking in people violates the most basic human rights and is a form of slavery based on sexual and labour exploitation. International estimates state that trafficking in people is the third most lucrative illegal trade. Now that the Treaty of Lisbon has entered into force, European Union action on judicial and police cooperation has clearly been strengthened. The fight against trafficking in human beings must be one of the main aims of the European Union and Parliament’s role as co-legislator means that it will have to play a central role in this. The fight against trafficking in human beings should therefore continue to be one of the EU’s top priorities, even in times of economic and financial crisis.

**Wojciech Michał Olejniczak (S&D), in writing.** – (PL) Human trafficking is one of the greatest plagues of the beginning of this century. Those who call it a modern form of slavery cannot be accused of exaggeration. It is an activity which is exceptionally profitable, and is controlled by dangerous, organised criminal gangs. I fully endorse the motion for a resolution (B7-0029/2010) on preventing trafficking in human beings, which was submitted by a broad coalition of the European Parliament’s political groups. It is my opinion that the European Commission is obliged to develop a plan of action to eliminate human trafficking effectively. At the same time, I fully support the appeal of the authors of the resolution on the appointment of an EU anti-trafficking coordinator under the Commissioner for Justice, Fundamental Rights and Citizenship. I hope this will provide a new stimulus to intensify action against human trafficking.

**Daciana Octavia Sârbu (S&D), in writing.** – (RO) Human trafficking is a growing market, comparable nowadays to drug or arms trafficking, and is a phenomenon which has spread all over the world, but is more acute in underdeveloped countries. According to the report from the UN Working group, victims of trafficking come from different social backgrounds, from the most well-off to the poorest, from the best-educated to totally illiterate, from an early age to older women. We need to coordinate information better in order to combat this growing phenomenon more effectively. In this respect, it would be useful if Eurojust, Europol and Frontex could publish a joint report every year on human trafficking. If the European Union wants to take the lead on respecting human rights, it should be more actively involved in cooperating with third countries in order to help put a stop to this phenomenon. Furthermore, there is also a need for better funding for the programmes aimed at combating human trafficking and for more effective coordination between the institutions in Member States involved in the fight against trafficking in human beings.

**Joanna Senyszyn (S&D), in writing.** – (PL) Human trafficking is the most flagrant form of human rights violation. The number of victims of this modern form of slavery rises from year to year. The detection rate for this type of crime is very low. Therefore, I endorse the resolution of the European Parliament on preventing trafficking in human beings. Human trafficking must be fought using all possible means, beginning with a

thorough and comprehensive information campaign to show the scale of the phenomenon and make society sensitive to the issue. Giving incidental, individual items of information about cases of human trafficking which have been uncovered is not sufficient. Every time, it is also essential to give the addresses of institutions involved in the fight against this practice.

A report presented in January 2010 by the Legal Aid Centre and the La Strada Foundation entitled 'Preventing Trafficking in Women from Central and Eastern Europe. Information – Prevention – Identification – Intervention' points out that, in Poland, procedures to guarantee the victims of human trafficking their rights are not being applied. One of the biggest problems is the protracted work on adding a modern definition of human trafficking to the Penal Code. In 2005, the Council of Europe Convention on Action against Trafficking in Human Beings was signed in Warsaw. It took lawyers as long as three years to ratify it. Today, we still do not have a binding definition of human trafficking, which hinders preparatory and judicial proceedings, and so hinders the observance of human rights in Poland.

**Søren Bo Søndergaard (GUE/NGL), in writing.** – (DA) My vote in favour should not, however, be seen as support for the amendments in the resolution which involve the transfer of more power from the Member States to the EU, such as:

- allowing the EU to set tougher sanctions in this area,
- references to the Treaty of Lisbon strengthening EU action in criminal matters,
- and the establishment of a superordinate legislative framework in this area.

**Eva-Britt Svensson (GUE/NGL), in writing.** – (SV) I voted in favour of resolution B7-0029/2010, Trafficking in human beings, because it concerns a very important matter and points out a long list of things that need to be done in the fight against human trafficking. However, my support for the resolution is not to be seen as support for the proposals in the resolution that involve more power being transferred from the Member States to the EU, such as allowing the EU to set tougher sanctions in this area, the reference to the Treaty of Lisbon strengthening EU action in criminal matters and the establishment of superordinate legislation in this area.

**Anna Záborská (PPE), in writing.** – (FR) I voted in favour of the resolution because I personally am involved in the fight against trafficking in human beings in Slovakia. It was I who launched the campaign 'Do you know where your child is now?' Also, the committee of women adopted an amendment during the debate on the budgetary procedure to launch a multiannual media campaign entitled 'Do you know where your child is now', in close cooperation with civil society organisations, in order to increase awareness in terms of parental responsibility, improve protection for children against all forms of violence and fight trafficking in children more effectively. This new resolution, which I welcome with all my heart, is broken down along five major lines: general, information gathering, prevention, prosecution and protection, support and assistance for victims. The Commission is called upon to take initiatives, especially on information and prevention, in order to identify the root causes of trafficking and the factors in countries of origin and destination that facilitate trafficking in human beings. I am relying on parents being made aware of their serious parental responsibility towards their children, in order to prevent children and adolescents from falling victim to trafficking in human beings.

#### **Motion for a resolution RC-B7-0064/2010**

**John Stuart Agnew and William (The Earl of) Dartmouth (EFD), in writing.** – UKIP believes that environmental protection is important. Whilst we dispute the scientific premise the Copenhagen talks were based on, we have no objection to measures taken at nation state level to protect the environment.

**Luís Paulo Alves (S&D), in writing.** – (PT) I voted in favour of this resolution as I believe that the EU needs to create a new development paradigm in order to tackle climate change. The next revised version of the budget must provide sufficient resources for measures that can meet this important challenge. We cannot lose sight of our commitment to combating climate change. As Europeans, we must commit to a target reduction in CO<sub>2</sub> of more than 20% by 2010. The cooperation of other world partners would also be important in order to achieve an ambitious, comprehensive and legally binding agreement in accordance with the aim of avoiding warming of more than 2 °C. I also believe that the initiatives being devised within the EU to promote and encourage the green economy, energy security and reducing dependence must remain a priority. The EU could draw inspiration for its policies from my region, the Azores, about 30% of whose energy already comes from renewable sources.

**Zigmantas Balčytis (S&D), in writing. – (LT)** Both Europe and the rest of the world invested much hope in the Copenhagen conference. The EU was ready to become the leader of this meeting and return with a legally binding treaty, but the meeting ended with very little clarity on how the fight against climate change should develop further. The Copenhagen agreement, which provides neither ambitious objectives nor commitments, is an unsatisfactory result. The EU's ambitious 20-20-20 may simply remain a distant dream if this matter is not resolved at global level. The EU, with its External Action Service, must begin to lead the strategy on diplomacy in the area of climate change as soon as possible and ensure that, above all, Europe speaks with one voice in talks with other countries and maintains the principled position, so that there can be a compulsory international climate change agreement as quickly as possible.

**Maria Da Graça Carvalho (PPE), in writing. – (PT)** I welcome the adoption of the motion for a resolution on the results of the 15th Conference of the Parties (COP 15), which I co-authored, and the results of the negotiations between the various political groups, as they are representative of the increasingly generalised interest in this area, with a sustainable future as its objective. Once again, I would like to voice my disappointment with the outcome of the Copenhagen Summit, and I call upon the EU to resume its leading role in the fight against climate change and contribute to bringing about a legally binding agreement with measurable, communicable and verifiable reduction aims at COP 16, to take place this year in Mexico.

If European industry is to be more competitive and create more jobs, it is essential to invest in a sustainable future that will encompass climate protection, energy security, a reduction in energy independence and the efficient use of resources. In view of this, I call upon industrialised countries to invest more in research into new technologies, with the aim of both reducing CO<sub>2</sub> and bringing about a more efficient and sustainable use of natural resources.

**Nikolaos Chountis (GUE/NGL), in writing. – (EL)** The motion contains positive elements, such as acknowledging the lack of medium- and long-term objectives and the vague and poor funding for developing countries. However, I abstained from voting, because all the amendments by my group, seeking further measures to reduce CO<sub>2</sub> emissions by at least 40% by 2020 on the basis of a legally binding agreement, the rejection of nuclear energy as a 'clean' energy, more financial aid for poor and developing countries for development and transfer of technology and a socially viable green economy which can strengthen investments and employment and improve quality of life were voted down, and also because the important amendment proposing a 0.01% tax on financial transactions, which could bring in EUR 20 000 million a year to help developing countries combat climate change and adapt to it, was not approved. We cannot be driven to Mexico by the vague and disheartening Copenhagen agreement. We need to radically review the policy on climate change so that there is a proper agreement at the forthcoming negotiations. This can only be achieved by recognising and correcting the mistakes in Copenhagen, which the European Parliament resolution fails to do.

**Spyros Danellis (S&D), in writing. – (RO)** The fact that the summit in Copenhagen is generally described as a 'deplorable failure' of an attempt to reach a global agreement on limiting the greenhouse emissions which are heating up the Earth's climate only serves to highlight the total lack of coordination among EU Member States with regard to the US and the emerging countries.

The Copenhagen agreement does not even set a target in terms of an acceptable limit for the global temperature increase. However, I am hoping for a positive outcome and a strong European voice on limiting the effects of climate change at the meeting which will take place in February of next year, when the world's nations are called to present their plans on how they intend to cut emissions by 2020.

**Mário David (PPE), in writing. – (PT)** I voted in favour of the joint resolution on the results of the Copenhagen conference as I broadly agree with the content of the proposed measures, and two in particular. The first of these is the absolute necessity for the EU to speak with one voice in international negotiations, as only then can we secure world leadership in dealing with this important issue. This matter will have repercussions for generations to come and so requires firm, guiding, immediate and sensible action such as the EU has taken with other issues, for example, the financial crisis. A new 'climate diplomacy' is required to achieve this purpose. The efforts of not only the EU, but also of China and the US, are essential to this, as explained in points 5 and 15 of the document.

The second point I wish to emphasise is the need for developing countries/emerging economies to adopt the rules on climate change that apply to EU Member States. In the light of this, I and some of my colleagues have advocated the introduction of a carbon tax on the import of products from third countries so that this idea can progress towards being considered in future, which I think is a particularly important step.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the motion for a resolution on the results of the Copenhagen Summit on climate change. The outcome of the 15th Conference of the Parties (COP 15) was disappointing. The European Union therefore needs to make every effort in foreign diplomacy and speak with one voice so as to secure a legally binding international agreement on climate change which will allow a maximum increase in global temperature of 2 °C.

**Diogo Feio (PPE)**, *in writing*. – (PT) Following the stalemate of the Copenhagen conference on climate change, it is important that the European Union persists along the route it has taken up to this point in terms of making a serious commitment to sustainable development and trying to reduce carbon emissions without jeopardising European industry.

New climate policies, particularly within the context of the general crisis, must not lose sight of economic efficiency and must not in any way call into question the economic sustainability of European nations. For this reason, I urge a new approach to energy policy, one which is based on clean energy, more efficient use of the natural resources at our disposal and strong investment in research and more environmentally friendly technologies so that we can maintain European competitiveness and allow job creation within a framework of sustainable development.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) The EU has always acted as a leader in international negotiations on climate change. However, despite its ambition, the last climate conference in Copenhagen was a failure for all those who were determined to reach a binding agreement. This result is far from the EU's position on the matter, and it is also far from what is needed to protect the climate. Given the disappointing outcome of the Copenhagen Summit, Parliament wants to send a clear signal to the European public and the world that it remains committed to fighting climate change. We are now preparing the way for the next conference in Mexico, where there should be a greater effort towards commitment from all parties. We cannot repeat the same errors that occurred in Copenhagen. We must ask ourselves what went wrong during those negotiations and think about how to proceed if we are to include the US, China and India.

**João Ferreira (GUE/NGL)**, *in writing*. – (PT) The resolution under discussion does not go on to critically assess the reasons for the failure of Copenhagen, which is necessary. Instead of seriously analysing the part that the EU itself played in this failure, the majority of this House persists in picking scapegoats such as China (whose per capita atmospheric emissions of carbon dioxide are less than half those of the EU), and now the countries of the Bolivarian Alliance for the Peoples of Our America. This position is based solely on the blindness and partisanship of the most prominent politicians, and it undermines and subverts what actually happened in Copenhagen. Importantly, it insists on the effectiveness of market instruments such as trading in emission licences, while ignoring their ineffectiveness and the perversity that has already been shown in their use. Once again, necessary discussion about the so-called flexible mechanisms such as the Clean Development Mechanism goes by the wayside.

At the same time, the need to respect the sovereignty of developing countries in defining and implementing the so-called adaptation strategies is rejected. No fair and sustainable solution to the problem of climate change or other environmental problems can come out of the irrational system that caused them in the first place. What we need is another economic and social model that opposes capitalism.

**Adam Gierek (S&D)**, *in writing*. – (PL) This resolution testifies to the fact that 'believers' in the IPCC's views have not understood anything. The main weakness of COP 15 was a failure to appreciate: the sensitivity of third countries and developing countries, and also some EU countries, to 'climate justice'; the fact that the two greatest superpowers, the USA and China, are competing with each other both economically and militarily; and the fact that the 'ambitious' plans to limit CO<sub>2</sub> emissions were based on the paradigm of anthropogenic climate warming, which does not have a great deal of scientific credibility. The alarmist statements of the IPCC should be regarded as highly irresponsible, because political and economic decisions which are based on them will affect many future generations. These decisions must not, therefore, be based on the opinions of people who are putting into practice a thesis which has been established in advance – the theory that it is mankind which is causing global warming. The scientific credibility of the IPCC is undermined by such things as the Climategate affair, the falsification of global temperature trends (Russia and Australia) and the Glaciategate affair.

Therefore, all legal regulations which are unfavourable to development of the European economy and are based on statements of the IPCC should be reviewed immediately. On the matter of climate change, which is so important for the whole of civilisation, the time has come for the European Commission to base its actions on its own meta-analysis of climate research, which should be carried out by a team of climatologists

which is independent of the opinions of the Commission and free from all political pressure. These last two stipulations are missing from the resolution, and I therefore voted against its adoption.

**Robert Goebbels (S&D), in writing.** – (FR) I voted against the resolution because it contains too much wishful thinking. We saw in Copenhagen how the rest of the world regards the Union's 'leadership' where climate change is concerned. The so-called Copenhagen Accord was negotiated by President Obama with China, India, Brazil, South Africa and a few others, the Barroso, Sarkozys and Co. not even having been invited. Instead of imposing new burdens on our economies and our citizens, let us invest in the technologies of the future. Last year, China became the world's leading exporter of wind turbine equipment and photovoltaic cells. Europe must join in this technological battle instead of inflicting on itself a sort of collective punishment, which does not impress anyone outside Europe and which will not attract any followers.

**Sylvie Guillaume (S&D), in writing.** – (FR) My vote on this resolution expressed my disappointment with the agreement finally reached in Copenhagen at the end of 2009, an agreement which I consider to be inadequate, unambitious and lacking in any quantified commitment. I also regret that the amendment tabled by my group to create a tax of 0.01% per annum on financial transactions in order to finance efforts to combat climate change in the poorest and most directly affected countries to the tune of EUR 20 billion per annum was not adopted. Finally, if the EU is to have any weight in international negotiations such as these, it needs to learn to speak with one voice, so as not to miss opportunities to play a key role in global climate change. This is done by setting ambitious objectives to reduce greenhouse gas emissions by over 20% by 2020.

**Ian Hudghton (Verts/ALE), in writing.** – The Copenhagen Summit was very much a missed opportunity in efforts to tackle climate change. My own country, Scotland, has adopted the most ambitious climate change legislation in the world whilst the Scottish Government's recent collaboration with the government of the Maldives serves as a model for international agreement. Today's resolution calls for 'bilateral meetings between the European Parliament and the national parliaments' in order to facilitate understanding; I expect the national parliament of Scotland to be included in any such meetings given its world-leading stance.

**Jean-Luc Mélenchon (GUE/NGL), in writing.** – (FR) This resolution includes some not insignificant advances on the part of the groups on the right that signed it: mention of the IPCC's work, which refers to climate change, a call for greater involvement by civil society in the work of the Mexico conference, a call to the EU to push its targets to reduce greenhouse gas emissions beyond the 20% proposed for 2020. They are not enough, however, and the praise for the carbon market means that they lose all plausibility. The aid offered to the countries of the South, to which we owe a climate debt, is not enough.

Similarly, the proposed aim of moving towards a 30% reduction in greenhouse gas emissions by 2020 is a long way from the 40% recommended by the IPCC. Moreover, no reference is made to the initiative of the Bolivian President Evo Morales Ayma's People's World Conference on Climate Change. To date, however, it alone proposes to the peoples of the world that they recognise their rights to the ecosystem and establish a court of climate justice.

**Nuno Melo (PPE), in writing.** – (PT) The great hopes surrounding the much-vaunted Copenhagen Summit have been dashed. The countries with the greatest responsibility in this matter did not reach a consensus on reductions in greenhouse gas emissions. This problem, which is a matter of concern all over the world, needs a fast solution. There needs to be more transparency and a greater input from civil society at the 16th Conference of the Parties (COP 16) in Mexico. The EU must be capable of taking a leading role in the fight against climate change. All countries, from the USA to the so-called emerging countries, including China, which are heavy polluters, must also accept their responsibilities in a fight that is leaving less and less room for new opportunities. The sustainable future of humanity is at issue here. If nothing is done in time, we could reach the point of no return.

**Willy Meyer (GUE/NGL), in writing.** – (ES) I have abstained in the vote on Resolution RC-B7-0064/2010 concerning the results of the Copenhagen Summit on climate change because I believe it was a failure, given that the Copenhagen Accord is not legally binding and does not establish global emissions reduction targets. At the summit, developed countries did not recognise the climate debt they owe to developing countries, nor did they show regret for the harmful consequences of the market mechanisms in place (carbon trading). By abstaining, I wish to express my deepest disappointment with the result of the summit, which was well below our citizens' expectations.

The European Union must, for once and for all, take responsibility and do everything possible so that CO<sub>2</sub> emissions are reduced by 40% by 2020. I therefore believe we need to propose a new economic and social model to challenge capitalism. I welcome the decision made by the President of Bolivia, Evo Morales, to hold the Peoples' World Conference on Climate Change and Mother Earth's Rights.

**Wojciech Michał Olejniczak (S&D), in writing. – (PL)** The Copenhagen climate summit was rightly considered by most observers to be a failure. It is difficult to resist the impression that in Copenhagen, world leaders were playing a risky game, and were not trying to work out the best agreement, but to blame the other side for the lack of an agreement. It is worrying that the EU, despite having worked out a common position, was not able to use it as a platform for an agreement with other countries. The European Union must begin efforts to ensure that the COP 16 conference in Mexico will end with success. The climate agreement which the EU should promote must have three basic features: it should be legally binding, should show solidarity and should be ambitious. The decision made during the EU summit in Seville, according to which the EU will not limit its emissions in 2020 by more than 20% in comparison with 1990, should be viewed with alarm.

The condition for increasing the reduction goal to 30%, which is that other countries must first make such a declaration, has been repeated. At the moment, however, the international situation looks as if only the EU can provide the impetus for more significant reductions. No one will take the EU's place, here, and the EU must not give up the role of global promoter of radical means in the fight against global warming. The EU must make EUR 7.2 billion available and undertake to use it for countries which are the most underdeveloped and most under threat from climate change.

**Frédérique Ries (ALDE), in writing. – (FR)** To draw lessons from the failure of the Copenhagen Summit: that is the priority of the European Parliament with this resolution that I have voted for. We know what is wrong: the UN method no longer works, the United States and China have behaved like adversaries in the fight against climate deregulation and the European Union has been unable to speak with one voice. While we know what is wrong, we still need to come up with the remedies so that we may reach an agreement in Cancún in November 2010.

In order to retain its leadership, Europe will have to demonstrate an innovative approach to the climate issue and offer something other than the sole target of a global reduction in emissions via the highly speculative system of a market for greenhouse gas emissions, a tool that the US Government has, moreover, just rejected. It is time to change to a different method and to propose a 'technological' bridge between industrialised countries and regions and micro-States chiefly exposed to climate change. It is the addition of ambitious measures relating to clean technologies, to energy efficiency in buildings and transport systems, and to the promotion of green jobs that will give rise to the hopes of tomorrow, hopes of an agreement at the forthcoming Cancún Summit, greater hopes of a common world vision.

**Czesław Adam Siekierski (PPE), in writing. – (PL)** The Copenhagen conference on climate change did not produce a solution and did not manage to agree any final resolutions or decisions concerning the scope and scale of restrictions on emissions or the financial means which will be used for this purpose. However, I do not think it was a defeat, although it certainly did not meet the EU's expectations. Those expectations were irrational, both in terms of the sizes of proposed greenhouse gas reductions and in terms of the financial expectations related to combating climate change. On top of this, there was also a little arrogance in claiming a leading role in the process of the fight against climate change. In my opinion, we are still at a stage when making binding and final decisions is inadvisable. This is because, among other reasons, we still do not have reliable scientific data on climate change and the role of mankind in the process. Recently, we have been witnesses of disputes among experts and scientists on the subject, which confirms that they do not all have the same views on the effects of global warming. An additional argument in favour of deferring a final decision is the economic crisis, which is forcing countries to make savings and cut expenditure. In the difficult times of an economic recession, priority treatment is demanded by social matters such as the fight against unemployment and the impoverishment of society, support for entrepreneurship and other measures to accelerate economic growth.

**Peter Skinner (S&D), in writing. –** Clearly, while the summit in Copenhagen was seen as disappointing in its final outcomes, there is much to commend further efforts. There is simply no alternative to collective action on this issue.

As the European Union will continue to play a pivotal role along the road towards the next conference in Mexico, every effort has to be ensured to gain political acceptance at a global level. It is on the issues outlined

by many scientists and other observers that citizens are making up their minds to support climate change proposals. Those who merely rely on creating an atmosphere of fear and hostility do little to elaborate the arguments in their favour.

The line adopted by EU governments, led by Minister Ed Miliband, have won support and offer real hope of a deal. This Parliament must continue to support this approach.

**Bart Staes (Verts/ALE)**, *in writing*. – (NL) I voted in favour of this resolution as it calls for a firmer line to be taken in the negotiations about a global climate policy. Furthermore, the lack of an international agreement is no reason to postpone further EU policy measures to implement previous EU pledges to cut our emissions by 20% by 2020.

Parliament reiterates its aim of increasing this reduction to 30%. It is good that this House is expressly stating that the initiatives taken in order to promote and incentivise the green economy, energy security and the limiting of energy dependence will make it easier and easier to obtain an undertaking to achieve a reduction of 30%.

It is important that lessons should be drawn from the failure in Copenhagen. Thus, we need to face the important self-criticism that the EU was unable to build confidence, during the negotiations, through specific prior pledges of international government financing for climate measures in developing countries. Thus, also, it is important to recognise that the EU's collective contribution to the efforts to achieve a reduction and to fund the adaptation needs of the developing countries for 2020 cannot be below an amount of EUR 30 billion per annum. I hope that Mexico will have a successful outcome.

**Thomas Ulmer (PPE)**, *in writing*. – (DE) I have voted against the resolution. Unfortunately, a number of good amendments were rejected. People's sense of reality with regard to climate protection seems to have gone out of the window. Critical comments and correct scientific work on climate protection have been rejected, while approval has been given to Europe going it alone. This is not what I understand to be a responsible policy for our citizens.

**Marie-Christine Vergiat (GUE/NGL)**, *in writing*. – (FR) I abstained on the European Parliament's resolution on the Copenhagen Summit because it does not prove a match for the failure of that summit, even if the European Parliament has clearly condemned the European Union's shortcomings on that occasion.

Admittedly, some positive measures have been adopted, such as those calling on the Commission to be more ambitious with regard to greenhouse gas emissions and to grant adequate funding to eliminate these gases.

Other amendments are unacceptable, as they leave it up to the market to regulate by means of emission permits, clean development mechanisms, and so on. Furthermore, a request is made for the European Union to enter into negotiations with the United States with the aim of creating a transatlantic carbon market.

Finally, I regret the rejection of the call for the creation of a green Tobin tax, the income from which would have helped developing countries to combat climate change.

No lasting, serious or coherent solution to climate change can be found in the rationale behind the system that created it. The European Union is duty bound to move forward and to set an example, no matter what the attitude of the other states. It can do so if it is able to provide itself with the necessary resources.

**Anna Záborská (PPE)**, *in writing*. – (FR) The Copenhagen conference was a failure. However, this agreement incarnates a first step which brings most of the parties together and provides a basis for commitments to reducing, financing, measuring, notifying and verifying actions to mitigate climate change and combating deforestation. In supporting the resolution, I expressed my wish for 'climate diplomacy' to be established at international level, with the primary objective of protecting Creation. Parliament has also announced that the collective contribution by the Union towards efforts to reduce climate change and to help developing countries adapt should be no less than EUR 30 000 million per annum between now and 2020, knowing that this figure may increase as new knowledge comes to light on the seriousness of climate change and the costs involved. Apart from any environmental romanticism, we must not forget European industry. That is why I consider it essential to the competitiveness of European industry for similar efforts to be made by other industrialised nations outside the EU and for developing countries and emerging economies to commit to reasonable reductions. Reduction targets must be measurable, significant and verifiable for everyone if there is to be climate justice.



**Iva Zanicchi (PPE)**, *in writing*. – (IT) I voted in favour of the motions for a resolution on the outcome of the Copenhagen conference on climate change, albeit with some confusion.

In Copenhagen, where I was present as a delegate of the European Parliament, a non-legally binding accord was reached. Not only does this accord fail to offer a suitable response in the international struggle against climate change, but it also fails to resolve the problem of the distorted conditions of international competition. These work to the detriment of European companies which, unlike their main competitors from other countries, such as the United States and China, must already comply with ambitious emission-reduction goals.

I believe that the European Union must work to define an effective strategy with a view to the upcoming international meetings; a strategy that aims to promote green technologies, energy efficiency and renewable sources; a strategy that introduces a truly effective global system of combating climate change – and one that gives no succour to distortions in international competition.

#### **Report: Leonardo Domenici (A7-0007/2010)**

**Nessa Childers (S&D)**, *in writing*. – I abstained on the vote on the Domenici report despite the vast majority of sensible proposals contained in it. There is a need for continued detailed debate on the various issues it raises. It is, on the one hand, necessary to ensure that different corporate tax regimes do not enable companies to evade their responsibilities to support society by a share of their profits through a fair corporate tax regime. However, particular attention needs to be given to the negative impact that a CCCTB could have on small countries such as Ireland, whose prosperity and employment levels depend to a large extent on its capacity to attract foreign investment.

**Proinsias De Rossa (S&D)**, *in writing*. – I voted in favour of this Report on Promoting Good Governance in Tax Matters, which is key to rebuilding the global economy. It requires transparency, exchange of information, cross-border cooperation and fair tax competition. It would discourage tax fraud and evasion to the competitive advantage of tax compliant businesses and reduce pressure on governments to lower corporate tax rates which shifts the tax burden onto workers and low-income households while forcing cutbacks in public services. Any European agreement on Common Consolidated Corporate Tax Base has to have regard to the needs of geographically marginal regions of the EU such as Ireland and their capacity to attract FDI. A CCCTB is not about a common tax rate. Taxation of companies is the exclusive responsibility of each Member State. The idea of CCCTB is to establish a common legal basis for the computation of profits of companies with establishments in at least two Member States. On CCCTB, this report says: 'Recalls that the introduction of a CCCTB would help to tackle – within the EU – double taxation and transfer price issues within consolidated groups' I welcome the Irish Government's proposal in this year's Irish Finance Bill to regulate transfer pricing by transnational corporations.

**Ilda Figueiredo (GUE/NGL)**, *in writing*. – (PT) We welcome the explicit statement in the report that it: 'Strongly condemns the role played by tax havens in encouraging and profiteering from tax avoidance, tax evasion and capital flight; urges the Member States, therefore, to make the fight against the tax havens, tax evasion and illicit capital flight a priority'.

We also support the statement that with 'the efforts made as part of OECD-led initiatives' the 'results remain insufficient to cope with the challenges presented by tax havens and offshore centres and must be followed by decisive, effective and consistent action' and even that 'the commitments made by the G20 to date are not sufficient to address the challenges posed by tax evasion, tax havens and off-shore centres'.

The most important thing, however, was not to reduce this to mere good intentions, but rather to combat and eliminate tax havens and offshore centres effectively, especially when, as in certain cases, there is a certain amount of drama surrounding the public deficit, aimed at pursuing and even enhancing the same neoliberal policies that once again leave the workers and the people with the bill for the crisis.

**Bruno Gollnisch (NI)**, *in writing*. – (FR) For you, good governance in tax matters is not about the fight against fraud, bearable taxation or good use of public funds. It is about the systematic hounding of the taxpayer, mainly the European taxpayer, and the automatic exchange of information on his bank accounts without him having committed any offence. What is more, I am not talking here about big companies or very wealthy individuals, who will always have the means to slip through the net, but about the average European.

Your speech on tax havens is hypocritical: you rail against Liechtenstein and the Caribbean, but you do not say a word about Europe's biggest tax haven, the City, or about those in the United States. Nor do you say a

word about that which enables those havens to exist: the tax hells that now characterise the majority of the European Member States, which are crippled by debt and deficits. Because public expenditure has exploded in order to bear the social consequences of your economic policies and the exorbitant costs of mass immigration. Because the Member States can no longer fund their debt unless they resort to the markets and abide by their conditions, which means that, today, 15 to 20% of the budgetary expenditure of a State such as France covers only its interest payments. We will not be used as a moral alibi for such a policy.

**Marian Harkin (ALDE), in writing.** – Using CCCTB to combat double taxation is like using a sledgehammer to crack a nut. There are much more efficient ways of combating the issue of double taxation. That is why I voted against recital 25.

**Ian Hughton (Verts/ALE), in writing.** – The current economic crisis has highlighted a number of vital areas in which reform must be made within Europe and across the wider world. Good governance in tax matters is very much an important element in a healthy economy and the EU has a key role to play in promoting international good governance in these matters.

**Arlene McCarthy (S&D), in writing.** – Tax fraud and tax evasion result in an estimated EUR 200 billion being lost each year – money stolen from taxpayers in the rich world and the neediest in the developing world. This scourge must be tackled, and my delegation supports this report which sends a strong message that the European Parliament will not tolerate fraud, evasion or tax havens operating with impunity.

In particular, I welcome the clear statement that we must aim for automatic exchange of information to become the general rule. Studies show this is the most effective way to tackle tax evasion and protect revenues. Those who oppose these calls are acting in the interests of a tiny elite of wealthy individuals and corporations who make use of tax havens, and against the many who pay tax and rely on the services it pays for.

The report refers to the forthcoming impact assessment on the proposed Common Consolidated Corporate Tax Base. While we have no objections to further analysis, my delegation would require strong supporting evidence before being able to consider backing such a proposal. The report also asks for an analysis of possible options for sanctions against tax havens, which we support without prejudice to a final position.

**Nuno Melo (PPE), in writing.** – (PT) Good tax governance is essential to provide guarantees in extremely important areas such as the principles of transparency, exchange of information and fair tax competition. The financial crisis has exerted ever more pressure on everything relating to combating tax evasion and fraud, along with the fight against tax havens. At a time when millions of people all over the world are suffering from the effects of the crisis, it would be pointless to fight those who do not meet their responsibilities. This initiative marks an important signal from the EU to third countries, sending out the message that it is effectively combating everything about tax havens. Fighting tax havens all over the world is not solely a matter of justice in tax but, above all, one of social justice.

**Alfredo Pallone (PPE), in writing.** – (IT) We must implement a policy of good governance, both within and outside the European Union, not least to oppose unfair tax competition, particularly with those countries that represent tax havens. Transparency and the physical exchange of information are the foundations of fair competition and of a fair distribution of the tax burden.

Moreover, good tax governance is an important pre-condition for preserving the integrity of financial markets. The motions on administrative cooperation and on mutual assistance for recovery, which we are adopting in this plenary session, are taking us in this direction. At the international level, one of the instruments that the EU can use to promote good governance in tax matters in third countries is to negotiate tax fraud agreements with them, which include a clause on an exchange of information.

The statements of the five countries with which the EU has a savings agreement (Monaco, Switzerland, Liechtenstein, Andorra and San Marino) are an important step towards the end of a situation of complete imbalance. Such statements must, however, be followed by the conclusion of legally binding agreements. The EU must also act as a driving force in this sector, setting a good example and following through what the G20 summit has already set in motion.

**Aldo Patriciello (PPE), in writing.** – (IT) Mr President, ladies and gentlemen, the theme of good tax governance has always been very important but has become even more relevant since the great economic and financial crisis that struck our continent about two years ago.

In recent years, the subject has been discussed during European and international summits, with particular regard to combating tax evasion and tax havens. There is certainly evidence of commitment and will by the Commission, but we must undoubtedly implement a serious policy to prevent tax evasion by front companies that evade tax laws with a simple click of a mouse through the Internet.

I am sure that the principle of good governance, based on the principle of transparency and exchange of information, can constitute the basis for pursuing the European Union's priority aim of combating tax havens, tax evasion and illicit capital flight.

The European Union must also speak with a single voice internationally, and fight for the improvement of OECD standards to achieve the automatic exchange of information, instead of exchange on request. And for this reason, I will vote in favour of the report.

**Evelyn Regner (S&D)**, *in writing*. – (DE) I have voted in favour of the report promoting good governance in tax matters, because I am of the opinion that combating tax fraud and tax evasion effectively is of the greatest importance. Furthermore, we must overcome the blockade on tax issues in the Council of Ministers and reinforce good governance in the area of taxation.

**Reports: Magdalena Alvarez (A7-0006/2010), Leonardo Domenici (A7-0007/2010)**

**Robert Goebbels (S&D)**, *in writing*. – (FR) I am in favour of international cooperation on tax evasion, but I doubt that administrative cooperation leading to the automatic exchange of all data concerning the assets of European citizens is the best way of achieving fair taxation. A deduction at source on all financial transactions would be a far more effective method.

Such a deduction at source should be a final tax. It could become a European resource. The so-called 'good governance' recommended by the European Parliament lays bare every aspect of citizens' privacy. It destroys the protection of individual data which, paradoxically, the European Parliament wishes to safeguard in the SWIFT dossier. It is for these reasons that I have not voted in favour of these reports.

**Reports: Magdalena Alvarez (A7-0006/2010), Theodor Dumitru Stolojan (A7-0002/2010), Leonardo Domenici (A7-0007/2010)**

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) While tax fraud must be combated, it must not make us forget that fraud alone would never have led to the economic crisis we are going through today. This crisis is a structural crisis of capitalism and originates in the very logic of that system, the virtues of which the European elites blindly extol. I am voting for this text because I condemn the pursuit of personal profit to the detriment of the common good. This logic is just as much a part of tax fraud as it is of European neoliberalism, which is much more responsible than fraud for the failure of the Millennium Development Goals, however timorous.

VAT, which this text also supports, is one of the aberrations of this system. It is the most unjust tax in the world, as it subjects all citizens to the same rate of taxation in spite of the huge differences in income that are the mark of neoliberalism. It is a pity the text does not tackle the basic problem or attempt finally to put the fair distribution of the wealth produced for the common good on the European policy agenda.

**Report: Marc Tarabella (A7-0004/2010)**

**John Stuart Agnew and William (The Earl of) Dartmouth (EFD)**, *in writing*. – Whilst UKIP believes in the equality of men and women, we reject any attempt by the EU to legislate in this area. We believe that measures at national level are more appropriate in this domain.

**Luís Paulo Alves (S&D)**, *in writing*. – (PT) I voted in favour of Mr Tarabella's report because I believe that equality between men and women in the European Union, as recognised in the Treaty on European Union and the Charter of Fundamental Rights of the European Union, is a fundamental principle which is still not being implemented in a uniform way.

Notwithstanding the pay gap between men and women, occupational segregation and sexist stereotypes, the report aims to emphasise the principle of the same pay for the same work, as set out in Community treaties since 1957. It stresses that the economic, financial and social crisis which has the European Union and the rest of the world in its grip has a real impact on women, their working conditions, their place in society and equality between women and men in the European Union.

**John Attard-Montalto (S&D)**, *in writing*. – I would like to explain my voting pattern in relation to the Tarabella report entitled 'Equality between women and men in the European Union – 2009'. There were a number of amendments which directly or indirectly made a reference to abortion. Malta is against abortion. The main political parties are in complete agreement on this issue. The greater part of society also concurs with this view. In addition, the religious and moral aspects are an important element.

**Regina Bastos (PPE)**, *in writing*. – (PT) In its report on equality between men and women in the EU in 2009, the European Commission points out that reconciling family and professional life, gender segregation by occupation and sector, differences in salary and the low female employment rate are the main differences between the sexes. These differences between men and women have been particularly exacerbated by the current economic, financial and social crisis. I voted against the report as I believe that it was distorted by bringing in issues such as access to abortion and free access to advice on abortion. These are very sensitive topics and, according to the subsidiarity principle, they are a matter for the individual Member States.

**Vilija Blinkevičiūtė (S&D)**, *in writing*. – (LT) I voted for this report, because with the complicated economic, financial and social situation, it is more important than ever to implement one of the most important fundamental principles of the European Union – equality between men and women. Every Member State must ensure that workers of both genders receive equal pay for work of equal value. In order to promote equality between men and women, we must ensure that men and women share family and household responsibilities. It is very important that paternity leave is enshrined in the directive sooner to create conditions for fathers to contribute to child care. The victims of human trafficking are mostly women. Therefore, I call on those Member States which have yet to ratify the Council of Europe Convention on Action against Trafficking in Human Beings to do so without delay.

**Carlo Casini (PPE)**, *in writing*. – (IT) I voted against the resolution on equality between women and men in the European Union (2009), even though I agree with a great deal of its content, because we cannot call for equality for a certain category of people without denying it to another category of human beings.

I refer to paragraph 38, which claims to guarantee women's rights by ensuring them easy access to abortion. The destruction of the smallest and most defenceless individuals in the shape of unborn children cannot be considered a way of confirming women's dignity and freedom. An anti-life conspiracy is at work, which uses tried and tested ways of deceiving us. We must reveal it for what it is.

Putting together extremely fair requests with extremely unfair claims and twisting the meanings of words are stratagems that have proved effective during European Parliament votes, but I will have nothing to do with it. We cannot talk about the drama of abortion, which deserves the attention of politicians as well as moralists, without also recognising the rights of newborns or at least calling for proper education as far as respect for life is concerned and organising forms of support for difficult or unwanted pregnancies so that they can be allowed to reach their natural conclusions.

**Françoise Castex (S&D)**, *in writing*. – (FR) I welcome the adoption of this report on equality between men and women in the EU. This report underlines the urgent need for a Community initiative to effectively combat violence against women. Also, the adoption of this resolution integrates two dimensions, which I consider to be fundamental. Firstly, the recommendation for paternity leave at European level. If there is to be equality in employment, there also needs to be equality in society and family life. This resolution highlights the Commission's responsibility to legislate in this area. However, the real major victory of this vote is that it reaffirms the right to abortion. No European text has reaffirmed this right since 2002, due to the reticence of one right-wing European party. Women must have control over their sexual and reproductive rights. There is certainly much more to be done in terms of real access to information, contraception and abortion, but the Tarabella report must be used as a basic point of support for bringing European law forward in this sector.

**Nessa Childers (S&D)**, *in writing*. – I voted today in favour of this report, which is progressive in nature as it aims to promote equality between men and women including in areas of parental leave, child care, domestic violence and the pay gap. It also promotes a much wider awareness of sexual health matters for both women and men. However, this is not a legislative proposal. This is primarily a statement of principles which I am comfortable in supporting. It is consistent with the principles espoused by Labour and social democratic parties across Europe. It must be noted that the provision of abortion services is entirely and exclusively a matter for individual Member States. This report does not and cannot change that position.

**Mário David (PPE)**, *in writing*. – (PT) I voted against the report on equality between men and women in the EU in 2009 as I believe that it was distorted by bringing in issues such as access to induced abortion and free access to advice on induced abortion. These are very sensitive topics and, according to the subsidiarity principle, they are a matter for the individual Member States alone.

**Proinsias De Rossa (S&D)**, *in writing*. – I strongly support this report. Equality between women and men has long been a fundamental principle of the European Union. However, despite the progress made in this field, many inequalities between remain. The gap in employment rates between women and men is narrowing but women are still more likely to be in part-time jobs and/or on fixed-term contracts and, for the most part, to remain stuck in poorly paid posts. Four times more women than men across Europe work part-time. The gender pay gap – 17.4% – has barely narrowed since 2000. To earn the same as a man would earn on average for a calendar year, a woman on average must work until the end of the following February, a total of 418 days. The global economic, financial and social crisis is causing women to suffer a 'double blow'. The sectors where they constitute the majority of the workforce are in the public sector (e.g. education, health and social welfare) which is being specifically targeted for shedding of jobs. In addition, because of service cutbacks, women who availed of child care and elder-care, learning support, etc., are being forced to quit employment to assume those tasks themselves.

**Robert Dušek (S&D)**, *in writing*. – (CS) The report of Marc Tarabella clearly emphasises the greatest barrier to gender equality. I know that some Members do not take the issue of gender inequality and related discrimination against women seriously. However, I am aware of these complications. The global economic crisis has exacerbated the situation and it looks as if women will be 'sacrificed' as a result of cost-cutting fiscal policies through reductions in maternity benefits and expenditure on social services. As women are traditionally more at risk of poverty and low incomes because they interrupt or end their professional careers in order to start a family, give precedence to their husbands' careers or care for children and the elderly, the rapporteur is proposing an adequate means of enhancement. Mr Tarabella states correctly that the principle of 'the same pay for the same work', valid in the treaties since 1957, has not been complied with and women in some Member States are still not paid the same rate for the same work as men.

Apart from that, there are a number of EU policies aimed at assisting families with children that do not, however, mention single mothers or fathers living with children. The demand for paid paternity leave to be legislated at the European level is also correct. A fair division of the family and domestic responsibilities of women and men will help to resolve the situation. For the reasons mentioned I agree with the assessments of the 2009/2010 report and I have therefore voted for its adoption.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the Tarabella report on equality between men and women in the European Union in 2009 as it proposes specific and innovative measures and policies relating to gender equality. The drawing up of a directive on preventing and combating all forms of violence against women and the introduction of paternity leave into European legislation are some of the proposals that I believe to be essential to promoting gender equality and guaranteeing a more equal share of family responsibilities between men and women.

**Diogo Feio (PPE)**, *in writing*. – (PT) There is something not right when Parliament demands respect but cannot command it.

Relevant and serious issues like this deserve our attention, discussion and a search for the greatest common denominator. I do not even think that this should be difficult to achieve. Nevertheless, the furtive and back-handed introduction of divisive issues under cover of these very topics is turning into a regrettable habit. Once again, Parliament has acted as a mere sounding board for the most extreme agendas.

I cannot but emphatically reject this attempt to promote the liberalisation of abortion and the disregard for human life and dignity that come with it under the pretext of supporting equality between men and women, and the illegitimate attempt to associate both these causes and manipulate the powers of the Member States in such matters.

This obsession with expanding the concept of sexual and reproductive health to include abortion, along with forcing it to be implemented everywhere, shows the kind of insidious methods employed by those who try to put a pretty face on reality. These euphemisms designed to numb the conscience cannot make it any less brutal, violence against women less cruel or this strategy less deplorable.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) 'Violence against women is perhaps the most shameful human rights violation ... It knows no boundaries of geography, culture or wealth. As long as it continues,

we cannot claim to be making any real progress towards equality, development and peace.' These are the words of the former Secretary-General of the United Nations, Kofi Annan, and unfortunately, they are as valid as ever. Gender discrimination persists in the developed world and Europe today because it is a structural problem, and one with severe consequences in terms of inequality of opportunity. Today, there still exist differences between men and women, in education, in language, in the allocation of domestic chores, in access to work and in carrying out professional duties. I believe that access and progression in work and doing a job, whether in the private sector or in public service or even in politics, should be based on the merit and qualities of the individual, irrespective of gender. However, I voted against the resolution due to the introduction of sensitive issues, such as access to abortion, which are a matter for the Member States alone.

**Ilda Figueiredo (GUE/NGL), in writing. – (PT)** The adoption of this resolution in Parliament was crucial, despite the conservative Right's desire to derail it, as it enshrines important rights for women. Despite certain weaknesses, the report succeeded in highlighting important points such as the need for paternity leave that is linked to maternity leave, the issue of sexual and reproductive rights and the need to step up the fight against inequality and discrimination in the workplace, against violence and trafficking in women and girls, and denouncing the poverty and precarious, poorly paid work to which many women are subjected.

It was important to show approval, once again, for the idea that 'women must have control over their sexual and reproductive rights, through easy access to contraception and abortion'.

This resolution has particular resonance on the eve of the centennial celebrations of International Women's Day and 15 years of the Beijing Platform. Let us hope that it will come to be implemented in reality.

**Bruno Gollnisch (NI), in writing. – (FR)** Yes, women encounter specific difficulties. However, as usual in this House, the initial intention was good, but it has led to a distorted analysis and wild proposals.

This report portrays a caricature of a European society marked by daily and systematic hostility towards women: recovery policies are apparently sexist because they tend to aid male labour sectors, as are strict budget policies, because they affect feminised public sectors ... By contrast, there is absolute silence on the consequences of the massive presence in Europe of immigrant populations whose culture and practices imprison women in an inferior status, light years away from our values and our concepts.

There is also silence on the negative consequences of your talk of total egalitarianism: women are gradually losing specific and legitimate social rights acquired in recognition of their role as mothers. Finally, there is also silence on parental salaries, which are the only way of giving women a choice between a professional and family life or of reconciling the two.

Finally, when I see many of our fellow Members getting carried away by hysteria and imposing across-the-board massive and obligatory abortion, which has been hoisted to the rank of a fundamental value for a Europe *en route* to collective suicide, I begin, despite myself, to regret that their mothers were not aborted.

**Jacky Hénin (GUE/NGL), in writing. – (FR)** While I strongly oppose all of the EU's negative measures – and there are many of them – I support them when things go the right way. Thus, in this report, strong calls are made (especially to the European Commission) concerning the unequal treatment suffered by women, the introduction of paternity leave, the creation of a year for combating violence against women and the right to easy access to contraception and abortion. The report also emphasises that women must have access free of charge to consultation on abortion.

The reason for my positive vote, therefore, is the improvement achieved, but it is an improvement that needs to be more evident in practice.

All the more so since I can only regret the refusal of a majority in Parliament to support the creation of a European charter of women's rights, a European inter-gender violence monitoring centre and an 'International Equal Pay Day'. Similarly, this Parliament has made no attempt to tackle the deep causes of these inequalities, which lie in the economic system of market rule alone, which Europe applies every day.

**Ian Hudghton (Verts/ALE), in writing. –** Whilst gender equality is a fundamental right within the EU recognised in the Treaty on European Union, there remain unacceptable levels of inequality in a wide number of areas. It is clear that huge problems remain and so it is imperative that the EU institutions work to positively identify and seek solutions to these issues wherever they exist in the Union.

**Gunnar Hökmark, Christofer Fjellner and Anna Ibrisagic (PPE), in writing.** – (SV) Today, 10 February 2010, the Swedish Conservatives voted against the report on equality between women and men – 2009 (A7-0004/2010). Although we share the rapporteur's desire to improve equality between women and men in Europe, we do not feel that interference with the sovereignty of the Member States through demands for so-called gender budgeting, by urging the Member States not to cut social benefits and by imposing quotas through legislation is the right way to go. Equality must be achieved at individual level, by expanding opportunities to influence one's own situation – not through legislation at European level and gesture politics such as specially designated days, further EU authorities and an EU charter on women's rights. There is already an EU charter on civil liberties and human rights that has been strengthened by the Treaty of Lisbon, and which covers women too. We must stand up for the principle of subsidiarity. In the final vote, therefore, we voted against the report, even though there are naturally points with which we sympathise; we fully support the statement that women must have control over their sexual and reproductive rights, for example.

**Monica Luisa Macovei (PPE), in writing.** – I voted in favour of recital X and most parts of paragraph 38, abstaining on one part of paragraph 38, for the following reasons:

As a main principle, women's sexual and reproductive rights should be respected, particularly in the context of equality between men and women, which is guaranteed by the EU Charter of Fundamental Rights (Art. 23).

However, I believe women should learn to protect themselves from unwanted pregnancies; in other words, when there is easy access to contraception and specialised advice, then abortion is more difficult to justify.

Many in my electorate in Romania would be disappointed if I voted differently. In addition, the past is still alive in our minds – as highlighted in the 2006 report commissioned by the President of Romania – when the Communist party took draconian measures against abortion in order to ensure the control of the party over women's private lives. Many women died as a result of illegal abortions, performed without medical help.

**Erminia Mazzoni (PPE), in writing.** – (IT) I fully support the driving spirit behind the resolution which has the merit of being based on the assumption that the debate on demographic changes is connected with the debate on measures necessary to combat the impact of the economic and financial crisis on the labour market.

Considering that our analysis of progress in achieving the Lisbon objectives is not encouraging, we welcome the call expressed in the resolution to speed up legislative changes in Member States, to tighten up infringement procedures and encourage greater participation of women in key sectors of the labour market that reflects the goals they have achieved as far as training is concerned.

Having said this, I am bound to voice my absolute disapproval, already expressed at the voting stage, of this pernicious will to promote an abortion society by providing incentives for free access to termination of pregnancy.

The assumption that women must be able to achieve easier abortions in order to recover their right to sexual freedom not only runs counter to general lay morals, but also contradicts the principles enshrined in recital Z, which states that the promotion of 'higher birth rates to meet future requirements' is central to the European action. I remain firm in my commitment to promoting a responsible sexual culture.

**Jean-Luc Mélenchon (GUE/NGL), in writing.** – (FR) Women are the main victims of the economic and social crisis that the European Union's neoliberal policies have created. Thanks to the crisis, the number of insecure jobs and compulsory part-time positions are increasing. The patriarchy still completely pervades our societies. They are now scarred by the forceful return of stigmatisation on religious grounds, and women are forever the main victims of these changes.

It is therefore gratifying to see the European Parliament place such a crucial matter as equality between women and men on the agenda. It is a shame, however, that the text does not focus on the intrinsically unequal nature of neoliberalism. It is neoliberalism that is responsible for many of the problems suffered by women and, in the deepening of the inequalities between the sexes, it finds yet another way to flourish.

**Nuno Melo (PPE), in writing.** – (PT) Inequalities between men and women on various levels, whether by profession, sector or different stereotypes, have become blurred over the years. Equality between men and women in the EU is increasingly a reality, and although there are still cases of discrimination, we are beginning to see very positive developments.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Although there have been many improvements in the area of equal opportunities for women, there is still much to be done. One of the most urgent issues is to provide greater support for reconciling professional and family life, which, for many women and, in particular, single mothers, is an insurmountable obstacle. The fact that men are still more likely to be entrusted with positions of responsibility proves that equality at work can only be achieved by a change in attitudes and not by imposing quotas, particularly because quotas are controversial and can easily lead to conflict. As this report fails to deal with the criticism that gender mainstreaming can also swing in the other direction, I have voted against it.

**Mariya Nedelcheva (PPE)**, *in writing*. – (FR) The resolution on equality between women and men in the European Union seems completely balanced to me, and I welcome the work carried out by Mr Tarabella to achieve this outcome. Flagrant inequalities between men and women still exist today in the employment sector, particularly when it comes to differences in pay or even reconciling work and family life. There are still efforts to be made in this area.

Moreover, with regard to the protection of sexual and reproductive rights, it is essential that women have access to contraception and abortion. Women must be able to have full physical autonomy. That is why I voted in favour of the measures relating to the protection of these rights.

Finally, I voted against the proposal to create a European charter of women's rights because, since the entry into force of the Treaty of Lisbon, the Charter of Fundamental Rights, which includes women's rights, forms an integral part of the treaties. This charter is legally binding and enables women to be protected in the same way as men.

**Rareș-Lucian Niculescu (PPE)**, *in writing*. – (RO) A decree was passed in Romania in 1967 banning abortions, which meant that women lost the right to choose between continuing with a pregnancy and terminating it. This ban had a deeply traumatic impact on Romanian society, making us realise how dangerous such a decision is.

Women should have control over their sexual and reproductive rights. For this reason, I voted for all the aspects relating to easy access to contraception and abortion covered in the Tarabella report and, ultimately, for the report as a whole.

**Aldo Patriciello (PPE)**, *in writing*. – (IT) Mr President, ladies and gentlemen, the complexity of the report under examination today was already apparent during work in the Committee on Women's Rights and Gender Equality, where a risible majority of three votes and a wholesale absence of MEPs allowed the text to be adopted.

I believe that there has been effective legislation on the protection of women since 1975. Instead of striving to come up with new directives, I therefore believe we should be ensuring that the existing laws are applied in full by the governments.

It is for this reason that, even though I have no wish to vote against the report, which certainly has some positive aspects, I prefer to disassociate myself from other aspects to emphasise my disapproval of certain parts, particularly those concerning abortion over which we Catholics are naturally indisposed to compromise.

**Cristian Dan Preda (PPE)**, *in writing*. – (RO) Although I am not against abortion, I did vote against paragraph 38 because it may be interpreted as encouraging this practice. I am also in favour of making contraception and education on these matters more easily accessible because this is the best way to avoid unwanted pregnancies. On the other hand, I believe that there are communities which, for a variety of reasons, want to retain power over the control of abortion at a national level, and they should be allowed to do so. This is an area where the principle of subsidiarity should be applied. I do not think that discussing this issue in the report on equality between men and women in the European Union is the best solution.

**Evelyn Regner (S&D)**, *in writing*. – (DE) I have voted in favour of the report on equality between men and women in the European Union because it is in line with my fundamental conviction that women have the unrestricted right to autonomy, in particular, with regard to their sexual and reproductive rights, together with easy access to contraception and abortion. These rights are an essential part of the concept and self-image of a modern European society.

**Alf Svensson (PPE)**, *in writing*. – (SV) At yesterday's vote, I voted against the report on equality between women and men. This was mainly because, in my view, many points in the report run counter to the principle



of subsidiarity, such as on the matter of quotas. I abstained from voting on Recital X and paragraph 38, which concern women's access to abortion. In my opinion, the current wording would infringe the principle of subsidiarity. I consider it to be a general principle that we at EU level should not spend our time on matters that the individual Member States themselves have the right to decide on at national level. Naturally, I support the Swedish position on the issue – namely that the decision on abortion is ultimately a decision for the woman concerned, not a matter for the legislators.

**Nuno Teixeira (PPE), in writing. – (PT)** The European Union is currently undergoing a period of massive economic, financial and social crisis which is having a severe impact on the professional and private lives of women. Gender segregation by occupation, the pay gap, and difficulties in reconciling professional and personal lives are obstacles to women's full participation in the labour market. Despite improvements in the workplace and growing numbers of women in positions of responsibility, there still needs to be greater awareness of equal treatment. We should welcome this report as it gives us the opportunity to redefine guidelines on eliminating disparities between men and women in the labour market. Only then can the EU achieve its goals of growth, employment and social cohesion. The inclusion of provisions relating to 'sexual and reproductive rights' is, however, unfortunate in a report which appears within a context of economic crisis and which concerns itself mainly with the impact of this crisis on working conditions for women and the place of women in society. For the aforementioned reasons, and since the proposed amendments to paragraph 38, which I supported and considered essential to the economy of the document, were not approved, I voted against the report on equality between men and women in the European Union.

**Thomas Ulmer (PPE), in writing. – (DE)** I have voted against the report because my fundamental convictions do not allow me to accept the unrestricted right to abortion and to reproductive freedom. For me, the right to life is a fundamental right which must be defended and respected in every case. The other parts of the report are perfectly acceptable and demonstrate that Europe has made progress towards equality for women. Another positive feature is the fact that much greater importance is given to the commitment to the family.

**Marina Yannakoudakis (ECR), in writing. –** The ECR Group are the strongest supporters of equality between men and women and especially the principle of equal pay and equal opportunity in the workplace. The ECR have decided to vote in favour of the paragraphs which support equality in this way. The ECR Group have nevertheless voted against this resolution for two specific reasons. Firstly, we oppose any legislation that assumes that women's health, education and reproductive rights are the responsibility not of Member States but of the EU. Secondly, whilst the ECR Group fully supports the need for maternity and paternity provisions, we have chosen to abstain from such references in this report because we oppose any family policy being dictated at EU level; this is a matter for national governments to decide upon.

**Anna Záborská (PPE), in writing. – (FR)** I voted against this resolution. It divides rather than unites men and women. There is nothing innocent about the wording of paragraph 36: 'women must have control over their sexual and reproductive rights, notably through easy access to contraception and abortion'. The rapporteur also insists on women having access free of charge to consultation on abortion. However, abortion comes solely within the competence of the Member States. As this resolution has no binding legal force, it cannot be used to exert pressure to liberalise abortion. Then Parliament calls for sexist stereotyping, especially work carried out by men and women within the family, to be combated. The resolution emphasises the importance of pre-school child care provision, child-minding services and the provision of assistance to elderly persons and other dependents. Thus, Parliament is aiming to destroy the natural family as a place of socialisation and solidarity between generations. This resolution does not offer any added value to women or to men or to the Union. It is a pity, because respect for people who are different and the promotion of equal opportunities for men and women are a real social challenge.

**Artur Zasada (PPE), in writing. – (PL)** I voted against the resolution. The rapporteur, Mr Tarabella, has not taken account of the national context. Morality is part of the worldview incorporated into the legal system of a country. The attempt to introduce into Polish legislation the possibility of unrestricted access to abortion is something which is not natural, and it is obvious that this will provoke opposition. Acting in accordance with my own conscience, and taking into account the legal regulations which are in force in Poland, I voted against the resolution. In doing so, I have given a clear signal that, in accordance with the subsidiarity principle, the only legislators on such sensitive matters are each of the 27 Member States.

#### **Motion for a resolution B7-0069/2010**

**Luís Paulo Alves (S&D), in writing. – (PT)** Overall, I voted in favour of the motion for a resolution on the EU's strategic objectives for the 15th Conference of the Parties in the Convention on International Trade in

Endangered Species of Wild Fauna and Flora (CITES). I also endorsed the amendments to include northern bluefin tuna in Appendix II of the CITES, in accordance with the recent recommendations by the Ad Hoc Committee of the Food and Agriculture Organisation (FAO) of the UN, which supported the announcement of the inclusion of northern bluefin tuna in Appendix II of the CITES. Following this, the General Assembly of the International Commission for the Conservation of Atlantic Tunas (ICCAT) set a considerable reduction in the fishing of bluefin tuna by 13 500 tonnes and the European Commission restated its concern at the reduction in tuna stocks and committed itself to carrying out more reliable scientific studies.

I realise that the loss of biodiversity is a serious problem the world over, and I believe that other animals should be the focus of other preservation proposals. I see this conference as crucial to the survival and sustainability of many species. Ultimately, I believe that a total ban on international trade in tuna – its inclusion in Appendix I – would be premature, as it would spark a crisis in the sector without being based on any concrete facts.

**John Attard-Montalto (S&D), in writing.** – Regarding the resolution on the key objectives for the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), I voted against the abolition of fishing of northern bluefin tuna. The reason is that this will affect the livelihood of Maltese fishermen in a very negative way. The vast majority of Malta's fishermen are not in a position to fish for alternative species and in alternative fishing grounds because of the traditional way in which fishing is conducted. Also, it is my belief that the criteria for the CITES listing are not met in the case of northern bluefin tuna.

**Liam Aylward (ALDE), in writing.** – (GA) I voted in favour of the CITES Convention report. Animal and plant species are becoming extinct at a rate of one thousand times faster than the natural rate. Human activities are adding to this rate of extinction and are endangering biodiversity. CITES is a central tool in the international effort to combat the primary threats to biodiversity, to combat illegal trade, and to put in place a proper Regulation concerning the wildlife trade.

I support those who want international law enforcement bodies to have a greater involvement in stopping wildlife crime and to address the dangers which could result from electronic commerce. As such, I also support the recommendation that the environmental crime unit be strengthened.

I would like to draw attention to the effect CITES measures will have on the occupations of poor rural communities and those who are depending on trade in certain species to make a living. We must continue to help these countries to apply the CITES list so that we can work with those who are dependent on the wildlife in their areas.

**Christine De Veyrac (PPE), in writing.** – (FR) The European Parliament is calling for a total ban on the marketing of bluefin tuna internationally. As an elected representative for the Sète basin, I did not vote in favour of this measure: to date, there is no agreement on this ban, either among scientists or, I might add, among environmental associations. If, however, such a radical ban were to be decided on in March at the international conference in Doha, I would call on the European Commission not to block the financial compensation that the Member States might be required to pay fishermen. Fishermen have made considerable efforts in recent years, keeping to increasingly restrictive quotas, modernising their fleets and so on. It would be improper to force them in the future to change their profession without granting them significant financial support.

**Edite Estrela (S&D), in writing.** – (PT) I voted in favour of the resolution entitled 'Key objectives for the Conference of the Parties to CITES', as protection of biodiversity must be strengthened within the scope of the next Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Biological diversity is vital to the wellbeing and survival of humanity. We must be ambitious and demand the protection of all species that are at risk of extinction.

**Diogo Feio (PPE), in writing.** – (PT) The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) constitutes the main global agreement in existence on the conservation of wild species. It aims to prevent the excessive exploitation of these species for international trade. It is therefore crucial that the European Union participates constructively in the 15th Conference of the Parties next March.

I recognise the importance of preserving endangered species to the safeguarding of the planet's biodiversity and ecological balance, and I acknowledge that sustainable development presupposes the reasonable use of natural resources without impeding activities that are necessary for development.

Therefore, at a time when changes to the appendices of the CITES are being discussed, I recognise the importance of also ensuring that there is sufficient protection for endangered wild species without jeopardising or consigning to oblivion any activities that ensure the economic and social viability of many communities.

**João Ferreira (GUE/NGL), in writing. – (PT)** The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) has acted as an important tool for conserving endangered flora and fauna species, especially those that attract commercial interest and therefore have to be protected and enriched. We understand that decisions on alterations to this convention, including its appendices, are important, as they allow us to acknowledge and take due account of proven changes in the conservation status of species. These must have supporting data and substantiated scientific opinions. We do not believe that the proposal to include bluefin tuna (*Thunnus thynnus*) in Appendix I of the CITES is justified, in the light of the available data. We should recall that at the last reunion of the International Commission for the Conservation of Atlantic Tunas (ICCAT), in November 2009, experts expressed the view that the species was being over-fished, but that this did not point towards a total ban on fishing. The recommendations pointed to a significant decrease in catches, which were restricted to between 8 000 and 15 000 tonnes, with a fixed limit of 13 500 tonnes. In these circumstances, we believe that we should wait for the assessment and recommendation by experts, following the situation closely in 2010.

**Françoise Grossetête (PPE), in writing. – (FR)** I voted in favour of this resolution. One of its aims is the conservation of bluefin tuna, an essential component in the balance of the biological diversity of the marine environment.

The ban on the international trade in bluefin tuna will enable us to conserve our stocks of bluefin tuna, which are threatened by overfishing.

Nevertheless, Europe will have to check the measures taken by third countries, because how will we explain to our fishermen in Europe that Japanese, Libyan or Tunisian trawlers are quite legally plundering our stocks of bluefin tuna?

We will also have to focus on negotiating the organisation of an exclusive economic area that will enable small-scale fishing to continue, since it does not threaten resources.

**Sylvie Guillaume (S&D), in writing. – (FR)** I voted in favour of a ban on the trade in bluefin tuna and, as a corollary, compensation for the tuna industry, as provided for in an amendment which I co-signed and which was adopted in part. Thus, bluefin tuna should be listed in Appendix I to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), subject to a general derogation for domestic trade, so that small-scale coastal fisheries can continue, and stricter controls on illegal fisheries. We should not only address this threatened species, stocks of which have fallen by 60% over the last 10 years, but also make provision for substantial aid for fishermen and ship-owners who will be affected by this measure. That is indispensable.

**Danuta Jazłowiecka (PPE), in writing. –** I voted for listing the bluefin tuna in CITES Appendix I, as a majority of the FAO Ad Hoc Expert Advisory Panel considered that the available evidence supported the proposal to include it there. The species has suffered a marked decline, is greatly overfished and is threatened by over-exploitation for international trade. It therefore meets the criteria for listing in CITES Appendix I.

**Oriol Junqueras Vies (Verts/ALE), in writing. – (ES)** The current situation of northern bluefin tuna is unsustainable and its survival can only be guaranteed through quota reductions; I might add that those quotas have always been above the limits recommended by the scientific community. The inclusion of bluefin tuna in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the subsequent ban on international commercial trade in this species, is the solution that best guarantees the recovery of the species. Nevertheless, it should be pointed out that some sectors of the fishing industry have acted responsibly, respected quotas and adapted to all the requirements that have been established in recent years. For that reason, I voted in favour of subjecting the inclusion of the bluefin tuna in CITES Appendix I to the following conditions, as was finally approved: amendment of Council Regulation (EC) No 338/97 introducing a general derogation for domestic trade; financial support from the European Union for the vessel owners that are affected; and tightening of controls and penalties to combat illegal, unregulated fishing. I also voted in favour of postponing the inclusion of bluefin tuna in Appendix I by 18 months, subject to an independent scientific report. That proposal was not adopted.

**Erminia Mazzoni (PPE), in writing. – (IT)** Today, on 10 February 2010, the European Parliament has been called on to express its views on the EU strategic objectives for the 15th meeting of the Conference of the

Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), to be held in Doha (Qatar) from 13 to 25 March 2010. Although Parliament's role is merely consultative, I nonetheless thought it important to sign and vote on the amendment seeking to eliminate the inclusion of red coral in Appendix II to the Convention, which would have caused a significant reduction in red coral fishing and trade, as an endangered species. The inclusion of *Corallium spp* in Appendix II indeed seems over-cautious and not properly corroborated by scientific data. Moreover, the economic and social repercussions that its inclusion could have on Italy's economy and, in particular, on some regions of southern Italy, caused me great concern and led me to vote in favour of this amendment. In fact, I thought it more expedient to allow our companies in that sector more time to restructure their production and thus, to remain competitive on the market.

**Jean-Luc Mélenchon (GUE/NGL), in writing.** – (FR) Bluefin tuna is threatened with extinction as a result of the failure to control the overfishing of this resource. The ban on marketing it now seems inevitable. It is aimed at protecting this species. Aware of the problem, many fishermen, especially French ones, have, for years, been doing all they can to make their boats comply with the regulations and to observe the fishing quotas necessary to ensure the survival of bluefin tuna. These fishermen, already severely affected by the crisis, will be the main victims of such a measure made necessary by illegal fishing and clandestine industrial networks. The effort made by these fishermen cannot fall on their shoulders alone.

We cannot ask them to sacrifice themselves in the interests of the planet while the powers that be gathered in Copenhagen have shown that they sidestepped the issue. The UN principle of joint responsibility for environmental problems must therefore apply, and the fishermen's effort must be compensated by a contribution from the European Union. Furthermore, the creation by France of a genuine exclusive economic area in the Mediterranean would make it possible to provide a sanctuary for resources while keeping alive small-scale fishing that is respectful of ecological balances.

**Nuno Melo (PPE), in writing.** – (PT) The EU must be present at the 15th Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) with clearly defined objectives for species in danger of extinction which need to be protected. The CITES is crucial for the conservation of wild species, and is aimed at avoiding over-exploitation of wild species of fauna and flora for foreign trade.

**Willy Meyer (GUE/NGL), in writing.** – (ES) I have abstained in the vote on Resolution B7-0069/2010 concerning EU strategic objectives for the 15th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) because I believe that northern bluefin tuna should not be included in CITES Appendix 1. It would spell the end for traditional, sustainable fishing techniques, when it is actually the industrial purse seine fishing boats that are to blame for the exhausted stocks. I call for acknowledgement of the part that each fishing method has played in the alarming situation regarding bluefin tuna, with a new, fairer quota distribution and stricter measures.

For that reason, traditional fishing methods should be encouraged; these provide thousands of people with a livelihood and are much more selective. We must be fair: there is a vast difference between industrial fishing and traditional fishing techniques. I want to stress the importance of protecting bluefin tuna, but we also need to strike a balance that guarantees the continuation of the species without punishing Mediterranean fishing methods such as the *almadraba* technique.

**Frédérique Ries (ALDE), in writing.** – (FR) The main consideration of this resolution on the CITES Convention focusing on species threatened with extinction is fundamental: to reach a European consensus on the ban on the international trade in bluefin tuna. Faced with fishermen fiercely hostile to this ban, scientific and environmental experts are sounding the alarm. At the current rate, and despite the drastic efforts made over recent years, bluefin tuna could purely and simply disappear within three years. Italy has already made a gesture by adopting a moratorium from 2010. France has done so too, but much more ambiguously, because it is talking about an 18-month period to 'assess the state of resources'. As for Spain and Malta, their display of silence is reprehensible. The urgency is there, however, and only radical measures can enable stocks to be replenished. This is also the one and only way of protecting the fishermen's livelihood in the medium and long terms.

This resolution does not come down to banning the fishing of bluefin tuna entirely, nor to letting it disappear from our plates. Small-scale and sport fishing will still be permitted. The measure for a ban on international trade should be enough to safeguard the species, given that 80% of the bluefin tuna fished in the Mediterranean is exported directly to Japan.

**Bart Staes (Verts/ALE), in writing.** – (NL) I voted 'yes', despite the fact that I believe that the original text from the Committee on the Environment, Public Health and Food Safety was a better one, especially in terms of making reference to the northern bluefin tuna. It is important, however, that the Council and Commission get the message from Parliament that we support the inclusion of the northern bluefin tuna in CITES Appendix I. I would have preferred it if the three conditions created by the plenary had not been included, but I did support the amendment that proposed support for the affected fishing communities.

The Commission and the Member States also have our backing in their attempts to transfer the polar bear from CITES Appendix II to Appendix I.

One very important stipulation with respect to the Commission and the Member States is that they put a stop to the moves by Tanzania and Zambia to transfer the African elephant from CITES Appendix I to Appendix II with a view to trade. Parliament would also like to see all proposals for African elephants to be moved to a lower appendix rejected, at least until it is possible to obtain a proper evaluation of what effect the one-off sale in November 2008 by Botswana, Namibia, South Africa and Zimbabwe had, as there are more and more signs that the illegal and organised trade in these animals' products is increasing across Africa.

**Dominique Vlasto (PPE), in writing.** – (FR) The scientific reports concerning the current biomass of bluefin tuna are alarmist: uncontrolled industrial-scale fishing has severely eroded stocks. Such industrial and international fishing threatens traditional coastal fishing in the Mediterranean. In order to avoid an ecological disaster, made twice as bad by an economic crisis in the fishing sector, it is urgent to introduce a policy for an international ban on the industrial fishing of bluefin tuna. My demand is to reconcile two major issues: effective protection of bluefin tuna to enable its survival and future placing on the market, and support for European coastal fishermen whose livelihood is partly dependent on this trade. It is, for this reason, that I support the listing of bluefin tuna in Appendix I of the CITES to prevent it from being exploited and to prevent bluefin tuna from becoming extinct, but under the following conditions: that there be ongoing scientific assessments to find out the exact state of the biomass of this species, that economic and social support be given to the European players in the fishing sector and, above all, that a derogation be introduced in respect of the domestic trade in bluefin tuna so as to help small-scale industries and thus to prevent small-scale coastal fishing, which is a traditional activity in the Mediterranean, from being killed off.

**Anna Záborská (PPE), in writing.** – (FR) The Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora, known by its acronym CITES, is an international agreement between states. All the Member States are party to it. Its aim is to ensure that international trade in endangered species of wild fauna and flora does not threaten the survival of the species to which they belong. International trade in endangered species is estimated to be worth billions of dollars a year and to involve hundreds of millions of plant and animal specimens. Unfortunately, the EU is one of the main markets for the illegal trade in wild species. The existence of an agreement guaranteeing sustainable trade is important if these resources are to be preserved for future generations. Within the EU, national legislation varies from one Member State to another. In order to provide better protection for wild species, coordination between efforts being made by the Member States and the European institutions to ensure that EU legislation on the trade in wild species is respected should be stepped up. The Union shall also stand up to the other parties to CITES. That is why I voted in favour of this resolution.

#### **Motion for a resolution B7-0067/2010**

**Elena Băsescu (PPE), in writing.** – (RO) I voted in favour of adopting the 2009 progress report on Croatia. I think that it is a balanced report which describes the progress made by Croatia in meeting the criteria for joining the European Union. After a period of deadlock lasting more than nine months, accession negotiations resumed in October 2009. Croatia must continue the reform process and the adoption of European legislation in order to successfully conclude negotiations by the end of this year. The report also notes a number of issues affecting the process of Croatia's integration into the European Union. The European Parliament is encouraging the Croatian authorities to overcome these obstacles and step up their efforts to resolve all the border disputes with neighbouring countries. The report adopted by the European Parliament plenary includes amendments which I have tabled. These amendments encourage Croatia to continue its efforts to promote cultural diversity. My amendments also included one on supporting the development by Croatia of cross-border cooperation projects designed to establish social, economic and territorial cohesion and raise the standard of living of the people living in the border areas.

**Philip Claeys (NI), in writing.** – (NL) Has this Parliament really not learnt from its past mistakes? The reports about Bulgaria and Romania, too, repeatedly stated that corruption was ubiquitous and that the strength of

the police and the judiciary were totally inadequate. Despite this, the accession of these countries was still voted through, and we all know the consequences. EU membership and the associated massive streams of funding have further embedded the corruption that was already present.

For me, Croatia can be allowed to accede, but absolutely only when it is ready and when corruption no longer has society in its grip. Once Croatia has acceded – and, as you have heard, I do not think this should be too soon – a stop must be put to enlargement. The accession of all the Western Balkan countries, as envisaged by this report, is something that I find unacceptable.

**Mário David (PPE), in writing.** – (PT) The implementation of democracy is a long process, and one which requires a strong commitment by the government and civil society. It is a rocky road and is fraught with difficulties – we Portuguese know that only too well. When this is combined with the breakdown of a country that, despite being federal, was fairly centralised and governed by a dictatorial regime that collapsed, leading to a horrific war which will not be easily forgotten by future generations, we can indeed be immensely glad, as I was, to vote in favour of this resolution that brings us good news of the progress made by Croatia. I know, however, that much remains to be done, and I realise that without a free and independent justice system, neither the rule of law nor human rights can be guaranteed, as there is no foreign investment or progress.

This holds true for Croatia and any other potential candidate country. I also appreciate that the speed at which Croatia is advancing towards the EU is set by Croatia itself, as the rules for membership are transparent and well known. I know that Croatia can live up to its aspirations. We hope that negotiations can be concluded within this year. For our part, Croatia can count on our complete support.

**Edite Estrela (S&D), in writing.** – (PT) I voted in favour of the motion for a resolution on the 2009 progress report on Croatia, as I believe that Zagreb will succeed in surpassing the challenges put before it and conclude negotiations for the country's accession to the European Union in 2010. For this, it is vital to press on with reforms in different areas of the Community acquis, as well as cooperation with the International Criminal Tribunal for the Former Yugoslavia.

**Diogo Feio (PPE), in writing.** – (PT) Croatia has made remarkable progress in many different areas that qualify it to be not only a reliable partner of the European Union, but also a strong candidate for membership. Despite the personal tragedies and material destruction that ravaged the country during the bloody conflict that resulted from the implosion of the former Yugoslavia, the country's reconstruction efforts and its consistent forging of a path towards convergence with the EU have been remarkable.

While there remains much to be done, particularly in sectoral areas, it is clear that Croatia has done enough to deserve a place alongside the Member States, and I hope that it can join the EU sooner rather than later.

I am hoping that the possible entry of Croatia into the European Union will be seen in the Balkans as a sign of hope, and that the other countries in the region, particularly Serbia, will recognise the national and international advantages and benefits of opting for Europe.

I also hope that the border issues with Slovenia are promptly resolved, as these are spoiling this process, and that this can take place with the utmost seriousness, thoroughness and good faith.

**Livia Járóka (PPE), in writing.** – I would like to draw your attention to a seldom emphasised aspect of evaluating the progress of the countries in question: the situation of Roma. Realising the importance of establishing the legal framework for anti-discrimination, by 2004, the EU managed to enforce some real improvements through hardening the accession conditions for new Member States. I am happy to see that the progress reports are rather critical about the achievements of these three countries, revealing that only Croatia was able to attain some slight improvement in fostering the social inclusion of Roma.

Candidate countries must be involved in the European-level pursuit of Roma integration before now, since accession negotiations grant an unparalleled opportunity to trigger a substantial shift in the governmental attitudes towards granting equal access to Roma in employment, education, housing and health care, promoting political participation and empowering the Romani civil movement. All European countries – present and future members of the European Union – must engage in a concerted effort in order to overcome the historical social exclusion of the continent's largest ethnic minority and sign up for a community action plan which provides the proper legal leverage to force the participants to comply with their own pledges.

**Monica Luisa Macovei (PPE), in writing.** – I voted in favour of Amendment 6 because I agree that the government of Croatia needs to make supplementary efforts to reduce prejudice and combat discrimination

on any grounds, including sexual orientation (one of the non-discrimination grounds in Art. 21 of the EU Charter of Fundamental Rights).

My approach on the issue of sexual orientation discrimination, as well as regarding discrimination against any minority, is consistent with EU legislation and other international human rights law and with the views of many of my electorate in Romania, as well as with my beliefs.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) It is not Croatia that I am opposing by voting against this progress report. The people of Croatia do not deserve to be ostracised in any way. However, I do condemn the Euro-liberal diktat to which both the Member States of the EU and the candidate countries are subjected. The economic aspect of the Copenhagen criteria, the liberalisation of the markets that it demands, jeopardises the social entitlements of the candidate countries. I shall support the membership of new states only when the EU makes regional integration work to the advantage of all the citizens who make it up, and not to that of the interests of the capital that dominates it today and provides it with an integration framework over which the citizens have no control.

**Nuno Melo (PPE)**, *in writing*. – (PT) Despite the nine month-long deadlock that occurred during the negotiations, due to the border dispute with Slovenia, Croatia has made significant efforts towards EU membership. As for the political, economic and regional cooperation criteria, it has been showing a great capacity for compliance with the required and previously stipulated conditions. Although we have a long way to go with this difficult drive towards enlargement, I welcome the progress made in the accession of Croatia, even as a way of pacifying the Balkan region.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Croatia is undoubtedly the country among the accession candidates which has made the greatest progress until now. Therefore, the fair approach would be to step up the pace of the negotiations, so that there is the possibility of completing them this year. The implementation of the Community *acquis* is, of course, an essential requirement in this respect. The report supports Croatia's aims, which is why I have voted in favour of it.

**Franz Obermayr (NI)**, *in writing*. – (DE) Croatia has made extensive progress in many respects with regard both to its domestic and foreign policy. For this reason, I have voted in favour of the motion for a resolution and I support Croatia's rapid accession to the EU.

**Czesław Adam Siekierski (PPE)**, *in writing*. – (PL) We have adopted an important resolution evaluating the state of accession negotiations with Croatia. It is important that the resolution shows which measures should be taken to accelerate accession talks, so that the technical details can be completed in 2010. The authorities in Croatia should devote more attention to providing society with better information about the benefits of EU membership. The functioning of Croatia within the framework of a single, common European market will bring about a development of commercial exchange, an influx of investment and general economic growth.

The support from EU funds for modernisation of Croatia's economy, building of its infrastructure and restructuring of its agriculture is also not without significance. Many examples can be given, here, of the benefits received by the countries which acceded in the last two enlargements. The very fact of belonging to a united Europe is, certainly, not without significance. Negotiations in the areas of fishing, the environment and the Common Foreign and Security Policy should be unblocked as soon as possible.

I expect the Presidency and the Commission to take specific measures in this area. Up till now, we have explained that further enlargement can take place only after adoption of the Treaty of Lisbon. The treaty is now in force, and we should accelerate talks on Croatia's membership, along with preparations for enlargement of the Union to include other Balkan states. This is very important for stabilisation in the region.

**Thomas Ulmer (PPE)**, *in writing*. – (DE) I have abstained from voting on the report about Croatia, because the time pressure referred to in the report, in order to make Croatia ready for accession in the first half of 2010 is, in my opinion, not necessary. There is no need to hurry and there is no time pressure that justifies this process.

**Anna Záborská (PPE)**, *in writing*. – (FR) The resolution on Croatia is a political resolution with no legal binding force. I voted in favour of it, because Croatia should become a Member State in the near future. Without the Balkan war, it would have joined in 2004. Paragraph 21 on the 'LGBT minority', which is as controversial as it is useless, was introduced in plenary. I voted against this paragraph. Croatia is party both to the UN Universal Declaration of Human Rights and to the Council of Europe European Convention on

Human Rights. There is therefore no reason to suspect that Croatia is a nation hostile to the LGBT minority. Despite all symbolic pressure, Croatia retains full national competence in areas linked to non-discrimination. That is why I called on the Croatian family associations which I met recently during a visit to their country to continue their excellent work for the benefit of the common good of their nation and a better future for all in Europe. The capacity to assume obligations resulting from accession to the Union and alignment with the Community *acquis* should not result in the denial of the traditional national culture of future Member States.

#### **Motion for a resolution B7-0065/2010**

**Elena Băsescu (PPE)**, *in writing*. – (RO) I voted for the 2009 progress report on the Former Yugoslav Republic of Macedonia because I believe that it is an important report which will have a positive influence on this country's accession process. The prospect of joining the European Union is the main factor guaranteeing stability and the continuation of the reform process in the Western Balkans, including the Former Yugoslav Republic of Macedonia. The report notes the progress made by this country in terms of adopting the legislation required for integration into the European Union. I believe that, during this next period, the authorities in the Former Yugoslav Republic of Macedonia must focus particular attention on implementing the norms which have been adopted. Furthermore, efforts must be made to improve interethnic relations and dialogue with neighbouring countries, as well as to bring its legislation into line on environmental protection. The report adopted today includes amendments tabled by me, which recommend consolidating the ability to manage the pre-accession funds supplied by the European Union and support the implementation of the reforms required as part of the accession process.

**Göran Färm, Anna Hedh, Olle Ludvigsson, Marita Ulvskog and Åsa Westlund (S&D)**, *in writing*. – (SV) We Swedish Social Democrats voted against Amendment 4 as part of a greater compromise. For us, it was more important to demonstrate broad agreement on support for the membership of the Former Yugoslav Republic of Macedonia than to emphasise once again our position that we do not feel that disagreements between this country and its neighbours should affect the country's opportunity to join the European Union.

**Diogo Feio (PPE)**, *in writing*. – (PT) The Former Yugoslav Republic of Macedonia is a good example of a mosaic of interests and ethnicities, not always peaceful or in agreement, that characterises the Balkan region.

All the key political players agree that moving towards the European Union is the best way forward for the country, but there are many obstacles to its membership.

Some of these are of a material nature, while others are more historical or political. The latter kind, one of which is the actual name of the new country, have been causing tensions with the country's neighbours, particularly Greece, so a serious and persistent collective effort is needed to overcome them.

The stabilisation of the rule of law, regular free and fair elections and the affirmation of democracy in all its aspects, including implementing the principle of subsidiarity and decentralisation, are challenges that lie ahead for the Former Yugoslav Republic of Macedonia if it wishes to persevere with trying to become part of the European Union. I sincerely hope that it will.

**Petru Constantin Luhan (PPE)**, *in writing*. – (RO) I believe that the government of the Former Yugoslav Republic of Macedonia has made significant progress in 2009, as is also highlighted in the resolution on the 2009 activity report. In voting in favour of this report, I particularly welcomed the following aspects: the visa waiver, participation in EU civil and military missions, the national authorities' accreditation for the IPA components on regional and rural development, as well as the progress made in the preparations for taking over the management of the funds supplied as part of the Instrument for Pre-Accession Assistance (IPA). I hope that the accession negotiations will get under way in the near future and that the European Council will confirm, as part of the summit in March, that it accepts the Commission's recommendation to initiate negotiations. With regard to the name issue, I agree with the rapporteur's stance, namely, that Greece and the Former Yugoslav Republic of Macedonia must step up their efforts at the highest level to find a mutually acceptable solution under the auspices of the UN. I also believe that the European Union must provide assistance as part of the negotiation process.

**Monica Luisa Macovei (PPE)**, *in writing*. – I voted in favour of Amendment 18 because the adoption of sexual orientation anti-discrimination provisions is a requirement for EU accession and because increased legal protection against discrimination is a message that the government sends to the whole of society about the value of all members of society. Sexual orientation is one of the non-discrimination grounds in Article 21 of the EU Charter of Fundamental Rights. My approach on the issue of sexual orientation discrimination, as



well as regarding the discrimination of any minority, is consistent with EU legislation and other international human rights law, with the views of many in my electorate in Romania, as well as with my beliefs.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) It is not the FYROM that I am opposing by voting against this progress report. The people of the FYROM do not deserve to be ostracised in any way. However, I do condemn the Euro-liberal diktat to which both the Member States of the EU and the candidate countries are subjected. The economic aspect of the Copenhagen criteria, the liberalisation of the markets that it demands, jeopardises the social entitlements of the candidate countries. I shall support the membership of new states only when the EU makes regional integration work to the advantage of all the citizens who make it up, and not to that of the interests of the capital that dominates it today and provides it with an integration framework over which the citizens have no control.

**Nuno Melo (PPE)**, *in writing*. – (PT) Since the last progress report, the Former Yugoslav Republic of Macedonia has made significant progress. It is important to point out that prospective EU membership was one of the driving forces behind development and reforms in countries in the Balkan region. The membership criteria imposed by the EU and matters relating to political, economic and regional cooperation now need to be accepted and fulfilled if the Former Yugoslav Republic of Macedonia is to become a member of the EU in the near future.

**Andreas Mölzer (NI)**, *in writing*. – (DE) In my opinion, we must support the accession aspirations of the Former Yugoslav Republic of Macedonia, because the country undoubtedly belongs to the European, Western cultural background and, in recent months and years, has made progress in numerous areas. The report gives a very good description of the next steps to be taken. Without doubt, Macedonia needs to improve its relations with its neighbours even further and, in particular, every effort must be made to resolve the name dispute with Greece. I have voted in favour of the report, because it provides a balanced presentation of all the factors involved.

**Franz Obermayr (NI)**, *in writing*. – (DE) As a result of the obvious progress made by Macedonia, I have voted in favour of the motion for a resolution.

**Justas Vincas Paleckis (S&D)**, *in writing*. – (LT) In the previous term, I worked in the Delegation for relations with Macedonia (the former Yugoslav Republic), and visited this country. Therefore, I am delighted with its achievements. 2009 was a successful year for Macedonia. The EU introduced a visa-free regime with this state. This in particular fosters the development of people-to-people contacts. Last year, Macedonia demarcated the border with Kosovo and improved relations with Greece. In the resolution on Macedonia's progress in 2009 towards implementing the EU membership criteria, we drew attention to the fact that the country's government should be more sensitive to matters of ethnic minorities and strive for greater media transparency. We called on the EU institutions to help resolve the dispute between Skopje and Athens over the name of the Macedonian state.

We also invited the EU Council of Ministers to accept the beginning of accession talks with Macedonia in March. The progress made by Macedonia in 2009 was also down to the EU's magnetic pull. There is no doubt that the prospect of EU membership is pushing Macedonia to change for the better. This country is implementing significant reforms. Therefore, I voted for the resolution, which praises these while also underlining a roadmap for further progress.

**Alfredo Pallone (PPE)**, *in writing*. – (IT) Mr President, ladies and gentlemen, I support the motion for a resolution on the progress report on the Former Yugoslav Republic of Macedonia.

I fully agree with the approach of the resolution, which agrees with the Commission recommendation and supports the opening of negotiations with the FYROM, in the conviction that this is an essential step for the development of that country and for the stability of a region crucial to the interests of the European Union.

#### **Motions for a resolution B7-0067/2010, B7-0065/2010**

**Andrew Henry William Brons (NI)**, *in writing*. – I abstained in the votes on the progress reports for Croatia and Macedonia. I did not do so because I judged either country might be unfit to be a member of the European Union. It would be more accurate to say that I judged the EU to be an unfit organisation for either of them to join. Membership of the European Union involves serious surrender of sovereignty and an unwelcome intrusion of its laws into everyday life. It is increasingly destructive of freedom of speech, writing and even thought. Both countries gained their independence from the Yugoslavian Federation and are now preparing to surrender their sovereignty to the European Union.

**Motion for a resolution B7-0068/2010**

**Elena Băsescu (PPE)**, *in writing*. – (RO) I voted in favour of adopting Turkey's progress report 2009. Although accession negotiations with Turkey started on 3 October 2005, they have made very little progress up until now. The European Parliament feels that Turkey is still not meeting the Copenhagen political criteria. Far-reaching constitutional reform is required to ensure greater respect for human rights and fundamental freedoms. The European Commission noted that during 2009, Turkey made some progress, albeit limited, on political reforms. The situation in Turkey has improved in terms of freedom of expression in minorities' languages.

I believe that the European Union must continue dialogue with Turkey and show openness to this country. Turkey is extremely important to Europe, both from the perspective of economic and political ties and for the European Union's energy security. My country wishes to develop the partnership with Turkey as part of both the Black Sea Synergy and the European Union's neighbourhood programmes.

**Philip Claeys (NI)**, *in writing*. – (NL) In the end, I voted against this resolution as, following its amendment in the Committee on Foreign Affairs and in plenary, we have ended up with a text that assumes Turkish membership of the European Union. It would have been better to emphasise that the negotiations are not open-ended, which would clear the way for more realistic alternatives such as a preferential partnership. After all, it is as clear as day that Turkey does not meet the conditions for accession to the EU, and that this will still be the case in 10, 15 or 20 years time.

**Lara Comi (PPE)**, *in writing*. – (IT) Mr President, ladies and gentlemen, I have decided to abstain from the final vote on the resolution on Turkey's progress report 2009.

Although the text criticises the ability of this country to shoulder the responsibilities of joining the European Union, my abstention expresses an even more prudent stance.

The current situation in Turkey with regard to democracy, the rule of law, and the protection of human rights and of minorities is still very far from European standards. I refer, in particular, to the Turkish electoral system that does not respect pluralism, to the law on the closure of political parties, to the interference of the military in political life, to the Kurdish issue and to the continuous restrictions on minority rights, religious freedom and press freedom. These are, for us, essential values and principles that represent the cornerstone of the European integration process.

It is true that this country's admission to the European Union could bring major economic advantages, particularly to our companies, but I believe that compliance with the Copenhagen criteria is a priority condition that the Union must monitor rigorously.

**Mário David (PPE)**, *in writing*. – (PT) It is perfectly understandable that the political, economic and cultural elites of Turkey aspire to EU membership. However, the values, traditions and rules by which we conduct ourselves are public knowledge, and we cannot change them so that simply anyone can join. It is up to the candidate country to accept them, and eventually, after becoming a Member, to try to live by them, but only then. However, during the long process of negotiations that has been ongoing with the EU, the Turkish people have felt that violations of their habits and customs – which, it should be said, are not even being observed – are being imposed, only to be denied membership in the referenda that will surely take place in the Member States, even if the politicians do end up agreeing.

Yet Turkey is a friendly nation, with a very rich history and culture. It is our partner in NATO and deserves to be treated as such. In view of this, I would suggest that even at this late stage, there could be a referendum in Turkey where the people are asked whether they acknowledge and want to adopt our principles and values, or whether they would now prefer negotiations to begin for a new and deeper special partnership with the EU.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the motion for a resolution on the 2009 progress report on Turkey, as I think it is in the interests of both the EU and Turkey to continue with the membership progress. I believe that the EU must meet the commitments that it has made to Turkey. For its part, Turkey must commit further to the reform process that is under way.

**Diogo Feio (PPE)**, *in writing*. – (PT) Turkey is still a long way from meeting the criteria it set itself at the Copenhagen Summit and seems not only less committed to them, but also less interested in fulfilling them.

In this respect, 2009 was a difficult year, in that it became clear that there is still an enormous gap which separates Turkey from the Member States of the European Union, on issues relating to politics, law, human rights, freedom of association, expression and information, and many others.

Regardless of how relations between the EU and Turkey will look in the future, I hope that they will converge and follow the route of dialogue and effective cooperation, and that, for its own good, Turkey continues in the direction of freedom and democracy along Western lines.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) In addition to its economic, political and social importance, Turkey's EU membership is a challenge for both sides and has great symbolic significance as a potential bridge between East and West. On the world stage, the European Union is seen as a paragon of economic development, a multicultural region that encourages respect for minorities and equal rights for all human beings, regardless of gender, race, ethnicity or religion. These are inalienable values of the project of European integration, and they represent an opportunity for the Turkish people and the peaceful enhancement of their ethnic and cultural diversity. Nevertheless, the process of applying for EU membership drags on without making any real progress, highlighting the long journey from the formal request for membership in 1987, which led to the opening of negotiations in 2005.

Therefore, bearing in mind the effectiveness of this process, I believe that it is crucial to give priority to promoting a referendum in Turkey, with the aim of giving the public the opportunity to express their opinions clearly on the acceptance of full EU membership, and all the implications of this on social and cultural principles and values, or whether they would prefer a deeper partnership with the EU instead.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) It is not Turkey that I am opposing by voting against this progress report. The people of Turkey do not deserve to be ostracised in any way. However, I do condemn the Euro-liberal diktat to which both the Member States of the EU and the candidate countries are subjected. The economic aspect of the Copenhagen criteria, the liberalisation of the markets that it demands, jeopardises the social entitlements of the candidate countries. I shall support the membership of new states only when the EU makes regional integration work to the advantage of all the citizens who make it up, and not to that of the interests of the capital that dominates it today and provides it with an integration framework over which the citizens have no control.

**Nuno Melo (PPE)**, *in writing*. – (PT) I have reservations about Turkey's EU membership. Its continuing occupation of part of Cyprus, its refusal to open ports and airports in the region, the violation of rights of political, religious and ethnic minorities, discrimination against women, the exclusion of political parties and the revocation of laws limiting the jurisdiction of military courts are some examples that demonstrate this. There are other basic issues. Most of Turkey is not geographically part of Europe. Turkey has an Islamic identity that is very different from the Judaeo-Christian identity of most EU countries. Strategically speaking, it would be problematic for the EU to have borders with Iraqi Kurdistan. The secularity of the country is only held in place by military force. Finally, the movement of people from what would become the country with the largest population in the EU would create great imbalances in the labour market. None of this precludes acknowledgement of the efforts made by Turkey over recent years to meet certain criteria required by the EU, and it recognises that invaluable role that this country plays within NATO. Perhaps it would be far better to guarantee Turkey privileged and preferential partnership status with the EU, rather than creating false expectations and hopes for membership, something that it would be difficult for the facts and circumstances to accommodate.

**Willy Meyer (GUE/NGL)**, *in writing*. – (ES) I have abstained in the vote on Resolution B7-0068/2010 concerning Turkey's progress report 2009 because I believe that Turkey is playing a very negative role in negotiations between the President of the Republic of Cyprus and the representative of the Turkish-Cypriot community. Turkey is not complying with United Nations resolutions and it is violating international law: it is keeping 40 000 soldiers in the northern part of Cyprus, the city of Famagusta continues to be sealed off and occupied by troops, and Turkey is still sending settlers to the north of the island.

In my view, the European Union should monitor negotiations and send an unequivocal message to Turkey: if it maintains its current position, it will never be able to join the EU, since it continues to occupy the territory of Cyprus, a Member State of the European Union. Therefore, the full withdrawal of Turkish troops from the Republic of Cyprus and the return of the city of Famagusta are *sine qua non* conditions of Turkey's accession to the European Union.

**Czesław Adam Siekierski (PPE)**, *in writing*. – (PL) Turkey has done a great deal in its efforts to comply with the Copenhagen criteria. Very significant progress has been made in terms of complying with the standards

of a market economy. If, however, we are talking about changes in the areas of politics, democracy or human rights, then although there has been significant progress in creating law, its implementation has not been so successful. This, too, needs to be understood, as it requires a change in social consciousness, which is something that happens slowly. However, European standards in the area of human rights, women's rights and treatment of prisoners and national and religious minorities must be met.

Some opponents of Turkish integration are guided by reasons unconnected with the substance of the matter, and others by fears that Turkey is a big country which will have a big influence on EU decisions, because, in accordance with the Treaty of Lisbon, the voting power of each Member State is dependent on the size of its population. Turkey's membership will certainly be a huge burden to the EU budget, but it should be borne in mind that it is a big market which is important for the Union. Turkey is a significant member of NATO and is an important partner of the USA and many EU Member States. It is also a territory which could provide routes for the transfer of energy sources to Europe.

Finally, let us remember that Turkey could become a bridge for inter-religious dialogue as well as cultural and even macro-regional dialogue. The presence of Turkey in the Union could help stabilise this large and important region of the world. Turkey must understand that it cannot change its past. Mistakes have to be admitted. Then it is easier to live and establish good relations with one's neighbours.

**Renate Sommer (PPE), in writing. – (DE)** In contrast to the Commission and the Council, the European Parliament has been able to describe the many problems in Turkey and those relating to Turkey very clearly. The ban on the pro-Kurdish Democratic Society Party (DTP) is an attack on the infant democracy in the country and, in particular, on the Kurdish minority, which represents as much as 20% of the population. The fact that this is the 27th party ban within 10 years gives a clear picture of the Turkish understanding of democracy. The annulment of the legislation limiting the jurisdiction of military courts is yet another indication of the disunity within the country. As soon as the Turkish Government plans a small concession to the EU, it is exposed by the nationalist opposition.

In almost every area, progress has come to a standstill or things are moving backwards. The Turkish Government is attempting to nip criticism in the bud by taking reprisals against hostile journalists and media organisations. Double standards are being applied to religious freedom. The prime minister wants to lift the ban on wearing headscarves and the age limit for Koran schools, while at the same time discriminating against religious minorities and harassing them on an ongoing basis. These are dreadful developments. Against this background, it seems only logical that the Turkish chief negotiator, Mr Bagis, does not take seriously our resolution and, therefore, our democratic decision-making structures. Turkey has shown very clearly that it is still generations away from joining the EU.

**Ernst Strasser (PPE), in writing. – (DE)** The essential prerequisites for continuing negotiations with Turkey are the full implementation of the Ankara Protocol and the recognition of the EU Member State of Cyprus.

**Nuno Teixeira (PPE), in writing. – (PT)** Turkey's EU-membership application has become a long, drawn-out process, the outcome of which still remains to be seen. Turkey has committed itself to introducing reforms, maintaining good relations with its neighbours and progressively aligning itself with the Community *acquis*. However, these efforts need to be stepped up in order to fully meet the criteria set at the Copenhagen Summit and in order to implement the judicial and electoral system and legislation.

Progress towards real reforms stalled in 2009, and issues such as the non-opening of ports and airports on Cyprus are likely to affect the negotiation process. In the same way, the decision by the Turkish Constitutional Court to ban the pro-Kurdish Democratic Society Party and the revocation of the legislation limiting the jurisdiction of military courts means a delay in the process.

In fact, the reforms are necessary and urgent, as the resolution of Parliament ordains. However, in this context, where greater efforts are required to satisfy the criteria for the membership-application process, the suggestion of a referendum is pertinent. This referendum would ask the Turkish people whether they really acknowledge and want to adopt European principles and values, or whether they would prefer a new and deeper special partnership with the EU.

## 11. Corrections to votes and voting intentions: see Minutes

*(The sitting was suspended at 14.50 and resumed at 15.00)*

**IN THE CHAIR: MR BUZEK***President***12. Approval of the minutes of the previous sitting: see Minutes****13. Agreement between the EU and the USA on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Programme (debate)**

**President.** – The next item is the report by Mrs Hennis-Plasschaert, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the recommendation on the proposal for a Council decision on the conclusion of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Programme (05305/2010 - C7-0004/2010 - 2009/0190(NLE)) (A7-0013/2010).

As you know, the European Parliament has been very active in this matter. Our Parliament is composed of Members directly elected by the citizens of Europe. Our main responsibility is for citizens' rights, and we must guard these rights. We are fully aware of this. This is our first and greatest responsibility. At the same time, we realise how important the SWIFT agreement is – for completely different reasons. Therefore, finding the right middle ground, here, was important. While this was happening, in recent months, the Treaty of Lisbon has come into force.

In November of last year, I wrote to Mr Reinfeldt, who was President of the European Council at the time, with a request to postpone the decision and for the European Parliament's decision to be taken into account, in accordance with the Treaty of Lisbon. As you know, this did not happen, and on 30 November, the Council made a decision on the matter and adopted the SWIFT agreement. On 21 December, I sent another letter to Mr Reinfeldt. Parliament expressed two expectations in this letter: inclusion of our position in the negotiation mandate for a permanent agreement, and also full information for Parliament during future negotiations. On 21 January, I wrote a similar letter to Mr Zapatero, who currently leads the rotating Presidency, and sent the same letter again on 8 February. I have also written a letter, saying the same things, to Mr Barroso. I have also been in touch with representatives of the American Government and with Mrs Clinton. I have also received a letter on this matter, which sets out the position of the United States Government on the SWIFT agreement.

Perhaps you know all this, because the documents are all available – I have sent all the documents to the political groups, so that you can use them at any time. This is important. We must have full information, so that we can make decisions on this matter in a responsible way. The measures we have taken will also be helped by our discussion today. That is why this discussion about SWIFT is so important. I am extremely glad that we have representatives of the Council and of the European Commission with us, who will be able to speak, and then we come to our discussion and our responsibility for a decision on this matter.

**Jeanine Hennis-Plasschaert, rapporteur.** – Mr President, I shall start by saying that I, too, support a strong, outward-looking EU that is capable of acting shoulder to shoulder as a true counterpart to the US, and in that framework, I think it is of crucial importance to be open, fair and transparent if we are to address the issue of how Europe should cooperate with the US for counter-terrorism purposes, including law-enforcement use of data collected for commercial ends.

Without a doubt, the targeted exchange and use of data for counter-terrorism purposes is, and will remain, necessary, but let me be clear: European citizens must be able to trust both security and data claims. Getting it right first time round should be the objective and, with all due respect, the Council has been insufficiently strong to do so.

Indeed, the proposed interim agreement is a significant departure from European law in how enforcement agencies would obtain financial records of individuals, namely through court-approved warrants or subpoenas to examine specific transactions, but with the proposed interim agreement, we instead rely on broad administrative subpoenas for millions of records of European citizens.

By the very nature of SWIFT, it is not possible to refer to the so-called 'limited' requests. For technical reasons, SWIFT has to transfer bulk data, thereby violating the basic principles of EU data-protection law such as necessity and proportionality. This cannot be rectified *ex post* by mechanisms of oversight and control.

At all times, it must be clear that Parliament is not out there to just passively take note of the actions of the Council and the Commission. The fact is that this House is always being promised jam tomorrow if only we would be patient. However, we cannot keep falling for fake promises of jam tomorrow. We need clear commitments now and the ball was in the Council's court. I made that clear last week, but so far, it has failed to act accordingly.

The Council states that it wants to ensure the utmost respect for privacy and data, but fails to address in particular the rights of access, rectification, compensation and redress outside the EU for data subjects. The Council states that it shares Parliament's concerns and therefore calls on the Commission to adopt draft negotiation guidelines.

Why hide behind the Commission? It is Council that will adopt the negotiation directives in the end; why have the negotiation guidelines not already been submitted? Council states yet again that it wants to ensure that the TFTP will continue. However, it fails to address the fact that in this way, the EU continues to outsource its financial intelligence service to the US. The lack of reciprocity is not being addressed. True reciprocity would allow the EU authorities to obtain similar data stored in the US and, in the long term, consider the necessity of building up our own EU capacity.

The Council does not show any commitment to line up with existing legislation such as the data retention directive for the telecom service providers, which does deal with specific and targeted data. The Council fails to clarify the precise role of the public authority. A 'push' system does not mean anything if, in actual practice, SWIFT has to transfer bulk data. Transfer and storage are, in other words, by definition disproportionate under the terms of the interim agreement and the Council does not address a European solution for the supervision of data exchange.

President-in-Office, tell me how on earth I can tell 500 million European citizens that we are selling out on important safeguards and principles just because we are not able to put our foot down, because Council is not able to get its act together. Tell me; I am all ears.

(Applause)

**Alfredo Pérez Rubalcaba**, *President-in-Office of the Council*. – (ES) Mr President, ladies and gentlemen, I would like to begin my speech with an unequivocal statement: Spain has shown clear, unreserved support for the Treaty of Lisbon, and it has done so from the very beginning. We did so in the certainty that the implementation of the new treaty was going to mean, *inter alia*, that the European institutions would be brought closer to our citizens.

This is an objective that the Treaty of Lisbon entrusts largely to Parliament. Giving Parliament a bigger role and greater participation in issues such as the area of freedom, justice and security is the way in which this treaty has tried to bring the citizens and the institutions closer together.

Let me begin, then, by assuring all the honourable Members that the Council is committed to working closely and honestly with Parliament. For the Spanish Presidency, this conclusion is the result of our firm commitment to the Treaty of Lisbon and its aims.

The Council also shares Parliament's concern to ensure the security of all European citizens, for security means the guarantee that they can fully exercise their freedom. That is the context in which, together, we are fighting terrorism – all forms of terrorism.

As stated in the Resolution adopted in this Chamber on 17 September, the European Parliament 'recalls its determination to fight terrorism and its firm belief in the need to strike the right balance between security measures and the protection of civil liberties and fundamental rights'. I agree wholeheartedly with this statement.

This is the framework within which I would like to see this debate conducted; it is a new framework under the Treaty of Lisbon, and it is based on honest, interinstitutional collaboration and a shared desire – and this is not a new desire – to fight terrorism while respecting the principles of proportionality and necessity, which are also critical if we are to fight terrorism effectively.

Mr President, it is widely acknowledged that international terrorism has brought new challenges to our societies. This is a relatively new form of terrorism which has no clear organisation, is extremely deadly and operates at a global level. A global approach is therefore needed to eradicate it. It lacks a rigid, hierarchical

structure and so can only be combated with an extraordinary intelligence effort. It is so deadly that we are having to be on maximum alert in places where large numbers of people gather.

Prevention, coordination and intelligence are the three words that sum up our strategy for tackling this huge threat.

All countries have endeavoured to improve internal and external coordination, to be better informed and, ultimately, to cooperate with those who are engaged in the same struggle. The European Union has also increased its joint investigation bodies and teams, information exchange and shared analysis.

This is the context for the agreement we are examining today between the European Union and the United States concerning the transfer of financial messaging data. Data exchange without an agreement has worked uninterrupted for many years.

When I appeared before the Committee on Civil Liberties, Justice and Home Affairs two weeks ago, several Members asked me about the outcomes of that data exchange. It is a pertinent issue which I think has been taken up and answered in the second report by Judge Bruguière, which has been referred to this House and from which I shall now quote: 'during 2009, the TFTP has been a highly valuable tool used by intelligence and law enforcement agencies to help map out terrorist networks, to complete missing links in investigations, to confirm the identity of suspects, to locate the physical whereabouts of suspects and to identify new suspects as well as to disrupt attempted terrorist attacks'. I would also add that this not only applies to 2009 but earlier, in the United States, Europe and all over the world: in Barcelona in January 2008, in Germany in the summer of 2007, in London after the 7 July attacks and in the investigations into the 11 March attacks in Madrid, the Bangkok killings of April 2005 and the Bali bombings of 2002. These are just some of the examples Judge Bruguière cites in his report.

Data exchange has therefore delivered positive results. It has allowed us to investigate and prevent attacks. It has enabled us to arrest terrorists after they have committed attacks and, most importantly, before they have succeeded in committing them.

Even though SWIFT indicated in 2007 that it had made a decision to change its databases, it did not actually do so until just a few months ago. This meant we had to review the protocols which, up to then, had enabled us to exchange financial data. That had to be done in a very short space of time. The mandate was approved by Council in the summer of 2009 when there was still uncertainty over the entry into force of the Treaty of Lisbon.

The decision that was taken is well known. We signed an interim nine-month agreement which should be ratified in this Chamber: an interim agreement lasting nine months, during which this Parliament, the Council and the Commission should establish a new negotiation process to set out a definitive agreement. That was the decision taken.

It may not have been the best decision. However, it is important to say clearly to this House that, in terms of privacy protection, the signed *ad referendum* agreement that we are debating here today is a great improvement on the protocols in place prior to this agreement.

It is an improvement because this interim agreement has additional guarantees, among other elements, that were recommended by Parliament and set out by the rapporteur in the report that has been presented to us today.

At this stage, I would like to say that the Spanish Presidency of the Council has taken full account of the resolutions adopted in Parliament and the letters sent by the President of the Parliament, as well as the report that was drawn up by Mrs Hennis-Plasschaert and voted on in the Committee on Civil Liberties, Justice and Home Affairs on 4 February. For this reason, the Council approved a statement that was sent to Parliament yesterday and whose key points I shall now summarise for you.

Firstly, the Council is committed to incorporating into a definitive agreement the sound guarantees that will strengthen proper protection, the deletion of data and greater precision with regard to the exchange of data obtained by the TFTP with national authorities and third countries.

We are also committed, of course, to strengthening the guarantees contained in the current agreement; these should remain – and be strengthened – in the definitive agreement, as should a strict limitation on the end use of data and an absolute ban on extracting data and using profiles.

Finally, the Council, in response to the new context created by the entry into force of the Treaty of Lisbon, is committed to negotiating an interinstitutional agreement in order to enable easier access to classified documents relating to international agreements.

In this regard, and I wish to reiterate this point as clearly as possible, the Spanish Presidency is totally committed to the Treaty of Lisbon and the Charter of Fundamental Rights of the European Union, particularly Article 8, and fully recognises the legitimate concerns expressed by Parliament.

We now know that the commitment I have just set out is possible. In a letter sent to the President of Parliament by the Secretary of State of the United States, Hillary Clinton, and the Secretary of the Treasury, Timothy Geithner, the United States Government has expressed its commitment to incorporating the requisite guarantees in accordance with the position taken by the European Parliament.

Ladies and gentlemen, it is possible that in the approval process for the agreement we are debating today, the Council could have done things better. What is certain, however, is that in this process, the Council has learned lessons and taken due note of Parliament's concerns. It is also certain that the agreement we are debating today has contributed – and I hope that it will continue to contribute – to improving the security of citizens all around the world and, of course, in Europe.

**President.** Thank you, Mr Rubalcaba. I would like to remind everyone, as I said earlier, that I have received a reply from the Council to the letters which I sent. They are available in the political groups for you to see at any time. In its reply, the Council has responded to our expectations, the expectations of Parliament. Thank you, Mr Rubalcaba, for making this declaration and for explaining the Council's position on this. It is very important to us.

**Cecilia Malmström, Member of the Commission.** – Mr President, let me start by thanking everyone for yesterday giving us and me your trust and confidence by voting 'yes' for the new Commission.

It is an interesting first day at work and I am grateful to share with you the important issue of sharing information with the US for the purpose of combating terrorism, this time in relation to the Terrorist Finance Tracking Programme (TFTP).

The European Parliament has, of course, shown great interest in this matter. This is quite right, since the TFTP confronts us again with the challenge of reconciling data sharing with data protection and, if we take up this challenge, this helps us to give citizens security, privacy and data protection.

One of the aims of the interim agreement has been to ensure implementation of the conditions in the European Parliament resolution of September 2009. We firmly intend to strengthen further the data protection part when negotiating the long-term agreement, particularly concerning the right to receive information about whether one's rights have been respected under the agreement, and stronger guarantees about effective redress, lawful data processing and the deletion of data.

The second Bruguière report was made available to MEPs on Monday last week, and it demonstrates the significance and the value of TFTP in the investigation and disruption of terrorism, including in the European Union. The report confirms that TFTP has been used to identify and arrest individuals who have subsequently been convicted of terrorism within our Member States. The report also highlights that TFTP is a valuable source of reliable information necessary in the fight against terrorism. There are specific examples and the Council referred to a few of them.

We know that the threat of terrorism in some of our Member States remains as high as ever, and I am sure that you can see that rejection of the interim agreement by this House would represent a serious blow to EU security.

Some of our Member States have made it very clear that they want the TFTP to continue because they have benefited from it in the past and will continue to do so. They have told us that the reliable information that the TFTP provides on known and suspected terrorism is an important source of legitimate intelligence needed to address the complex threat, notably from al-Qaeda inspired terrorism. The interim agreement is not only a favour to the US; it is in our common interest.

Much has been said about the level of protection of data in the interim agreement and this is, of course, a key concern. I encourage Members – and I am sure most of you have already done so – to look closely at the interim agreement. You will see that it contains significant and detailed legally binding commitments on the way that the US Treasury Department can process data under the agreement. They include, for example, a



strict limitation on the purpose of processing, which is limited to the investigation, detection and prosecution of terrorism. It includes an absolute prohibition on data mining – searches of the database can only be undertaken where it is possible to show a reason to believe that the subject of the search is engaged in terrorism.

That means that the data held on the TFTP database are effectively anonymous. Only if there is a reason to believe that one identified person is a terrorist can the data of that person be seen and extracted from the database. This is important. The interim agreement obliges the Treasury Department to delete data within five years of receipt – a period which is in keeping with the retention period in EU legislation on terrorist financing. The agreement also provides for a detailed EU review in which some of our own data protection authorities will participate to ensure that these and many other data protection obligations are complied with.

The agreement does not involve the transfer of virtually all SWIFT data to the US Treasury Department. I can assure you that only a fraction of SWIFT data will be transferred under the interim agreement. It does not in any way affect the powers of data protection authorities with regard to processing activities performed in the EU by SWIFT or financial institutions.

Refusal of consent will bring to an end the interim agreement, including the significant data protection safeguard it contains. If the US is able to access data by other means – for example through bilateral relations with the Netherlands – those safeguards will no longer apply. If the interim agreement falls, it is likely to take considerable time before any alternative can be put in place. So refusal of consent risks leading to both a data protection gap and a security gap.

Finally, the interim agreement is only an interim agreement. It might not be the best agreement in the world. It can – and it will – be improved. The Commission is now finalising the draft mandate and the guidelines for the long-term agreement and we will adopt them swiftly.

I give a personal commitment to you to ensure that the European Parliament's concern will be addressed and that we shall seek a strong protection of privacy and data protection in the new agreement. The European Parliament will be fully informed at all stages of this procedure. I hope that this answers a few of your questions.

**President.** Thank you, Mrs Malmström, for your explanations. They were, truly, very important for us. The Council and the European Commission have just made certain declarations in relation to our expectations of the negotiation mandate and about keeping Parliament informed.

In what we are doing, there is also another important element: the European Parliament has become jointly responsible for European legislation. We are also responsible for international agreements, such as the SWIFT agreement, and we are giving a strong signal that the situation has changed, now that the Treaty of Lisbon is in force. This is important. I think the recent signals from the American Government show that it has become clear that the European Parliament is, today, fully responsible for legislation. We wanted it to be a strong signal. However, we know we are responsible to our citizens. We are directly elected Members of the European Parliament. Our responsibility to defend citizens' rights is of fundamental significance and we always stress this.

**Ernst Strasser, on behalf of the PPE Group.** – (DE) Mr President, ladies and gentlemen, firstly, I would like to welcome you on your first working day and assure you that you have the full cooperation of our group. At the beginning of this debate, we would like to say that we want a good partnership with the Americans, in particular, when it comes to combating terrorism. Secondly, we strongly support security for our citizens and also citizens' rights and data protection. Thirdly, we have worked very hard to ensure that the guidelines for the negotiations and our position were in place as early as mid September and we now want to see these implemented. Fourthly, Mrs Malmström, I would like to say with respect that it is not that Parliament had a strong interest in this area, but rather that we regard the legislative process as our responsibility, as the President has said, and we want to be involved in this process on an equal footing with the Council and the Commission.

Our response to the text for the negotiations is to make two very clear points. Firstly, we cannot accept the way in which this text has been produced. Secondly, although the Council maintains that 'the points from Parliament's resolution have been fully taken into account', in fact, some of the points have not been included, in particular the right to take legal action, the deletion of data and some others. These are the main reasons why we said in the Subcommittee on Security and Defence that this was unacceptable to us. It also became

clear that it was only after this that things started to move. The US Secretary of State has not agreed to anything, unless the Council has received information which is different from the information given to Parliament. This has allegedly happened on some occasions. The Council has sent out encouraging signals this week, but has not given any guarantees. I would like to make that very clear. This is why we are saying that we want to discuss this further, that we want a good agreement and that we are very much in favour of more discussions, if there is a guarantee that this will result in a good agreement.

**Martin Schulz**, *on behalf of the S&D Group*. – (DE) Mr President, the Irish author Jonathan Swift in his famous book ‘Gulliver’s Travels’ sent his hero Gulliver to the land of Lilliput, whose inhabitants were only six inches high. However, Gulliver believed that he had arrived in the land of giants. To me, it seems rather as if American diplomacy has followed Gulliver and believes that it can treat the European Parliament as if it were an organisation of little people. That is a mistake.

Mrs Malmström, I would like to congratulate you on your election and your move from one bench to the other. However, you should be aware that it was not just an error committed by American diplomats, but also by the governments of the European Union who believed that an agreement of this kind could be pushed through Parliament and did not realise that we cannot vote in favour of such a defective agreement. This agreement embodies the spirit of the security ideology of the United States of America, but it does not embody the protection of fundamental rights, which we as Members of the European Parliament must guarantee for the citizens of Europe.

The possibility of transferring large volumes of data without specifications and without specific details in individual cases is in fundamental conflict with the data protection legislation that we have adopted in Europe in all our parliaments, including the national parliaments. The serious problems regarding data protection have already been referred to. You have done so yourself. How long will the data be stored? Who is storing it? Who is passing it on to whom? What options do I have for finding out about what is happening with my data, who is accessing it and whether it is correct? What legal protection do I have to ensure that incorrect data cannot be gathered about me and passed to third parties, whoever they may be? When will my data be deleted, if it has been collected and stored? Under the terms of the Homeland Security Act, data can be stored for up to 90 years. If this includes a guarantee that I will reach the age of 90, then I’m happy to discuss it. It is worth repeating that this data can be stored for up to 90 years! All of these factors represent serious failings in this agreement.

For this reason, Mr Rubalcaba, I have to say to you that this is a bad agreement and we cannot vote in favour of it. If we reject it, then it is your job to negotiate a new and better agreement with the United States that respects the interests of security but, at the same time, also respects the security interests of citizens with regard to their freedom. If you can do this, we will support the new agreement. The objective of a new round of negotiations must be to find a compromise between these two things.

I cannot recommend to the members of my group to vote in favour of this agreement at this point and in this form. This evening, I will suggest that my group votes against this agreement.

**Sophia in ’t Veld**, *on behalf of the ALDE Group*. – Mr President, I should like to welcome my former colleague and good friend, Cecilia Malmström. It is a pleasure to see you here.

This is a first key decision for the European Parliament to take with its new Lisbon powers and expectations are high, but we need to keep a clear head. We owe it to our citizens to make a well-considered decision, free from outside pressures or scare tactics such as false claims of a security gap, because data, and we know this, can still be obtained by the US without disagreement. Let us not forget that the Member States were not unanimous on this agreement either. We can only give our consent to an agreement that has full democratic legitimacy, on grounds of substance and procedure. This is not about a battle of wills between the Council and the European Parliament nor is it about transatlantic relations. This is about European citizens being entitled to a proper democratic and transparent procedure.

The answers of the Council so far are utterly inadequate, and the democratic rights of European citizens cannot be bargained away with promises of trips to the US or vague promises by the Council for future agreements. The Council has had countless opportunities since 2007 to handle this in a proper manner and ensure security, as well as protection of personal data and civil liberties, or ensure proper democratic scrutiny by national parliaments or, since 1 December, the European Parliament, but the Council has been incredibly stubborn. Parliament cannot and should not take a decision if it does not have access to all relevant information and documents. Our voters have a right to know that we consider all elements very seriously and that we do not simply rubber-stamp Council decisions.

Finally, the European Parliament has been very clear for years about its concerns and expectations and, instead of coming up with more vague promises, the Council should finally provide us with the opinion of its Legal Service and the requested information demonstrating the use of the data for counter-terrorism purposes. I do not consider that the second Bruguère report is sufficient. So, if the Council wants the consent of this House, it will have to meet our demands. That, Council, is the only way.

(Applause)

**Rebecca Harms**, *on behalf of the Verts/ALE Group*. – (DE) Mr President, firstly, I would like to comment on the meetings with the experts and the US ambassador. In the two meetings which I chaired, I did not feel in any way as if I were being regarded as a little person from Europe, quite the contrary. During these meetings with the experts from the US, I learnt a huge amount about the very different legal systems relating to the protection of fundamental rights in the US and in Europe. I am grateful to the Americans for taking part in this far-reaching dialogue. The nature of the task which lies ahead of us has become clear to me. The Council has not done this task justice in the past. The nature of the task facing the Europeans has also become clear to me, if we want to combine an effective fight against terrorism and effective protection of fundamental rights in the same agreement.

I actually find it embarrassing that people have had to come across the pond to explain this controversial area to us and that the Council has not so far been able to have an honest debate of this kind with Parliament. The rapporteur has made it entirely clear in which areas fundamental rights, which enjoy the highest levels of protection in Europe, will be breached. I would like to make an additional point that I regard as a major problem from a legal and political perspective, if we look at the issue in more detail. The US and Europe have completely different definitions of terrorism and this is a problem which pervades this agreement.

As has rightly been said, the Members of this House are accountable to the citizens of Europe for ensuring that their rights are preserved. In my opinion, we should not vote for an agreement which many of us, including Mr Weber, Mr Langen, who is not here at the moment, and Mr Schulz, have said repeatedly in public is in breach of current law. We must take action now. We have told the citizens of Europe in the course of the public discussion that we would do so. We must vote against the interim agreement and we must not postpone our vote.

Parliament must not evade its responsibilities again as it did in November. Then we had the option of bringing everything to a stop, but the majority did not want to do so. Now we must take action and – I am saying this after the consultations with the Americans – this will put us in a better negotiating position and on an equal footing, which will enable us to improve security and the rights of citizens in the European Union and perhaps even in the US.

**Timothy Kirkhope**, *on behalf of the ECR Group*. – Mr President, like my colleagues here, I have been hugely frustrated and angered by the Council's treatment of and substandard consultation with this House on the agreement. Parliamentary consultation and consent should not be a retrospective tool. The reciprocity of data protection should be beyond reproach, and the manner in which the agreement has been negotiated and concluded must never be repeated.

However, I have been reassured at least by the United States authorities and by the multi-layered data protection systems and judicial safeguards that are in place through this interim agreement. So our poor treatment by the Council should not compromise the EU's agreement with the United States, or any future agreements on the security of Europe. We are now receiving loads of assurances and promises from the Council and from the Commission. I cannot yet judge whether these answer all the reasonable requirements we have laid down, so in my opinion, we now need some time before proceeding further with our consideration of this vital measure.

**Lothar Bisky**, *on behalf of the GUE/NGL Group*. – (DE) Mr President, ladies and gentlemen, the SWIFT agreement was negotiated on the basis of a dubious procedure and quickly pushed through only one day before the entry into force of the Treaty of Lisbon, in order to circumvent Parliament. However, I would like to focus specifically on the content of the agreement. We have big brother's little sister waiting for our approval. Mrs Clinton believes that she can persuade the Members of this Parliament to do something which we would not accept from our own governments.

From my point of view, it is fundamentally wrong for alleged terrorism investigators to have such extensive access to databases, because this undermines people's self-determination over their own personal data. Personal data will be stored for decades and no one will have any control over how it is used. In addition,

the data can still be retained after the agreement has come to an end. It will not be possible to take legal action to discover the whereabouts of the data or to claim damages for its illegal use by third countries. This gives the state precedence over its citizens, who will all be reduced to the status of objects of suspicion. The Member States are allowing other governments to spy on our citizens indirectly via the EU.

To give some examples in Germany, should Deutsche Telekom, Deutsche Bahn or the Schlecker drug store chain still be worried about collecting information on their employees? Will it now become the norm for the German Government to buy from tax investigators data that has been obtained illegally? We find ourselves in a situation in which Parliament must stand up for its beliefs and make a decision. Why should Google be able to set data thresholds in future? It is important to combat terrorism and, in particular, its causes, and I believe that we all agree on this, but not at the cost of fundamental rights. In this context, I have heard many speeches which refer to the EU as a community of values. We are just about to sweep one of these values under the carpet and my group cannot vote in favour of that.

**Simon Busuttil (PPE).** – (MT) Let me make it clear that the European Popular Party is in favour of this agreement. It is all for the SWIFT agreement and tomorrow will vote in favour. Let me explain why: the European Popular Party is going to give its backing because its primary concern is the safety of people, the security of our citizens.

The security of our citizens will be improved as a result of this agreement, and this is why we support it. This is not simply my own opinion, but it is the expert opinion of those whose specific task was to research and evaluate whether or not this agreement enhances the security of the citizens whom we all, in this Chamber, represent.

There will be an improvement in the level of security throughout Europe and this will be extended to the security of other citizens worldwide, including the United States. Now I agree with those who stated that the Council did not act appropriately with the European Parliament, but I believe that the message sent out by the Committee on Civil Liberties, Justice and Home Affairs last week taught the Council a lesson, a lesson that was clearly understood. I also sympathise with the concerns of my fellow Members on the issue of privacy, but here we must again recall that this agreement is an interim one. This means that a new agreement will have to be drawn up that will provide better guarantees regarding security.

Mr President, in your introduction you mentioned responsibility. I appeal to my fellow Members to use the powers of this Parliament, the new powers that we have, with full responsibility, in order to truly be able to face 500 million citizens and tell them that we were defending their security. If possible, in order to retain more unity in this Chamber, tomorrow's vote should be postponed. We are ready to consider the postponement of the vote but if it is not granted, then we should vote in favour.

**Claude Moraes (S&D).** – Mr President, we, too, in the Socialists and Democrats, want to fight for the European citizens and we want to fight against terrorism, so that is why we will be recommending, as my leader said, a 'no' vote tomorrow to ensure that we vote in this Parliament on the first consent procedure under Lisbon against a bad agreement for this whole Parliament.

This is not a sectarian issue for us but a factual issue. This is an issue about whether a badly drafted agreement serves the interests of security and anti-terrorism. As one of my advisers once said – and he is a lawyer, I used to be a lawyer and Mr Kirkhope was also a lawyer – quoting Benjamin Franklin: He who would put security so far before liberty deserves neither.

So we all agree that, for the EU citizens, a good agreement is what we want. Now in Coreper, it is absolutely true that the Council came up with all the issues that we as a group regarded as the important issues. Mrs Clinton, too, in her letter acknowledged that Parliament had a point, but neither of these documents went further and gave us a blueprint for solving this problem, and that is why a 'no' will, in our view, push towards a better agreement for the whole Parliament.

So we, in our group, are appealing across the House and not just within our group, to support the rapporteur in what she is trying to do, a better agreement to fight terrorism. No one has the moral high ground here; we want an effective fight against terrorism, that means a better agreement and that is what we will be recommending to the Socialist and Democrats this evening in our group.

**Agustín Díaz de Mera García Consuegra (PPE).** – (ES) Mr President, I reject the methods and the time used for this agreement. Parliament's role is an essential part of the Treaty of Lisbon and it should be respected by all parties concerned.

Moving on to the substance of this issue: the greatest damage a democratic society can do to terrorism is to cut off its financial resources. That is why the interim agreement should remain in place while the definitive agreement is urgently negotiated. On at least nine proven occasions, SWIFT and TFTP have demonstrated their effectiveness and value in preventing and suppressing terrorist activities in Europe, Asia, Africa and America, in relation to the text of the interim agreement and data protection.

Which report should prevail, ladies and gentlemen? That of the European Data Protection Supervisor or those of the special Judge, for both are well-founded yet contradictory. No, ladies and gentlemen, we have neither held a debate nor reached a solution on this issue. The wording of the interim agreement guarantees rights. It states that data provided shall be processed exclusively for the prevention of terrorism or its financing; that no copies of data provided shall be made; that data provided shall not be interconnected with any other database; and that only public security authorities shall have access to data.

I trust the government of the United States and the great democracy by which it is established. We have an obligation to strengthen our relations with that country, for we are natural, mutually reliable partners.

For all these reasons, I support a House vote in favour of the interim agreement and I welcome the very positive move Parliament has made to assert its authority, and the fact that Mrs Clinton and Mr Geithner have acknowledged that authority as an indispensable element now and in the future.

Finally, Mr President, the Council and the Commission know what is expected of them. An interinstitutional agreement is urgently needed.

**Stavros Lambrinidis (S&D).** – Mr President, a simple letter from the Council that the negotiation guidelines will fully contain Parliament's concerns, that negotiations will begin immediately with the United States and not at some point in the future, and that Parliament will be fully involved in these negotiations might have sufficed, and it would not be that difficult to give in order to alleviate this Parliament's concerns about the way it has been treated, ignored and played with in the past.

But you could not do even this today. The bulk transfer of data, the Commissioner said, is not a problem. Only some data will go there. SWIFT tells us that is not the case. The United States administration tells us that is not the case. There is no proof of what you say in this statement.

You mentioned the negotiating guidelines that you are nearly done with. Where are they? Given the pressure that exists today, why can you not tell us exactly where you agree and where you disagree with Parliament, instead of making general statements?

I feel it is extremely important to fight together with the United States against terrorism. I urge the United States and Council to work very seriously together with us after our vote tomorrow, and not to choose bilateral routes or dream about breaking the solidarity, but to work together to protect fundamental rights while we protect security.

**Birgit Sippel (S&D).** – (DE) Mr President, anyone who has followed the many discussions about SWIFT over recent weeks might get the impression that without SWIFT, we would descend into chaos and that rejecting the agreement would bring an end to the transatlantic relationship and the joint war on terror. These attempts to threaten us can be described in one word: ridiculous. The US and the Council are not trying to rescue an essential tool; they are simply saving face.

There are many agreements and measures in place to combat terrorism. SWIFT could be a useful addition to these. The failed attack on 25 December has clearly demonstrated that it is not data we are lacking, but the ability to make effective use of the data which we already have. The idea is to divert attention away from this fact. The interim agreement simply could not be worse. It is full of contradictions and inconsistencies. Instead of suitable precautions being taken to ensure that only data relating to people who are actually under suspicion is transferred, huge volumes of data will be sent to the US every month. The agreement represents a flagrant breach of citizens' rights, data protection and the principles of the rule of law. If the Council and the US were really prepared to take on board this criticism and to incorporate these points into a new agreement, then there would be no need for us to accept this dreadful agreement. In the interests of the citizens, we must say no to the interim agreement and we must start new negotiations immediately, so that we can put in place a really good agreement which acts as an additional, effective tool for combating terrorism and which preserves our fundamental rights.

**Juan Fernando López Aguilar (S&D).** – (ES) Mr President, the Treaty of Lisbon has opened a new chapter for this Parliament, but also for the Council and the Commission.

In his speech, the President-in-Office of the Council has taken note that this Parliament should be listened to and that its concerns and demands should be taken into account.

He has also noted that the negotiation of this agreement was not conducted very well, or well enough. Above all, however, he put forward a future commitment: to urgently negotiate a definitive agreement that meets the demands set out in the rapporteur's report, which include the demand for a guaranteed right to appeal, to information and to the subsequent modification or deletion of private data.

We therefore have to strike a new balance between privacy, citizens' freedom, and security, which is also a fundamental right of the citizens we represent in this Parliament.

So, whatever the outcome of the debate, Parliament urges the Minister to begin that negotiation as soon as possible and to thereby satisfy the Treaty of Lisbon, the Charter of Fundamental Rights of the European Union, and the 500 million citizens that this Parliament represents, who have a fundamental right to security.

**Axel Voss (PPE).** – (DE) Mr President, in the era of mobility, we cannot have security without an effective and rapid exchange of data and our job is to protect our citizens against terrorist attacks. Therefore, we must find a balance between security and privacy. This balance must be reflected in the agreement that we are currently debating.

However, given the importance of this issue, the Council has taken a really amateurish approach in this case. Therefore, I would like to see more concessions made to the rapporteur, including some specific help, so that we can perhaps achieve a majority in Parliament.

If we do not have this, then the Terrorist Finance Tracking Programme will remain a single central programme and it will be important for us to ensure that SWIFT only transfers individual items of data. If we do not have this, then the full agreement is the right thing and the current agreement remains important. Therefore, I believe that we should aim for a postponement and then ultimately ....

*(The President cut off the speaker)*

**President.** – Colleagues, this is a very important discussion. I do not want to disturb you but you are all talking half a minute longer than you should. There are 11 people on the list. If you all talk for such a long time then I cannot give the floor to the others.

**Jörg Leichtfried (S&D).** – (DE) Mr President, no one has any serious doubts about the need to combat terrorism. However, the question for advanced democracies based on the rule of law always concerns what should be done and how it should be done. In this case, this question is easy to answer. We must not act in such a way that 500 million people are placed under suspicion and that there is a massive intrusion on their rights, without giving them recourse to legal protection. In particular, these measures must not be put in place with a total disregard for existing democratic regulations.

Now Parliament is in the position of having to carry the can for the actions of the arrogant Swedish Presidency. We must not do this. Therefore, I am in favour of voting against this agreement tomorrow.

**Carl Schlyter (Verts/ALE).** – (SV) Mr President, I want to say that nothing will be stopped – no terrorist act will be stopped – by this proposal. None of the four attacks mentioned by the Council Presidency would have been stopped, although perhaps the subsequent investigations would have been made easier. This agreement reduces security in the same way that any total surveillance law on the Internet reduces security, because if there is total surveillance, people will try to avoid it – even honest citizens. Then anonymisation services are created on the web, just as now in the banking sector. If terrorists can hide among ordinary people, security is reduced. It is a poor agreement.

Instead I call for a complete review of all these anti-terrorism laws. What do they cost and what is their collective effect on privacy and liberty? Only then will I even consider voting in favour of even more anti-terrorism laws. Show us how effective these measures are using open documents, not secret ones.

**Janusz Władysław Zemke (S&D).** – (PL) Mr President, I would like to draw attention to two matters, which, in my opinion, are very important. It is indisputable that we should fight terrorism, but the discussion is about how this should be done, and what kind of agreements should be signed with the Americans on this. I would like to raise two matters. The first of these is that the agreement affects only one of the parties – it is a one-sided agreement. Have we thought that the appropriate services in European states could also obtain data from the USA, and that this would facilitate the fight against terrorism here in Europe? The

second matter – the basic objection concerns the fact that it will be possible to obtain all financial data. I strongly emphasise the word 'all'. I think we should work towards allowing American and European special services to obtain data only from those entities which are under suspicion.

**Marian-Jean Marinescu (PPE).** – (RO) The Council sent the agreement to the European Parliament very late, which is extraordinary. I hope that there will be no more recurrences of incidents of this nature. On the other hand, I have been very pleasantly surprised by the intensive cooperation between the US authorities and the European Parliament. Unexpectedly, they have listened to this institution, something which I hope will be repeated in the future.

I am expecting the same level of interest from the US authorities as well regarding the equal treatment of Member States in relation to the Visa Waiver programme. The United States have yet to introduce clear, transparent criteria for refusing visas in certain Member States. Nevertheless, I believe that the temporary agreement must be supported because it will contribute to the security of European citizens. However, the approval of this agreement must not halt the negotiations with the United States on a long-term agreement, which will include all the objections raised by this Parliament.

**Eva Lichtenberger (Verts/ALE).** – (DE) Mr President, today, the Council has admitted that the results of the negotiations may not have been as good as they could have been. We should pick up on this and take the opportunity to improve the agreement. However, simply postponing matters will not help, because the postponement process is not governed by any conditions. We will therefore find ourselves in exactly the same situation again during the next plenary session. I do not believe that this will change anything.

Secondly, I would like to say that we have already had enough promises that things will be better during the next round of negotiations without the involvement of Parliament. We have already been promised before this agreement that this time things would be quite different. Once again, postponement will not help. The only thing that will help in this case is to send out a clear signal.

Thirdly, the security loopholes which people have repeatedly claimed will be created if we do not vote in favour of the interim agreement simply do not exist. We have legal reports that prove this and we have agreements on mutual legal assistance.

**Sajjad Karim (ECR).** – Mr President, the security of our citizens is of paramount interest to us all, and it is all too easy for us to be painted as soft on fighting terrorism when we stand and ask for the civil liberties of our citizens to be protected. I have seen that happen time and time again by many national parliamentarians when it comes to actions that this House takes.

SWIFT has, of course, many examples of success, and we support all of those examples, but it is equally important also to concentrate our minds on those instances where SWIFT has failed or let us down. There have been many failed or bad investigations in the European Union. In my constituency alone, 12 innocent people were detained and were not able to be charged. At the time they were detained, we were informed that financial transactions were part of the substantial evidence against them.

What can we learn from those bad instances? Council, let us step back. We have time. Our backs are not against the wall. There is a way forward. Let us defer. Council, go back; do this properly – not for the sake of this House, but for the sake of our citizens.

**Carlos Coelho (PPE).** – (PT) Mr President, in my country, if a police officer wishes to gain access to a bank account, he has to have a warrant. I cannot accept an agreement whereby thousands or millions of bank details are transferred to an American police officer for perusal without requiring the permission of a court. The interim agreement that was negotiated lacks data protection. Data protection is not a luxury – it is a prerequisite of our freedom. There is a lack of reciprocity and a lack of proportionality. We cannot allow this.

We certainly hope that the final agreement will be properly negotiated. How can it be negotiated? Is it negotiated from a poor basis or a reasonable basis? I believe that it is better for us not to have a bad interim agreement than to have any agreement at all. If we refuse the interim agreement, it means that we have a good base for negotiating the final agreement.

**Monika Flašíková Beňová (S&D).** – (SK) The saying goes that good agreements are made by equal partners. The agreement being drawn up at the moment, however, does not indicate that we are an equal partner but rather that the United States is making demands of us and is expecting that we will comply with its views.

Following the Lisbon Treaty, however, the European Parliament has much more power and the task as MEPs sitting here is really to defend the interests and rights, the fundamental rights, of the 500 million citizens of the EU Member States. I therefore also support the motion for this agreement to be reworked and for it to incorporate the proposals that we, the Members of the European Parliament, who are the only directly elected representatives in all of the EU institutions, expect to be incorporated into the agreement.

I know that there are countries in the European Union that have enormous problems with terrorism. Finally, Spain is one of the countries that have been fighting terrorism for a long time and I believe that in this case, the Council will be the partner of the European Parliament and not the partner of the United States of America.

**Alfredo Pérez Rubalcaba**, *President-in-Office of the Council*. – (ES) Mr President, first of all, I would like to say that I have listened with great interest and appreciation to all of the speeches made by the honourable Members, speeches of both support and criticism, although admittedly, the latter were in the majority, but I welcome them all.

I would like to say firstly that I am very pleased to have confirmed once again during the debate in this House that Parliament, the Commission, and the Council are all perfectly in tune when it comes to defending our shared values and, as I said in my speech, to taking a determined stance against any kind of terrorism. In my opinion, this consensus is extremely important, and we should not forget it.

I want to make a distinction between the two radically different strands of criticism that we have heard with regard to the SWIFT agreement which we have examined this afternoon: criticism on the grounds of procedure, and criticism on the grounds of substance.

It is true that there has been constant criticism of the substance of this agreement, even by those Members who explicitly supported an agreement such as this. I reiterate what I said in my earlier speech, that things could probably have been done better; in fact, they could certainly have been done better. However, I also said, and I reiterate this too, that as the honourable Members know well, the time limits were as they were, so that the Council and the Commission had to take action within a very short time frame. In any case, let me be very clear that as I said earlier this afternoon, it is the Council's wish that things be done differently from now on, and not as they have been done in the past.

Certain Members have said, probably based on their experience, that this is a promise, a commitment, which has been broken repeatedly in this House. I would like to say in support of the Council that it is a commitment born out of a fundamental commitment within the Treaty of Lisbon, which sets a core objective that this House should play an increasingly important role in the institutional life of Europe, so that the citizens feel better represented.

This commitment from my country, which is a fundamental commitment within the Treaty of Lisbon, is the reason why I want to state here categorically that during the Spanish Presidency, the Council will do things differently.

In case some people do not trust the Council's word, and they would be within their rights not to, they should remember that the treaty forces us to do things differently. Therefore, if the political will of the Council does not suffice, the treaty is in place within the law to ensure that things are done differently in the future. It is reliant on this House working with the Commission, and naturally reliant on the united spirit shown here by our Members, a spirit that seeks a balance between defending security and maintaining our core values; it is a pan European spirit, with which the Council is fully in tune.

I would like to make three comments regarding the issue itself. I will not address some of the more specific issues that have been the object of criticism, some of which is unfounded in my opinion. For example, it has been said on various occasions that the SWIFT agreement, as it now stands in this House, permits the bulk transfer of data. It has not been said, and it should be stated clearly however, that this is not the logic behind the agreement, and that bulk transfer is only allowed by the SWIFT agreement in exceptional cases, always and only when there are legal suspicions (Article 4(6) of the agreement). This is just one example. There have been other somewhat superficial accusations about the content of the agreement, which I believe would respond well to scrutiny, but I am not going to address them at this point.

I would like to make two more points on this matter. Firstly, along with the Commission and some of the Members of this House, I would like to stress that the agreement has been useful in the fight against terrorism. I have given some examples, and there are more in Judge Bruguière's report, which has been given to the Members. I can provide another example, or even better, two, which I previously referred to from my own country.



It is true that the SWIFT agreement was used to investigate the 11 March attacks in Madrid, with good results. It is also worth remembering that the SWIFT agreement was used to prevent an attack on the city of Barcelona just over a year ago. The perpetrators of these attacks are all currently serving sentences in Spanish prisons.

Therefore, we can say that yes, it has worked, and yes, it has allowed us to get results. This being the case, then surely the honourable Members will agree with me that a suspension of the agreement will effectively mean at least a slight lowering in standards of security for European citizens. Surely, you must accept that if the agreement is working and has been working for us, then its suspension would leave us somewhat less secure, and I am choosing my words carefully so that no one can accuse the Council of being overdramatic. We would certainly be a little less secure; it is as simple as that.

That is why I want to emphasise on behalf of the Council, and I think that the Commission also agrees, that it is vital not to suspend this agreement. It may be that this agreement warrants criticism, and I want to stress once again that we acknowledge the tough criticism that we have heard here this afternoon. However, the honourable Members will surely agree with me in saying that this agreement is a lot better than the protocol over data exchange that the United States and the EU have had to comply with for years.

The agreement under debate today is probably not perfect. Improvements could certainly be made, and I can even agree with some of the criticisms made from certain quarters, but I ask you to acknowledge, as I do, that it is an improvement on what we had before. The EU, Council, and Commission have introduced several motions into the agreement, which are causing concern amongst some Members, who are trying primarily to guarantee that security is not at the expense of human rights and fundamental freedoms; and rightly so.

This is why I want to reiterate what the Commissioner said, that it is important not to suspend the agreement. I also want to reiterate to Parliament that the Council's sincere wish is to negotiate a new agreement – which will be a definitive one – an agreement which will incorporate many of the issues mentioned here this afternoon, issues which the Council agrees with and would like to publicly endorse. The Council is making a commitment to do this. The fact is that the President-in-Office of the Council has already made this commitment in a letter to the President of Parliament, but we will still have to uphold it when the time comes to negotiate.

Therefore, we are debating an interim agreement today which improves the current situation. We are debating an agreement that will last for nine months, which is the time it will take for the Commission, the Council, and Parliament to reach a new agreement – which will be a definitive one – an agreement that will most certainly address all the very reasonable precautionary measures discussed in this afternoon's debate in Parliament.

The Council cannot ignore this afternoon's debate. We cannot ignore the fact that this agreement has come in for a great deal of criticism. As I said, some of the criticisms have certainly been more founded than others, but criticism there has been, and I think that this deserves serious consideration. I am asking on behalf of the Council, that Parliament give us this time for reflection.

Time, naturally, to analyse and discuss this debate with my colleagues in the Council, time to discuss it with the Commission, and time, essentially, to explore the possibility of making a better agreement with the US, which I think is a real possibility. We are asking for time, ladies and gentlemen, Mr President, to allow us to come back to Parliament within a few weeks, a few months, to be able to guarantee that we have created the foundations for the signing of a definitive agreement that adequately addresses the concerns expressed by certain honourable Members today. Concerns, which, I repeat, echo the Council's concerns in many cases.

**Cecilia Malmström**, *Member of the Commission*. – Mr President, this has been an extremely important debate. That is totally accurate because we talk about such important matters as how we can maintain the security of our citizens but also maintain good information and exchange systems with a high level of data protection.

There have been, as the President of the Council said, a few questions, and a few misunderstandings, I think. Some of them are answered in the Bruguère report, so I would really encourage you to read that. But I think we need to understand and remember why we have an interim agreement. Why do we have it? Well, it was because SWIFT was moving and we were finding ourselves in a situation where we did not have a regulation on the transfer of data, so the Council and the Commission moved swiftly to arrange something. We did achieve certain concessions from the United States and some very good data protection mechanisms. Also, two member countries concerned asked the Commission to be involved in order to have a European approach on this and avoid bilateral agreements. This is important to recall.

Now this is an interim agreement, as I said; it can and it will be improved. It is the full intention of the Commission and the Council to involve the European Parliament under the Lisbon Treaty in the permanent agreement. We need to have more clarification concerning redress, lawful data processing and deletion of data. The permanent agreement will also include guarantees of rectification, access to information.

Mr Lambrinidis asked why the Commission does not have that. Well, Mr Lambrinidis, the Commission has been in office for 16 hours and 20 minutes. This is an extremely important negotiating mandate. We need to be able to discuss this together, within the new Commission, before we formulate the full negotiating mandate to discuss with the European Parliament. We have only very recently taken office so you could not expect us to have done this. But we will make sure – and Mr Barroso expressed this very clearly in the letter to Mr Buzek – that we are working on the negotiating mandate; we will present it to the European Parliament as soon as possible and make sure that you are fully informed the whole way on this.

It might be a very good idea to postpone the vote and we might need more time to discuss the mandate. You will see the negotiation mandate; you will have time to look at the papers, the reports and so on, and the Commission is willing, as I said, to work together with you and the Council for a good – and much better – permanent agreement on this.

**President.** – Colleagues, the blue card rule does not operate during presentations by the Council and Commission, but this is an extremely important discussion. We must take a decision tomorrow.

This is not according to the Rules, but could I ask you, Mr President-in-Office, to take two short – and I emphasise short – questions from Mr Schulz and Mr Lambrinidis – nothing more, as we could discuss this for another two hours.

**Martin Schulz (S&D).** – (DE) Mr President, Mr Rubalcaba, I have listened carefully to what you have said, along with all the Members of this House. You have used the following words: ‘Give me more time to discuss this with the other members of the Council. Give me more time to come back to you with a better agreement.’ I would therefore like to ask you very specifically whether it is the case that the Council is no longer insisting on this agreement and on the vote on this agreement and whether you want to have time to negotiate with the US on a new and improved agreement. Have I understood what you said correctly?

**Stavros Lambrinidis (S&D).** – Mr President, is the Council aware of the fact that in the past years, SWIFT has never once transmitted specific data because it cannot extract it, and always transfers bulk data?

Is the Council aware of the fact that, precisely because of that, there is an agreement between the US and SWIFT that stations SWIFT personnel in the Treasury Department in order to ensure that the bulk data the Treasury gets does not get searched in a bulk manner?

Is the Council aware of the fact that the interim agreement does not include even the slightest concession to Parliament? If I am right – which I hope I am – are the Council and the Commission committed to taking the bulk data issue extremely seriously in the mandate of the negotiations?

**Alfredo Pérez Rubalcaba, President-in-Office of the Council.** – (ES) Mr President, the Council would like to reiterate once again how important it is that we do not cut off the flow of financial data exchange between Europe and the United States.

However, the Council is also mindful of the fact that the precautionary measures, criticisms, and suggestions of the honourable Members must be the subject of serious consideration.

For this reason, I have asked for time to work with all the countries of the European Union, with all the Member States, to look at whether we need to incorporate this type of consideration into the new agreement. Even more importantly, I have asked for time to consult with the United States. I believe that the USA is willing to incorporate into the new agreement many of the precautionary measures, reservations, and restrictions expressed here today by the European Parliament. In short, it is willing to seek a greater balance between security and freedom in the definitive agreement, which is essentially what we are talking about today.

I would like time to explore this possibility so that I can come back to Parliament and say, in a session such as this one, before proceeding to the vote, that the Commission and the Council have a commitment from the United States to incorporate these suggestions from the European Parliament into the new agreement.

Under these conditions, I think that we would have a very different debate from the one we are having here this afternoon.

**Manfred Weber (PPE).** – (DE) Mr President, that is very helpful. Thank you very much for making this possible. If I have understood things correctly, because this is a sensitive issue that we are discussing, then Mr Rubalcaba cannot assure us that the existing agreement will not come into force. In other words, if we postpone matters and give ourselves more time, it will come into effect.

Therefore, my next question is: Can Mr Rubalcaba assure us that, for example, a long-term agreement will be in place within a month with higher standards or is the Council telling us that we must still wait nine months until the end of the period? It is very hard for Parliament to accept an unconditional assurance. Therefore, we must have clear conditions relating to the Council's assurance, in order to be able to decide tomorrow about a possible postponement.

**Agustín Díaz de Mera García Consuegra (PPE).** – (ES) Mr President, thank you for applying the House's Rules of Procedure with generosity, and allowing the two representatives to speak, firstly from the Group of the Progressive Alliance of Socialists and Democrats, and secondly from the Group of the European People's Party (Christian Democrats).

Mr Rubalcaba, you have put your finger on it. Most of the arguments put forward for debate in the House have been fair ones. I have great respect for everything that has been said. However, these words should have a documental and informative component, with full knowledge of the facts, and frankly, I have been very surprised to hear certain statements that suggest otherwise. Such statements give the impression that very few people have actually read the agreement that they are criticising, since having read it, there is no way they could have come up with some of these arguments.

That is why I want to ask you, Mr Rubalcaba, about the matter mentioned by my colleague, Mr Manfred Weber, and by Mrs Hennis-Plasschaert in her letter (as you already know I am in favour of keeping the interim agreement whilst negotiating a new agreement). In her letter, Mrs Hennis-Plasschaert asks the same question as Manfred Weber. Can the Council guarantee to Parliament that with the participation of this House, it will present the final text of the new agreement, in committee in June, and in plenary in July?

**Alfredo Pérez Rubalcaba, President-in-Office of the Council.** – (ES) Mr President, some of the honourable Members are calling for an interim agreement and others for a permanent agreement.

With regard to the timing, it is clearly not the same to bring to this House the foundations of a definitive agreement, or in other words, to bring a commitment from the United States to include some of the precautionary measures and suggestions put forward by this House, as it is to bring a new agreement to the table.

If the honourable Member is asking me whether we can bring a new agreement to this House in one month's time, the answer is no. If you are asking whether, within a deadline of a few months, we can bring to this House the results of dialogue between the United States and Parliament, whose participation is very important, so that we can debate whether we are right in thinking that the definitive agreement will be much better than the present one, my answer is yes. In my opinion, we are capable of achieving this.

This is precisely what I am asking for. Therefore, I am not specifically referring to the rapporteur's proposal, which I admit I have not seriously considered this afternoon after assessing the general mood and the multiple actions and speeches against the signing of the interim agreement. Let me reiterate my opinion that things being as they are, it is a much more realistic option to ask the House for a deadline of say three months, to give us time to bring forward the foundations of an agreement with the United States for debate in Parliament. In other words, this agreement would include the elements that we in the EU (Commission, Council and Parliament) and the United States believe should be incorporated into the definitive agreement that would subsequently be negotiated.

I believe that in these circumstances, the debate we are having today would be radically different.

**Jeanine Hennis-Plasschaert, rapporteur.** – Mr President, a lot has been said. Let me underline to Mr Busuttil and the President-in-Office, in particular, that by our withholding our consent on the interim agreement, the security of European citizens is not being compromised. I think it is very unfair to use that as a form of argument. Other legal instruments remain available for targeted transatlantic data exchange and, as stated by Claude Moraes, nobody has the moral high ground here.

With regard to the USA letter, that letter is obviously appreciated, there is no doubt about that, but to state that Parliament's views will be heard, considered and responded to is a bit weak, is it not? It is very non-committal. Also, it is stated that this is only provided this interim agreement remains in force, which I consider as pure blackmail. I am getting angry and I am sorry for that, but this debate is slowly getting on my nerves.

TFTP is not, and cannot be considered to be, consistent with the strongest European traditions on civil liberties. It must be seen, and I want it acknowledged, as a departure from European law and practice. I said this before and I want to hear it again clearly. I also want to say that nobody doubts the necessity for continued and stronger cooperation between the US and the EU, though the EU and its Member States, in the Council in particular, must be strong in setting their own objectives. In that respect, Parliament and the Council are not in tune yet.

Finally, let me stress that it is all about European responsibility, and a European solution is to be found. The Netherlands and Belgium cannot end up being the 'dupe' of all this. I listened carefully to your statements, to the request for more time, and I am willing to refer that request to the Conference of Presidents, but you did not give me the reassurances I was looking for: it was too vague. I will, however, refer your request to the Conference of Presidents which will meet later this afternoon.

**President.** – The debate is closed.

The vote will take place on Thursday, 10 February 2010.

#### **Written statements (Rule 149)**

**Bruno Gollnisch (NI), in writing.** – (FR) Cooperation with the United States to combat terrorism is important, but not at any price. The agreement with the United States on the transfer of financial data rather comes down to opening and reading the personal mail of all European citizens or monitoring all their e-mail exchanges on the pretext that terrorists are likely to send each other letters or electronic messages. The agreement we are talking about does not guarantee respect for personal data and still less for the use to which they may be put. The risk of meddling in the private lives of millions of innocent citizens or in the perfectly legal financial transactions of European companies, simply on the orders of an administration, is unacceptable. I still remember the 'Echelon' affair, that listening system that was allegedly intended for military and security purposes and which proved to be an alarming potential commercial and political spy system directed against the allies. We can accept an exchange, that is to say, a reciprocal transfer, of targeted data on request from a judicial authority in a specific context. We certainly want to help SWIFT break the technical deadlock that prevents it from carrying out anything other than mass data transfers. However, we cannot accept this agreement.

**Indrek Tarand (Verts/ALE), in writing.** – (FR) Mr President, we are recommending to our fellow Members that they vote against this report with the aim of giving the members of the Council and the Commission the opportunity to make some adjustments and thereby alter their position. We very much hope they will seize this opportunity. For the rest, France has just decided to sell a Mistral class warship to Russia; we believe that it will sincerely regret its action.

**Zbigniew Ziobro (ECR), in writing.** – (PL) The threat of terrorism is not getting smaller. The recent attempt by a suicide bomber to blow up an aircraft flying from Europe to the USA shows there are people who are ready to kill hundreds of innocent people in the name of fanatical convictions. It would, however, be a mistake to view acts of terror exclusively as the deeds of desperate individuals. For behind all terrorists is an organisation which trained them, supplied them with explosives and financed them. Terrorism has to be well organised to survive, and for this it principally needs money. We must not stop in our efforts to track financial movements and establish the source of funds used to support terrorism. Efficient exchange of information between governments and mutual assistance in identifying suspicious people and organisations is a matter of paramount importance for ensuring security for our citizens. We should make every effort to ensure that the final agreement guarantees the necessary protection of personal data.

We must not forget, however, that our primary objective should be to limit terrorism, because terrorism is still a real threat, including in Europe. When we are talking about security, political games should be set aside. The European Parliament should not make a show of its authority by rejecting the interim agreement with the USA on the processing of financial messaging data, because this agreement improves the security of our continent.

## IN THE CHAIR: MR LAMBRINIDIS

*Vice-President***14. Body scanners - Operation of intelligence services in the context of counter-terrorism strategies (debate)**

**President.** The next item is the joint debate on combating terrorism and the statements by the Council and the Commission on body scanners and the operation of intelligence services in the context of counter-terrorism strategies.

**Alfredo Pérez Rubalcaba**, *President-in-Office of the Council*. – (ES) Mr President, ladies and gentlemen, I would like to begin this debate by thanking Parliament for the opportunity to hold a calm debate on counter-terrorism policy, and on certain elements of counter-terrorism policy in particular. I also applaud the timing of this debate, as a reasonable amount of time has elapsed since the worldwide commotion caused by the failed attack in Detroit in December of last year.

Of course, when something like this happens, when it comes to tackling a threat such as the threat of terrorism, I believe in making a response, but I am much more in favour of working quietly and continuously, slowly but surely, as we say in my country. I would emphasise to the House that the threat of terrorism is still as real as it was in all of the EU countries.

We know that the terrorists observe us, we know that they are innovative and try to change their methods to evade our strategies in the fight against terrorism. Our strategy also needs to be innovative and varied because of this; it needs to improve and, most importantly, we must learn from our mistakes, since we certainly do make mistakes.

This being said, we are all aware that if there had not been a failed attack in Detroit in December, we would probably not be debating this issue in the terms that we are in this House. In other words, this debate is born from the need for precautions, and especially for conclusions, which we have all drawn from examining the success in Detroit that I just mentioned.

At the core of today's debate is also an analysis of where we failed in dealing with the alleged attack, and the measures that different countries are adopting to prevent those mistakes from being made again. Therefore, we are talking about analysing data, about counter-terrorism services; we are talking about exchanging data, and we are talking about body scanners. We are talking about mistakes made in an attack that fortunately did not happen.

Given that this is the subject of our debate, I would like to mention some of the most obvious conclusions that I think we can draw from the failed attack on Detroit. There are five conclusions.

Firstly, Detroit highlights the fact that terrorists continue to target civil aviation as a priority.

Secondly, Detroit highlights the importance of collecting data, but also of integrating and analysing it.

Thirdly, Detroit highlights that the associates of al-Qaeda are in a position to launch attacks outside of what we would call their own territory. This applies to al-Qaeda in the Arabian Peninsula (the terrorist organisation suspected of being behind the failed attack in Detroit) or al-Qaeda in the Islamic Maghreb countries, who represent a threat to us all.

The fourth conclusion I have drawn is that the events in Detroit should remind us how important it is to work on reversing the process of radicalisation. In my opinion, the personality of suspected terrorists is a very significant factor in relation to this issue.

Lastly, Detroit calls for us to pay close attention to failed states, or to any states that are in danger of becoming failed states due to their circumstances.

The first and second conclusions concern the ongoing threat to civil aviation and the need to integrate all of the data available to us; they lead us directly to this afternoon's debate or debates, regarding data and its use, and body scanners.

I should say that this is not a new debate, nor is it the first time we have debated it in this House. Mr de Kerchove, the Counter-terrorism Coordinator, talked about information management and personal data protection in his interesting and lucid report during a debate on the subject in this House on 26 November.

Data and analysis of data are a key element in the struggle to prevent and deal with terrorism, which is the subject of this afternoon's debate.

We need to identify terrorists; we need to know where they are planning to attack, who is providing them with weapons; we need to know the material infrastructure supporting them; we need to know their communication systems; and we can find this out by means of databases and specialised sources. We need data exchange so that we can obtain all the available information, and we must manage it properly.

I hasten to add that some of the attacks that we have suffered in the past could have been avoided if the information had been made available in good time to those responsible for counter-terrorist measures; in other words, if the information had been handled in an integrated, and if you will pardon the expression, an intelligent manner, which does not always happen. This brings us to the debate on information management.

We have the framework of the EU within which we can exchange information appropriately. Our recently adopted strategy formed part of the Council's conclusions last November. It aims to provide the security forces and intelligence services with the necessary data, in the interests of improving the usefulness and effectiveness of the counter-terrorist strategy. The necessary data and only that, nothing more, since bulk data sometimes has a negative effect on its own value and effectiveness.

As this strategy indicates, the decisions regarding data exchange should be of a coherent, professional, efficient, viable, reliable nature, and understandable for all the citizens and all the professionals who work with it. According to its guidelines, the strategy must bear in mind the statements and concerns that we have dealt with in this House; the need to fight against terrorism, as well as the issues of human rights, the right to privacy, and to protection of personal data.

As I said at the beginning of the debate, another of the consequences that we can draw from the alleged Detroit attack is that commercial aircraft continue to be a fundamental target for terrorists. Obviously, the alleged terrorist succeeded in boarding the aircraft with a sufficient quantity of explosives to cause it to explode in the air, thus thwarting all of our surveillance systems and all of our airport security systems and mechanisms. In other words, we obviously need to review these security mechanisms, because they were clearly insufficient for preventing an attack such as the alleged Detroit attack, which fortunately did not take place.

To summarise, we must keep on improving our security services, to try to avoid terrorists or suspected terrorists boarding commercial flights. We have to prevent anyone being able to board a plane with weapons, explosives or chemical precursors of explosives. In case these two safety measures fail us, we need to do more to protect our planes and avoid in-flight incidents.

This is precisely the framework for the debate that we are having on an issue of concern within this House and the Council, the issue of body scanners.

As the honourable Members know, in matters of air safety, the Commission holds the relevant jurisdiction to set targets and make regulations. These matters are debated in the formal and informal Council of Transport Ministers. However, I would like to mention that this matter of air security was the subject of a debate in the informal Council of Ministers, which took place a few weeks ago in Toledo.

We agreed on various matters in this Council: firstly, that it is correct and appropriate for the EU to hold a common position on body scanners and, more generally, on all of the protection mechanisms in our airports; it does not make sense that some airports are less protected than others, because it essentially means that we are all less protected. As such, we would be pleased if the European Union could reach an agreement, and hold a common position in this debate.

Secondly, on a more difficult, delicate matter, where there are different aspects to consider: firstly and obviously, to find out how efficient this type of body scanner is in preventing terrorists from boarding planes with explosives, or chemical precursors to explosives. Secondly, we need to find out and analyse if these scanners are compatible with people's right to privacy and intimacy, which is of concern to the Council, the Commission, and to this House. The third matter we agreed on is to find out if there could be any health risks for those who pass through this machine to board commercial flights.

With regard to these three issues: the Commission is working on three studies regarding the efficiency of body scanners, their effect on health, and on their compatibility with people's human rights and fundamental freedoms. These studies will be available to the Council and this House in the near future.

For this reason, the informal Council in Toledo agreed to research and provide this information, so that we can have a thorough debate, and hopefully reach a unanimous position on this matter, which would be very desirable.

Once we have achieved this common position, we will take fully into account the Resolution that this Parliament passed on 23 October 2008, after a debate on body scanners. During the debate, we discussed the need for an evaluation of the impact on human rights, the health risks and the economic impact, as well as the need for consultation with the European Data Protection Supervisor. These considerations must be taken into account in our next debate.

I would like to reiterate my thanks to this House for the opportunity to debate these issues, and my thanks to Parliament for its flexibility regarding the timing of the debate.

**Siim Kallas**, *Member of the Commission*. – Mr President, we are here to present a combined view on certain aspects in the fight against terrorism. My priority as Transport Commissioner is definitely the safety and security of passengers. This is a major priority for our common transport policy and this is always extremely important.

The attempted terrorist attack on Northwest Airlines flight 253 to Detroit on 25 December has again confirmed the reality of the threat to civil aviation. I would like to stress that existing EU standards on aviation security were correctly implemented on 25 December at Amsterdam Schiphol airport.

The incident showed first of all the failure of intelligence, a failure 'to connect the dots'. Aviation remains a target for terrorists. We cannot ignore this fact. Aviation security must therefore be guaranteed by all appropriate means, in full compliance with fundamental rights.

The travelling public, the media and aviation stakeholders all legitimately ask us whether the existing security arrangements are good enough, or whether we need to take further action. In this regard, the new screening technologies, the so-called 'body scanners', are discussed everywhere today.

Regarding the use of body scanners at airports, aviation security experts are of the opinion that these machines have better detection capacity than current screening equipment. Some think that they are considerably better. Some think that this is not such a big advance, but how big the added value of these machines is to airport security and what the consequences are for health and privacy is not yet entirely clear today.

As noted previously by Parliament in 2008, the use of body-imaging technology raises a number of questions, notably in relation to privacy, data protection and health. I intend to present to you in April a report on imaging technology and its use at EU airports. This report will address the questions raised in the European Parliament resolution of 2008.

We need to look at these questions seriously. We also need to make up our minds on whether these concerns are better addressed at national or European level. To my mind, an EU framework would be better. I say this based on our experience of a common approach since 9/11 and with a view to the efficiency of the single market for aviation. An EU framework guarantees uniform standards in relation both to security and to respect for individual rights.

Finally, I would like to underline that airport security is a much larger question than the introduction of a new screening technology. To fight terrorism targeting civil aviation, we need a large variety of combined and coordinated measures – intelligence, profiling, different search methods and international cooperation. As the Minister just said, terrorists develop. We must develop as well, and body scanners are only one element in this variety.

I look forward to your views and thank you for your attention.

**Cecilia Malmström**, *Member of the Commission*. – Mr President, this is the Commission's new dual approach. As the former debate showed, now that we have the Lisbon Treaty, work at EU level now enters into a new phase. I am very happy and honoured that I will work together with you in the fight against terrorism and on other security-related matters. We will do this while, of course, fully respecting that it is the Member States who have the final responsibility for all operational and intelligence work in this field.

I would like to recall to you – some of you were at my hearing a few weeks ago – that I made a promise that I would do an evaluation of all counter-terrorism policies. As a first step, I have asked my services to prepare an overview and an assessment of everything that has been achieved so far. This will be the basis upon which

I will decide how to move forward. We need to evaluate and to get a full understanding of what we have, its effects, what is possibly missing and what is overlapping in order to be able to propose new measures and more thought through measures. I look forward to bringing this evaluation to you and to discussing it with you.

But this stocktaking does not mean that I am not fully aware of the fact that the threat of terrorism has not diminished. As my colleague, Mr Kallas, and the Council Presidency have said, we know that terrorism is still one of the greatest threats to our values and to our democracies. The Denver flight showed that recently.

We have statistics from Europol showing that in 2008, EU Member States reported a total of 515 failed or successfully perpetrated terrorist attacks within Europe; 359 individuals were tried on terrorist charges in a total of 187 proceedings; 50% of these were related to al-Qaeda or Islamist terrorism, and 39% to separatist terrorism, such as ETA activities in Spain. We also know that in 2008, we had the tragic events and the horrible bombing in Mumbai, which also targeted European citizens, among them Members of this House. These events and the figures from Europol speak a clear language: terrorism is still there, and it is important that we do not lower our guard and we ensure that all tools are deployed in the fight against terrorism, while of course always fully respecting fundamental rights.

If we look at the instruments that we do have today, we have the EU counter-terrorism strategy, developed after the attacks in Madrid and in London. This strategy highlights the EU's commitment to combating terrorism globally while respecting human rights and to making Europe safer, allowing its citizens to live in an area of freedom, security and justice. This, of course, is a commitment that it still valid.

There can be no freedom without security and there can be no security without freedom. That is why respecting fundamental rights in the fight against terrorism is not only a requirement of any democratic society but is a necessity in order to ensure that our policies remain credible, legitimate and sustainable. That is why the Commission will only propose measures that will continue to be subject to EU law screening, especially with regard to fundamental rights and rigorous impact assessment, including the impact on personal data and individuals.

Terrorism is, as we know, a global phenomenon, and that is why we will remain dedicated to cooperating with our allies and partners and international organisations all over the world.

Regarding the internal dimension of countering and preventing terrorism, we do have in our counter-terrorist strategy some key objectives on how the Union can contribute in the fight against terrorism. I fully share these objectives, in particular the need to stop violent radicalisation, protect our critical infrastructure, support victims, improve exchange of information between national authorities and cooperate with all appropriate stakeholders. We have to react to non-conventional threats and to improve the detection of threats. We have to deprive terrorists of financial resources and to invest more in research and technological development.

This development on these policies has, of course, been strongly supported by the European Commission in cooperation with the Member States. Over the past year, the Commission has made a major contribution to approximating the legal frameworks of Member States in this work. We have, for instance, the European arrest warrant, which created an EU-wide common understanding on terrorist crime and facilitated extradition procedures within the EU Member States. We have also undertaken important activities to counter the terrorist abuse of the Internet, addressing conditions conducive to terrorist radicalisation, launching a European programme for the protection of critical infrastructure, and limiting access by terrorists to the means they need to commit their acts – funding and explosives.

The EU action plan for enhancing the security of explosives foresees important measures to raise the threshold for terrorists who want to use explosives for an attack. I would propose a legislative framework to address the dangers associated with precursors which can be used to fabricate improvised explosive devices. I will do so this year.

We also have the CBRN action plan proposed by the Commission last June and agreed by the Council. This Action Plan consists of 130 measures. The Commission has earmarked up to EUR 100 million which could be made available from its existing financial programmes to facilitate implementation.

I am fully committed to ensuring that, in the coming years, the European Commission will continue to develop its role as facilitator and catalyst for cooperation, expert networks, exchanging best practices, pooling resources, improving research and developing common approaches to transnational challenges. We will also have to revise how we use our financial resources. This might be by creating an internal security fund, which is foreseen in the Stockholm Programme.



On a large scale, international information exchange concerning the collection of data and storage of data concerning thousands of citizens has to take account – and this was very visible in the last debate we had – of very high data protection standards in order to prevent abuse and mishandling. We also have to make sure, as Commissioner Kallas said, that we connect the dots in an appropriate way. Together with my colleague, Viviane Reding, I will submit in the near future a combined data protection regime that would also cover police and judicial cooperation.

All this will be considered in the evaluation and it will be under the umbrella of the internal security strategy that we will put forward to you within a short time.

Finally, let me conclude by underlining that, in the long run, we can only succeed in fighting against terrorism if we remain able to communicate our values and remain respectful of fundamental rights. We have to avoid our policies being perceived as ambiguous or as applying double standards. We can only defend high moral ground and prevent alienation from our societies and our way of living if we remain faithful to our values of democracy and the rule of law.

**President.** – You gave us a very hopeful prospect. Maybe one day we will have you, Mr Kallas and Ms Reding representing the Commission at the same time.

**Manfred Weber, on behalf of the PPE Group.** – (DE) Mr President, Mr Rubalcaba, Commissioners, I am pleased that we are not only talking about SWIFT and body scanners today, but also having a general debate on the war on terror, because this is a subject that affects us all. Looking back, we have to say that terrorism is a real threat to the people of Europe. We are taking positive action and I would like to extend my sincere thanks to the public authorities. The people who are responsible for security have done a good job over recent years. I would also like to thank our partners.

Now we must look to the future. What will we be faced with over the next few years? In this respect, I have three specific requests or proposals. The first concerns cooperation among the authorities in Europe. Every document comes with a headline emphasising the importance of collaborating and strengthening our cooperation. These are wonderful words, but nothing has happened in practice. Once again nothing happened in Toledo with regard to practical cooperation. There is no lack of action – this has been made clear in Detroit. What we are lacking is cooperation between the authorities. That is where the problem lies. Therefore, I would like to ask the Council finally to do its job in this area and to call on the Commission to put some appropriate proposals on the table.

My second point is that we should investigate our existing legislation with regard to the collection of data and mobile phone data, for example, in the case of the retention of data. For this reason, you have the support of the Group of the European People's Party (Christian Democrats) for this evaluation. After an interval of a few years, it is important to put it to the test.

Thirdly, we have just had a discussion about SWIFT. I would like to ask the House why our cooperation with the United States has to be organised in this way. It has to be organised like this because we Europeans are not in the position to evaluate the data ourselves. Therefore, the question arises as to whether we are self-confident enough to evaluate it ourselves. This is another thought for the future.

**Saïd El Khadraoui, on behalf of the S&D Group.** – (NL) In the short time that has been allocated to me, I want, on behalf of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, to set out three important basic conditions that we think are essential in evaluating the issue of the potential introduction of body scanners, which were not long ago being pushed as the miracle cure.

First of all, we must take a coordinated, harmonised European approach. We must, therefore, have European rules, or else you simply relocate the security problem and you create chaos, and the President-in-Office of the Council made reference to this, but I want to point out to the Spanish Presidency that a number of Council members have, in the meantime, adopted a solo approach, and I ask you to explicitly denounce that.

Secondly, we need a global approach to security and counter-terrorism, and that means that we need to avoid drawing hasty conclusions, that we need to stop the politics of announcements, that the potential introduction of body scanners also cannot be seen in isolation from the broader context of other existing or potential measures and that we clearly also need to see it in the context of other aspects, such as public health and the budgetary implications.

The third point is that we must also stop giving the impression that these body scanners will guarantee 100% security. You will be aware, for example, that this equipment is capable of finding explosives located on, but not in, the body.

In conclusion, Mr President, I would like to say that I therefore also support the Commission's approach in first setting up trials before bringing forward a proposal.

**Gesine Meissner**, *on behalf of the ALDE Group*. – (DE) Mr President, Mr Rubalcaba has rightly said that we currently do not have a secure system for air travel. We need more security in this area. The events in Detroit and Munich have shown that there are security loopholes. For this reason, body scanners are being introduced in a mad rush as if they were a miracle cure. They are already in place in the US, in the Netherlands and in other countries.

However, this raises the issue of whether body scanners will really make air travel safer. This is one of the crucial questions that we must ask ourselves. There is, in fact, a whole series of questions relating to body scanners. What type of technology is being used? What type of radiation do they emit? Can they cause damage to health? What do they allow people to see? Just a few green or red dots or the whole person who is being scanned? Finally, can we ensure that the data is being protected? Also, these scanners are expensive. If we are going to install them, who will be paying?

There are a lot of questions to be answered and we are in the process of doing this. You also want to do this and present us with a solution. Whatever happens, we need a solution which covers the whole of Europe. We also need to take into consideration Tel Aviv and the possibility of using another method. We need to search for the bombers and not the bombs. We cannot adopt this method wholesale, because it involves discrimination, but we must investigate all the possibilities while protecting our fundamental rights.

**Judith Sargentini**, *on behalf of the Verts/ALE Group*. – (NL) Some time ago, Parliament laid down the requirements that body scanners must comply with if they were to be introduced. These specifications covered privacy, data protection, human dignity, health and freedom of choice.

There are technologies that do meet all of these requirements, meaning that x-rays, radiographs and naked images must be outmoded, which is where we are going wrong at the moment. At Heathrow Airport in London, this equipment is being used without the element of freedom of choice. New equipment is being introduced in Italy. The Dutch Minister for Justice is calling for this equipment to be introduced at all airports across Europe, not just for flights to the United States, but for all flights.

If we just continue to hold the same old debate about the technology, we will continue to avoid asking the real question, the serious question, namely does this actually help and is this the society we want to see? I agree with my fellow Member from the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament who is indeed asking these questions. We need to consider what kind of Europe we want to live in, because total security does not exist.

**Peter van Dalen**, *on behalf of the ECR Group*. – (NL) The latest generation of scanners satisfy the requirements that Parliament has laid down. Security personnel see display images of human contours, with spots showing up where people are carrying liquids, weapons or other prohibited items. If such spots are seen, the passengers in question are checked separately on the spot.

The latest scanners also do not have any effect on health. The radiation they give off is less than that from mobile phones. What is more, the scanners are also user-friendly. The queues at security will be shorter, as more passengers can be scanned every hour. That will therefore also make a difference to costs for air travellers.

However, Mr President, the latest scanners are additional security tools. Profiling and good intelligence exchange are also very much required. As far as I am concerned, we can quickly move on to implementing these tools as additional tools.

**Rui Tavares**, *on behalf of the GUE/NGL Group*. – (PT) A few days ago, I received an email from a lobbyist selling body scanners. This email spoke of the 'post-Detroit era'. No surprise there. Each machine cost EUR 250 000. There is a fortune to be made by selling body scanners, but in reading the email and thinking about this post-Detroit era, after an amateur attempt made by a terrorist who was overpowered by other passengers on the plane, I asked myself whether this attack really merited having an historical era named after it.

It did not, unless it refers to the era of sheer effrontery. Not everything can serve as an excuse to increase the levels of intrusion into the private lives of members of the public. European citizens also need to know that we in Parliament have a responsibility. Yes, we do indeed need to investigate terrorism. It is true that the police always need more data, as do airports, but it is also important to base research on clear assumptions, and there are many assumptions being made by the Council and the Commission. I am sorry to say that these are incorrect.

The idea that the terrorist threat has not diminished is debatable and should be debated here. The idea that terrorism is evolving and that we should evolve too is true, but the first thing is to do our jobs well, because the Detroit attack, or rather the attempted attack, could very easily have been prevented. Now we find ourselves debating the databases and police practices of the future.

When they discover that terrorists can ingest the materials for making bombs, will they start doing endoscopies at airports? Is this where we want to end up? There comes a time when this House has to sit down and discuss this matter carefully, with respect for the rights of the public.

**Rolandas Paksas, on behalf of the EFD Group. – (LT)** The European Parliament must do its utmost to ensure that the intelligence agencies do not use the war on terror as justification for torture, secret prisons or even a *coup d'état* where there is resistance to this.

Mr President, let me quote the evidence the British Ambassador in Uzbekistan, Mr Craig Murray, gave to the temporary committee of the European Parliament: 'I have seen plenty of evidence of torture in Uzbekistan. I have come across a file of a detainee who died during interrogation because of waterboarding in boiling water'. Giving evidence, another official, Sir Michael Wood, stated that, 'receipt of intelligence gained under torture is not illegal under the UN Convention Against Torture provided we do not do the torture ourselves.'

Can there be any greater mockery of human rights?

Mr President, I call on you to reopen the parliamentary inquiry and to reconvene the temporary committee on the extraordinary rendition and imprisonment of CIA prisoners in Europe.

**Philip Claeys (NI). – (NL)** We need to watch out that a debate about terrorism is not narrowed down into a debate about body scanners or data protection. It is striking that, in their statement, the Council and the Commission did not mention the radical Islamism that is still the breeding ground and seedbed for international terrorism. Since we are no longer allowed to see the truth, due to political correctness, every approach is doomed to failure before it even begins.

The Commission and Parliament put the emphasis on respecting civil rights, something which is right and necessary, but the danger is that we lose ourselves in formalism and that is what we saw in the debate about the terrorist finance tracking programme. Certain quarters are guilty of whipping up public sentiment against any possible approach to tackle terrorism and that is no way for us to serve the citizens of Europe.

**Werner Kuhn (PPE). – (DE)** Mr President, ladies and gentlemen, for the Group of the European People's Party (Christian Democrats), the war against terror is the major challenge of the 21st century. We are facing up to this challenge on both a technical and a parliamentary level.

In the Committee on Transport and Tourism, we have not only implemented regulations concerning the ban on liquids in hand luggage, but we are also looking closely at body scanners. I would like to say one thing first of all. We do not currently have complete security, as many of the other speakers have already emphasised, and we will not have it in future. However, we can develop natural techniques that will allow us to come close to complete security asymptotically.

We need to take some fundamental rules into account, both outside and inside Parliament. We are already in agreement across all the groups that there should be as little impact as possible on the health of the passengers. Therefore, it is necessary for us to introduce advanced body scanners which work according to a specific principle. Of course, it is obvious that personal rights must be protected. In addition, we must not only refer to the body scanners which scan the naked body when giving examples of the type of screening to be used.

In the Committee on Transport and Tourism, we have agreed with the Committee on Civil Liberties, Justice and Home Affairs that the Commission will present us with a proposal for legislation on body scanners by the end of March or early April, in any case, before the summer recess. There are a number of factors to be taken into account in this area. These include consistent cooperation between the Committee on Transport

and Tourism, which is taking the leading role, and the Committee on Civil Liberties, Justice and Home Affairs, the reliability of the equipment, European certification and establishing the same conditions throughout Europe, so that we can ensure that there is security within its continent.

**Claude Moraes (S&D).** – Mr President, you said that there were three Commissioners who are responsible here. We are very happy about this. May I quote the only one who is not here. Commissioner Reding said last week ‘what we do know is that body scanners may have a considerable privacy-invasive potential and so we need full consideration of their impact’.

That is exactly the kind of statement we should be making at this early stage. We in the Socialists and Democrats believe that technology can fight terrorism, and Mrs Malmström rightly couched it in a wider potential legal framework which she spoke about.

This is a serious fight. I have been stopped many times at airports. If technology can speed me through so that I am not mistaken for someone else, then that is a great thing, but for the many people I represent in my constituency who are badly treated at security, or singled out, what they want is safety. We will have that from the Transport Committee in this good, joint approach, but they want their civil liberties protected from the effects of terrorism so that there is no weak link at any airport. Those Member States that have started this should know that there should be a pan-European approach, an effective and safe approach.

**Sarah Ludford (ALDE).** – Mr President, I want to talk about respect for the rule of law by intelligence services. A ruling today by the UK Court of Appeal has blasted open the British Government’s attempt at secrecy. It has confirmed, as Parliament said three years ago, the shocking truth that UK secret services did collude in the torture of British resident and rendition victim Binyan Mohamed.

What does the Council think of that total breach of Article 6 of the EU Treaty and the Torture Convention? In 2006, I led the MEP delegation from our Temporary Committee on Extraordinary Rendition and Torture to London. The then UK Defence Secretary, Geoffrey Hoon, wasted half the meeting lambasting me just for saying that we were enquiring into UK complicity. He owes me and, more importantly, the British and European public, an apology.

Four things now need to happen in the UK: a full independent inquiry into UK complicity in war-on-terror abuses during the years the UK Labour Government acted as a Bush poodle; a rapid police investigation and, if necessary, prosecutions for breach of the Torture Convention; disclosure of what instructions were given to UK intelligence officers and if they were told to keep silent in the face of torture; and full parliamentary accountability – which we do not have in the UK for the intelligence services.

**Philip Bradbourn (ECR).** – Mr President, back to body scanners. I remain of the view that any measure which increases security for the travelling public must be welcomed.

However, it must also be proportionate and give innocent travellers – the vast majority – the respect they deserve. Following the Christmas Day attempt to blow up the aircraft in the USA, we have seen what amounts to a knee-jerk reaction to impose any possible means to enhance security. In some Member States, particularly my own, the use of such machines is now mandatory with no alternative such as a ‘pat-down’ available – the so-called ‘no scan, no fly’ tactic.

I fundamentally object to that policy. On the privacy front, I have to say that the decision by the UK Government to overturn child-protection laws in order to introduce body scanners is nothing short of a scandal. We have to look at the fact that on Christmas Day – the issue that reopened this debate – it was not down to poor security at airports. It was, to quote the US President, ‘a failure in the system to properly exchange intelligence’.

Some experts have already said that the explosives used would not have been detected by such scanners.

Finally, I regrettably have to say that I now think we need to have a proper system of passenger profiling.

**Mario Borghezio (EFD).** – (IT) Mr President, ladies and gentlemen, terrorism is continually evolving and we must stay on top of the changing scenario.

Individual terrorists are difficult to identify and here we are discussing privacy laws and whether or not to adopt technologically more advanced measures. I believe that instead, we should be more concerned with certain judgments handed down by the Court of Justice in Luxembourg that open up breaches in the united

front of the West against terrorism, or to refer to it by its proper name – Islamic terrorism – and be very careful of legal political correctness.

Legal political correctness is no good to anyone, it does not get us anywhere and it weakens us when we should be presenting a very strong front, because a persistent threat exists that is even more serious now that terrorists are so difficult to identify. So much for body scanners. They can get everywhere: tomorrow morning, they may be on the plane we are just about to take.

If Europe persists in over-guaranteeing civil liberties, we will open up an extremely dangerous breach in the internal security of our nations and this is what the Commissioner should be concerned with. Instead, I find him to be over-general and cowardly by failing to identify Islamic terrorism and the danger it represents by name.

**Martin Ehrenhauser (NI).** – (DE) Mr President, throughout the world 1 200 people died as a result of terrorist attacks in 2000. Eight years later, in 2008, the figure had reached 16 000 people. In comparison, 6 000 people die of AIDS every day.

What do these figures tell us? Firstly, terrorism generates hysteria which results in the rights of citizens being restricted unreasonably, as in the case of body scanners or the current SWIFT agreement. Secondly, the war on terror has failed. It has only succeeded in increasing the problem. On the subject of cooperation between the security services in the European Union, I would like to say that the European Parliament urgently needs democratic rights of control in this area, as is the norm in every democratic Member State. In addition, I would like to recommend that the Commission supports the introduction of the Common Standardised User Interface (CSUI). We must push forward with the development of this interface and it must be financed by the Commission.

**Teresa Jiménez-Becerril Barrio (PPE).** – (ES) Mr President, when dealing with a topic as serious as terrorism, we should not wait for things to happen before we act. We should anticipate events, but we do not. Unfortunately, we only change in response to each attack, such as the failed attack in Detroit, which is forcing us today to take decisions to ensure the safety of air transport.

Taking a decision on body scanners in airports is a responsibility that we cannot avoid, ladies and gentlemen. We cannot wait any longer because the terrorists are not waiting.

Consequently, the Commission must guarantee, as soon as possible, that the dignity and privacy of individuals will be preserved and that there will be no harmful effects on health.

Once this is guaranteed, we must adopt decisions for the European Union as a whole. To those who are worried about infringement of our fundamental rights, I say that there is no greater right than the right to life, and those of us who cherish freedom above all else must be able to live safely in order to feel truly free.

**Juan Fernando López Aguilar (S&D).** – (ES) Mr President, terrorism is a global threat and tackling it is a responsibility that we all share. In this regard, too, the Lisbon Treaty lays the foundations for us to be able to finally develop a common anti-terrorism policy in the European Union.

I agree entirely with the comments of the President-in-Office of the Council and would like to highlight some of the elements on which such a common policy must be built.

The first is to step up the exchange of information, particularly in relation to the efforts to prevent terrorist attacks and research into funding mechanisms.

The second is to apply all of the scientific and technological advances that have been achieved to the fight against terrorism, with due respect for individuals' fundamental rights.

The third is to work with third countries, especially Afghanistan, Pakistan and the countries of the Horn of Africa.

Fourthly, in the debate on air safety we must ensure that technological advances, namely body scanners, are compatible with human health and privacy and, above all, that they do not affect processing times in airports or passenger comfort.

However, there are also three institutional elements. The first is COSI, the Standing Committee on Internal Security. The second is the declaration on counter-terrorism measures issued at the last informal meeting of the Justice and Home Affairs (JHA) Council of the European Union in Toledo. The third is the transatlantic

area of security, which must provide for the development of close cooperation with the United States to combat this common threat.

**Charles Goerens (ALDE).** – (FR) Mr President, one of the means of preventing terrorism is information. Even then, information needs to circulate. Is this really the case today? Nothing is less certain. Do the US intelligence services keep their European counterparts up to date? In any event, as far as the alleged terrorist arrested on the Amsterdam-Detroit flight is concerned, there is still cause for doubt.

Apart from this incident, there is the issue of knowing whether, generally speaking, the system for exchanging counterterrorism data really does observe the principle of reciprocity. A parliamentary supervisory body on the matter is urgently required.

In fact, there is no need to call on our Parliament to support the transfer of more and more of our citizens' personal data if, by contrast, the US authorities deprive our services of essential counterterrorism data. This entails the creation of a parliamentary supervisory committee within the European Parliament.

**Mara Bizzotto (EFD).** – (IT) Mr President, ladies and gentlemen, I must admit that when we talk about the fight against terrorism only in terms of intelligence and technology, I always feel as though we are still not getting to the bottom of things, as though we wanted to cure a disease by only concentrating on its symptoms and not on its causes.

Has the time not come to tackle the problem of terrorism by looking at the heart of the matter instead of limiting ourselves to its external effects? Tackling the heart of the problem means, for example, becoming aware that terrorism is also a direct manifestation of the inability or lack of will of ethnic groups to integrate within the fabric of society in Europe.

I wonder, and I ask Parliament: do we want a debate on terrorism? Does Parliament have the courage to face up to a political debate on the level of integration of Muslims in Europe and their willingness to share Western values, rights and freedoms? To this end I have tabled a question to the Commission on the burkha to prompt this House to face up to the topic openly. It seems that no one is willing to deal with the subject.

I wonder, and I ask you, ladies and gentlemen from all the political groups: if the political forum representing the people of Europe cannot express an opinion about these subjects, what can they express an opinion on?

**Diane Dodds (NI).** – Mr President, as a representative of Northern Ireland, I know only too well the terrible impact of terrorism on innocent civilians: murder and mayhem inflicted while people were doing their Saturday shopping in the Shankhill Road in Belfast; young and old blown up at an act of remembrance to the fallen of the world wars in Enniskillen – acts carried out in the name of Irish Republicanism. We talk here about the cooperation of the security forces. From the experience of Northern Ireland, we can see that their contributions prevented many people from losing their lives; of that I have no doubt. We need to support our security forces with the equipment they need to prevent terrorism.

Those today who have pitted safety and security against freedom of choice and data protection need to consider where they stand. Believe me, terrorism destroys lives and shatters communities. I have even heard in this Chamber today that terrorism is hysteria. What utter nonsense! Believe me, when a gunman is trying to take a life, it is a cold and lethal reality – something that my constituents know a lot about.

**Carlos Coelho (PPE).** – (PT) Mr President, I believe that we all agree with the need to protect people and goods and ensure security on public transport. There are legitimate concerns about body scanners. I hope that three of them will be resolved by the studies that the Commission is carrying out. I ask that they conclude them promptly and refer them to Parliament. Firstly, is it necessary and effective? Secondly, is it or is it not harmful to health? Thirdly, does it or does it not violate the privacy and dignity of individuals?

There are, however, other concerns. Initially we were told that it would be optional. People could choose between submitting themselves to the scanners or to the old system of a personal check. It seems, however, that certain Member States are implementing the 'no check, no fly' principle as obligatory.

I would like to congratulate Commissioner Cecilia Malmström on the comprehensive assessment which she is going to discuss with Parliament, and I would like to stress that we have a responsibility to find solutions which promote security without compromising the rights of individuals.

**Nathalie Griesbeck (ALDE).** – (FR) Mr President, we all want to combat terrorism and the threat that it poses to democracies; there is, I believe, agreement on that point within our Parliament. While the adage

that 'a people that is ready to sacrifice a little freedom for a little security ends up losing both' seems completely over the top to me, I am nevertheless convinced that we must do everything we can to find a balance between freedom and security, because this is the foundation of democracy and because, without that balance, the terrorists will have won if they succeed in terrorising us all.

I have two questions concerning body scanners. In terms of security, do these scanners make it possible today to really guarantee security conditions? In terms of freedom, as a member of the Committee on Civil Liberties, Justice and Home Affairs, I wonder whether there is not a risk to health and, of course, a risk with regard to infringements of personal privacy, and therefore of fundamental rights, and with regard to the use of these images. Let us wait determinedly for the Commission's work so that we can make progress and so that we can do so as a European Union, all together, in order to ensure our security in a European democratic area.

**President.** – Due to lack of time, I cannot accept any more interventions under the 'blue card' or 'catch-the-eye' procedure.

**Gerard Batten (EFD).** – Mr President, terrorism is defined as the use of violence and intimidation to achieve political ends.

Those of us who value peace, freedom and democracy ought to be concerned about terrorism because it works. Sinn Féin/IRA now hold posts in the government of Northern Ireland. They bombed, shot and murdered their way to success at the ballot box.

What better examples of successful terrorism are there than those of Communism in Russia, Eastern Europe and Asia?

China is still terrorised by the Chinese Communist Party after 61 years of power. No greater example of successful terrorism exists than that.

The European Commission which this Parliament voted in yesterday contains Communists, former apparatchiks of brutal Communist regimes in Eastern Europe and their fellow travellers. And, of course, the President of the European Commission, Mr Barroso, is a former Maoist. No doubt future terrorists will find this all extremely encouraging.

**Carlo Fidanza (PPE).** – (IT) Mr President, ladies and gentlemen, the security of our societies is a non-negotiable value that we must pursue with determination.

It is very clear that more efficient checks at the security gates must be backed by a higher level of cooperation between intelligence systems and the use of high-tech instruments. The European ministers have done well not to be carried away by a tide of emotion and instead to concentrate on how to go about coordinating this operation.

Some governments have legitimately started to test body scanners on more sensitive routes. Unless we are to end up with a European space that applies non-uniform standards, however, we must obtain the results of the studies under way as soon as possible. Of course we must defend personal rights, but without preying on people's fears.

Let us talk about health, let us reaffirm the precautionary principle, let us ask for confirmation of possible harm resulting from exposure to radio waves or x-rays, but let us stop wailing about an invasion of privacy just because of a few blurred images of faceless bodies that are immediately deleted, as though GPS, mobile phones or TV cameras had not been part of our lives for years.

Until the international terror centres have been obliterated, we must learn to live with these sacrifices, giving citizens solid answers and effective solutions, with a single limitation: the physical integrity of the individual.

**President.** – Ladies and gentlemen, we now come to catch-the-eye. These are the names I will call out. I will simply stop the microphone after one minute. I will not bang my gavel, I will not beg and I do not want to be misunderstood.

I shall call the speakers in the order that I have:

Mr Zasada

Mr Iacolino

Mr Matula

Mr Leichtfried

Mr Enciu

Ms Flašíková Beňová

Mr Tannock

Ms Ernst

Ms Rivasi

and Mr Mölzer.

One minute each, and that is it. Apologies to the rest of you.

**Artur Zasada (PPE).** – (PL) Mr President, in the light of today's debate, the use of body scanners at airports still leaves many questions unanswered. The safety of travellers is, of course, paramount, but we should not forget the need for a sense of proportion in the protective methods used. Use of this type of equipment still leaves a series of unanswered questions. What effect do the scanners have on the health of passengers who are scanned? How will protection of the images of people who are scanned be guaranteed? Is it not better to tighten up the existing system than spend billions of euros on equipment, when it is known that the equipment does not detect explosives concealed inside the human body? We should be against the compulsory introduction of scanners at European airports until we have heard answers to these questions.

Finally, I have a comment – I have the impression that we have found a solution, and now we are looking for a problem for it to solve. It may be that scanners are a solution, but they certainly will not solve the problem of security at airports.

**Salvatore Iacolino (PPE).** – (IT) Mr President, ladies and gentlemen, in essence I wanted to state the following: there is no problem as serious as that of personal rights and the protection of privacy when this right is not adequately safeguarded.

If we adopted the resolution on the Stockholm Programme a few weeks ago in this very Parliament, it is because we achieved a balance between different needs: firstly, that of individual freedom, secondly, that of privacy and thirdly, that of security.

If today we are concerned with ensuring that the European Union deals with this common problem, because the Member States have gone ahead, it is probably because a significant challenge, such as that of protecting crossing points, and other matters besides, may not necessarily be met in practice.

I therefore call on the Spanish Presidency and the Commissioners to cooperate with one another on the basis of enhanced cooperation and a culture of information.

**Iosif Matula (PPE).** – (RO) I would like to clarify right at the start of my speech that through this debate we are not only confirming the existence of the risk of terrorism, but we are also highlighting the need to be one step ahead in the battle against this phenomenon.

However, the debate on the introduction of body scanners at airports in all of the European Union's Member States has wider ramifications. The effectiveness of this measure is debatable due to the fact that this technology cannot detect substances which have been ingested or are explosive in powder form. However, it also poses for us the problem of safety with regard to passengers' health, especially of those who frequently pass through these screening devices.

We cannot ignore either the issue of citizens' fundamental rights, the right to privacy and dignity, as long as the scanners provide a detailed image of the human body. In my view, independent studies need to be carried out to determine not only the safety of the technology being used, but also the effectiveness ...

*(The President cut off the speaker)*

**Jörg Leichtfried (S&D).** – (DE) Mr President, the one principle that applies to the security of air travel is that European responsibility is constantly increasing. It is no longer possible for individual Member States to do what they want. This applies in particular to body scanners. We have the one-stop security principle,



which means that there must either be European regulations for body scanners or no regulations and no body scanners. The alternative is the principle that everyone does what they want and no one does what they should, but everyone does something.

If a measure of this kind is to be introduced, we must discuss who will pay for it and how it will be financed, because both liquid scanners and body scanners cost huge amounts of money. I happen to be the rapporteur for this area and I would be pleased to see the Council gradually starting to move on this issue, because it is important to establish in principle that public security is a public matter and must be financed at least in part from public funds.

**Ioan Enciu (S&D).** – (RO) I would like to draw the attention of the Commission, the Council and my fellow Members to the side-effects and increased risk of carcinogenic conditions and genetic mutations following repeated exposure to gamma, X and T radiation.

The effects and risks of radiation from X-rays are well known in medicine where repeated exposure to this kind of radiation is not recommended. The public are less aware of the effects of terahertz radiation. Apart from the fact that T-ray scanners can generate accurate 3D images of the human body, which contravenes the individual's right to privacy, repeated exposure to this kind of radiation may induce lesions in the DNA chains and cause genetic abnormalities to appear later on.

I would like to stress that the risks and distress which we could be exposed to if body scanners were possibly used on a large scale, along with the uncertainty about their effectiveness, do not justify such a solution ...

*(The President cut off the speaker)*

**Monika Flašíková Beňová (S&D).** – (SK) Terrorism has no values, nor does it have any deeper meaning. The only aim of terrorism is death. Death of civilians at the lowest possible cost. This is perhaps the story of various suicide attackers. It is also a sad fact in respect of this aim that terrorism has led us to introduce various measures focused on protecting the civilian population using methods which in some ways curtail the rights of the civilian population.

It would therefore be a very good thing if this plenary sometimes approved scanners and if we could begin to think about adopting legislation and harmonisation in the area of justice and in the area of home affairs, because only the adoption of new technological measures will really assist us in the fight against terrorism.

**Charles Tannock (ECR).** – Mr President, the recent announcement of compulsory back-scatter X-ray technology whole-body scanners at British airports by Prime Minister Gordon Brown is an outrage, in my view.

This is the first time ever that ionising radiation is being forced on people, including children and pregnant women, and indeed being used widely on healthy humans for non-medical reasons.

Soft low-energy X-rays actually are more absorbed than the higher-energy cosmic rays you receive whilst flying and are thus more dangerous and not less dangerous to the skin and soft tissues. Furthermore, diagnostic medical X-rays allow the user, the patient, the possibility of a lead shielding on their gonads to reduce the total population dose causing DNA damage and future genetic mutations – not possible with these devices either.

As a doctor and frequent air traveller, I totally reject this draconian measure for health reasons, not to mention privacy and ineffectiveness reasons, and I hope that the EU refuses such mandatory measures Europe-wide. Instead, I argue we should bring on Israeli-style profiling of passengers.

**Cornelia Ernst (GUE/NGL).** – (DE) Mr President, it is absolutely indisputable that body scanners quite clearly represent an invasion of privacy and a serious invasion at that. We need to ask ourselves two questions. The first question concerns the extent to which this response is proportionate and can really help to achieve the objective of combating terrorism. We do not currently have any clear answers to this question. This is why I support what Mrs Malmström has said concerning the need for an evaluation of all types of scanners. I would like to see this assessment completed before we do anything else.

The second question concerns the risks to health. Everyone in this room and also those Members who are currently elsewhere will have to pass through body scanners several times each week. I would have to do so at least twice a week. This is a long-term measure and I would like to know to what extent it will harm my health. No real assessments have been carried out in this area. I would like to make it quite clear that I am

not prepared to expose myself to body scanners until these assessments have been made. Therefore, I am calling for clear answers and not for hasty reactions.

**Michèle Rivasi (Verts/ALE).** – (FR) Mr President, I would like to make the connection between the scanner, health and terrorism. What does the Interagency Committee on Radioprotection, which brings together the European Commission, the IAEA – the International Atomic Energy Agency – and the Nuclear Energy Agency say? It says that pregnant women and children must not be subjected to body scans, even if the doses are extremely small.

Indeed, we should be aware that frequent exposure to low doses of radiation can cause cancers and malformations. My question therefore concerns justification of the risks. Given the existence of alternative technologies that enable the same goals to be achieved, these scanners really do need to be justified in relation to the given objective, and we need to know ...

*(The President cut off the speaker)*

**Andreas Mölzer (NI).** – (DE) Mr President, we must not forget that misinformation and poor decisions made by the US secret service have repeatedly made it possible for acts of international terrorism to happen. Despite this, the usefulness of the various anti-terrorism measures has never been called into question. Instead, every attack is followed by further restrictions on civil rights and liberties. The European Parliament is only waking up to this now that EU citizens are being obliged to undress both literally and financially in front of the US. The transparent citizen is increasingly becoming a reality and all of this is based on data and information from the secret services whose role and reliability have become highly controversial, not least since the wars in Afghanistan and Iraq.

In addition to the doubts about the benefits, feasibility and compatibility with personal rights of body scanners, it seems highly unlikely that they will divert radical Islamists from their terrorist intentions. We must take consistent measures to combat Islamist terrorism, but we must put a stop to EU citizens constantly ...

*(The President cut off the speaker)*

**Alfredo Pérez Rubalcaba, President-in-Office of the Council.** – (ES) Mr President, I have listened carefully to the speeches by all the groups and Members on this topic. We have heard some extremely interesting views, and I welcome them.

I would like to remind you, as I did in my first speech, that I am certainly not in favour of holding debates on such a complex and sensitive topic as the fight against terrorism after attacks or apparent attacks.

We obviously need to examine these attacks or apparent attacks to find out what went wrong with our security systems, but there is no doubt, as has been said time and again here this afternoon, that the counter-terrorism policy must be a carefully thought-out, calm and deliberate policy and must be applied in a proportional manner.

If we adopt measures that will undermine our principles, we are probably making a serious mistake. As a result, we need to analyse, for example, what happened in Detroit to try to prevent mistakes, but we must not respond with a knee-jerk reaction after every attack because this would probably result in us adopting measures that, in some cases, would simply not make sense.

Europe has a strategy for its counter-terrorism policy. We have a good strategy for fighting terrorism in the European Union, one that has proven to be effective in recent years. We only have to look at the actions of the security forces in the different countries to see the extent to which, on many occasions, those actions were based on application of the common strategy we introduced a number of years ago.

We have an important figure, a Counter-Terrorism Coordinator, whose speeches are very interesting. Once again, I would recommend that you look in detail at his last speech in this House because I believe it is an excellent speech that highlights the extent of our strategy. Indeed, we have recently been trying to give concrete expression to this strategy through prevention, unlike the early years of its application, when we put much more emphasis on detection.

Of course, the most important element in the fight against terrorism is prevention, in other words, preventing attacks. That is why we are focusing our common efforts, as I said, on prevention. That is also why we are concentrating on aspects such as radicalisation, which I mentioned in my speech, as did the Commissioner.

We are keen to analyse the policies being implemented in each country to prevent radicalisation, which is undoubtedly the root cause of many of the terrorist attacks we have suffered in recent years.

We are also keen to ensure the correct exchange of information. This has been emphasised in the House on various occasions. The important thing is not to transmit all of the information that you have, but to transmit the information that is relevant to those who are receiving it. That is the information that needs to be transmitted. The aim is not to swamp ourselves with information, but to have information management tools that make the exchange as effective as possible.

There have been significant improvements recently in the European Union in that regard. We have a strategy that, when implemented, will, for example, improve the functioning of our exchange systems. When I talk about exchange, I am thinking of Europol, I am thinking of Eurojust, I am thinking of COSI, which has been mentioned here by some Members, and, lastly, I am thinking of the exchange of information and how to make it more effective.

Finally, yes, the controversial body scanners are now on the agenda, and I believe, as I said in my first speech and as the Commissioners said, too, that it is an issue that we have to tackle. Ideally, we will be able to decide on a common solution at European level. Of course, if we do not, each country will be able to implement its own policies, and probably, even if we do decide on a common solution, there may be some countries that decide to go ahead with their own policies under their own laws. However, there is little doubt that a common position on this matter would be extraordinarily helpful.

In order to adopt such a position, and in line with what I said at the start of this speech, we need a calm and deliberate debate focusing on three elements that are currently being studied by the Commission: firstly, the effectiveness of the scanners (whether or not they are effective, what their limits are and whether or not they can do what we want them to do); secondly, their compatibility with fundamental rights and individual freedoms; and thirdly, their compatibility with the health of the people who will have to pass through them.

I believe these are the three topics that we need to examine. Once the reports are available, we will adopt a common position, which I believe is necessary.

Mr President, I would like to say once again how much I appreciate the speeches made here in the House, which I consider to be extremely useful for the Council's work.

**Sarah Ludford (ALDE).** – Mr President, I asked a direct question to the Council and I would like an answer. I asked what the Council thought of the gross breach of Article 6 – the fundamental rights clause – of the EU Treaty in light of the UK Court of Appeals' ruling confirming that the UK was guilty ...

*(The President cut off the speaker)*

**Siim Kallas, Member of the Commission.** – Mr President, ladies and gentlemen, thank you very much for your contributions, but I must say that we have not got a proposal today to introduce some new machines in a compulsory manner in all Member States and all airports. This is not the case. We are just in a process of careful examination of these new technologies and we will come to you after April, after a substantial report which will examine all aspects of these new technologies.

I myself have certain doubts, especially about efficiency and, as somebody said here, the proportionality of using this new technology, but we should not reject outright new technologies. Terrorism develops and we, too, must use all technological developments to defend our citizens and passengers. So do not demonise new technologies. We will, together with colleagues Cecilia Malmström and Viviane Reding, propose a common European approach with all necessary requirements concerning all technological, legal, fundamental rights and privacy issues and aspects. We definitely will propose some common European approach, an approach on which I believe there is consensual understanding and which is preferred here and, I understand, also in many Member States.

So this is what we will do in the near future. We will come with a report and then we will continue this discussion. Believe me, we do not have any conspiracy to introduce some kind of new machines immediately; there is no technological solution which is totally bullet-proof or which guarantees 100% security, and aviation security is an especially complex area where we need a large variety of combined measures and also very strong international cooperation.

So after this report, we will come with concrete proposals and we will definitely propose a common European approach on what the standards might be and what the requirements might be if Member States opt for the introduction or use of new screening technologies.

**Cecilia Malmström**, *Member of the Commission*. – Mr President, this is indeed an extremely important debate. Counter-terrorism is an important tool for fighting terrorism. We have painful experiences within the European Union of the effects of terrorism and the threat that it presents, not only to individuals but to societies, democracy and our fundamental values.

Member States, of course, have the operational responsibility and the responsibility for their intelligence, but I am convinced that we can do much more at European level to coordinate and to fine-tune the tools that we have. That is why I have asked my services to, very quickly, carry out an analysis of the policies, of the framework, of the tools that we already have, in order to see what can be improved and how we can use them in an even more intelligent way. I agree with certain Members who have said that. I am also convinced that Europol, Eurojust and Member State authorities can work much better and in a much more coordinated way. There are certainly measures for doing that.

Events like the one in Detroit are important as they serve as a kind of alarm bell, alerting us to the fact that terrorism is still present; it is still a very important threat. There are demands and pressure on us politicians to do things quickly, to introduce improvements and to protect the citizens immediately. This is totally natural. We have a responsibility to protect security, but also to act after thorough analysis, assessment and discussion so we propose appropriate and proportional measures, as Commissioner Siim Kallas and as the Council have also said. We will do this. We will also have to give full consideration to respect for fundamental rights.

So this is how this Commission will work. We will come back to you with more detailed proposals after this evaluation has been carried out and discuss this further with you. Thank you very much for an important and very engaging debate.

**President**. – The debate is closed.

**Inés Ayala Sender (S&D)**. – (ES) Mr President, before we finish, I would simply like to make a point of order and express my surprise, because when the catch-the-eye procedure began, I raised my hand, thinking that it was starting then, but you already had a full list. I would simply like the catch-the-eye criteria to be standardised so that we can all speak, because there seemed to be other Members speaking even though you said you had a full list.

I therefore just want to express my surprise and request that for the next time, we all know what we have to do to be able to speak.

*(The President explained the 'catch-the-eye' procedure and why he had not given the speaker the floor)*

#### **Written statements (Rule 149)**

**Elena Oana Antonescu (PPE)**, *in writing*. – (RO) Terrorism remains a high-level threat in the European Union. This is why all Member States have stepped up their efforts to improve the tools used to prevent and combat it. The adoption of the Treaty of Lisbon offers the opportunity to respond much more efficiently in every area linked, directly or indirectly, to combating terrorism. The use of body scanners is a delicate issue. I think that there are important factors which must be examined carefully before making a decision on this. They concern the scanners' effectiveness, respect for the right to privacy, the financial impact of using them given the particularly high cost of buying them and, above all, the way in which the use of these machines affects the health of those who are screened by them. The European Commission is due to produce three studies on the use and effects of body scanners. For this reason, I believe that it is important for us to await the experts' conclusions and closely analyse them and only then make a decision on a common position on this issue.

**John Attard-Montalto (S&D)**, *in writing*. – When the issue of counter-terrorism measures arises, the debate always focuses on the affect on civil liberties. I have always taken the stand that it is a question of priorities. It is a question whether passengers are prepared to sacrifice their discomfort for their safety. Civil liberty groups have the duty to weigh all new measures being advocated. Those proposing new measures such as body scanners have the duty to prove their necessity. Although solutions are normally based on compromise, in this instance, compromises may not be possible. It is apparent that current procedures, in particular, body searches, are not sufficient. It has been established that body scanners are more effective. The problem is that

they may offend passengers' dignity. Therefore, this is the issue which has to be addressed. Many possibilities exist.

For instance, different body scanners for different genders manned by personnel of the same gender.

**Vilija Blinkevičiūtė (S&D), in writing. – (LT)** Ensuring the security of air travel in the fight against terrorism is without doubt essential, but we must ascertain what impact the measures created to ensure this security have on our health, fundamental rights and freedoms, privacy and dignity. The use of body scanners, as one of the possible technical solutions, is a very serious matter, concerning the use of new technologies for the security of citizens, and therefore I hope that the Commission will finally present an assessment of the impact of body scanners on people's health and fundamental human rights and freedoms. I would like to draw attention to the fact that while using new technical measures, which are aimed at achieving a high level of airport security, it is also very important to set boundaries between human rights and security itself, as those measures are not only related to the protection of citizens, but to the impact on their rights and freedoms. The Commission has yet to present an impact assessment report, confirming that precisely body scanners will ensure the effective protection of people travelling by air, and therefore there are still doubts as to whether these technical security measures will really be safe, effective and sound. Therefore, once we have evaluated the existing situation, we must continue our work in this sensitive area.

**Nessa Childers (S&D), in writing. –** The European Parliament cannot give its consent to the introduction of body scanners, which are essentially a type of X-ray, before the existing health and privacy concerns surrounding them have been properly addressed by European authorities. I am aware that concerns exist among frequent flyers and I am concerned about subjecting other passengers, such as pregnant women and children, to body scanners. There are also considerable concerns regarding the intrusive nature of these images, and we must ensure that the privacy of European citizens is protected before we agree to the widespread distribution of these time-consuming and expensive machines. Given that the American authorities have conceded that it was a failure on the part of their security agencies rather than airport technology which led to the recent Detroit terrorist scare, I believe that, before we invest in this controversial technology, a variety of less expensive methods – such as increased intelligence, different search methods and enhanced international cooperation – should be explored. The American founding father Benjamin Franklin once said that 'He who would put security so far before liberty deserves neither', and I believe that Europe would do well to heed this particular piece of advice over the coming months.

**Proinsias De Rossa (S&D), in writing. –** The International Federation of journalists, representing 600 000 journalists in 125 countries, has called on the Israeli Authorities to revoke a deportation order on journalist Jared Malsin who was deported because his reports on the situation in the West Bank and Gaza were critical of the Israeli Government. They have condemned the deportation of as an intolerable violation of press freedom. In addition, 13 Israeli Human Rights Organisations have protested to the Israeli Knesset and Prime Minister Netanyahu regarding the increasingly systematic campaign against Human Rights Organisations in Israel. It has been reported that Israel is now demanding that the European Union stop giving financial assistance to Human Rights Organisations operating in Israel and the Occupied Palestinian Territories. I wish to ask you Mr President to make contact with Prime Minister Netanyahu to make it clear that the EU is founded on respect for the right of free speech, the right to criticise one's own government, a free press, and the right to peaceful protest, as fundamental to a democratic state. Prime Minister Netanyahu must also be reminded that EU trade agreements require those we do business with to respect those rights.

**Christine De Veyrac (PPE), in writing. – (FR)** Nearly 10 years after 11 September, the terrorist threat is still present, and aeroplanes are one of the tools favoured by terrorists to strike at our countries. We must find a way of protecting our citizens and preventing them from becoming the victims of terrorist acts. Body scanners may be one of the ways of strengthening security in airports and on board aeroplanes. Before taking a decision, however, we must make sure that these machines do not infringe individual liberties and that they are not harmful to the health of travellers or of airport staff. I await with great interest the study that the European Commission will submit on this matter in March. In dealing with all the different aspects associated with their use, this report should make it possible to certify the scanners throughout Europe, guaranteeing the protection of civil liberties and health while improving security. In order that all citizens should benefit from the same protection, I hope that, following the submission of this study by the European Commission, we shall encourage Member States to come to an agreement on this matter.

**Kinga Gál (PPE), in writing. – (HU)** Mr President, ladies and gentlemen, the toolset of security measures used in international airports is continually expanded as aviation safety – our safety – faces more and more challenges. At the same time, a number of elements of measures already taken, planned or tested to improve

aviation safety already exceed the strictly aeronautical or aviation safety requirements. This is why these issues should be investigated in their overall context. Safety is a key issue in our lives – it is the most important issue. However, we only feel safe when safety measures do not restrict our rights disproportionately, do not violate our personal rights and, in some cases, do not damage our health, and when the measures taken to ensure our safety, as a whole, are not disproportionate, cannot be circumvented and have an appropriate level of efficiency. We need devices, such as body scanners, which provide efficient passenger traffic monitoring, are used on the basis of voluntary consent, taking into account, among other things, passengers who have essential medical implants (electronic pacemakers or metal implants), are not harmful to health, children, pregnant women or frequent travellers, and finally, do not record image data and are used only to provide an appropriate warning in the event of a risk. Therefore, any further debate on the introduction of test scanners is only useful when sufficiently detailed impact assessments of the conditions listed above have been carried out. Only the use of devices compliant with this set of requirements is acceptable to us.

**Jim Higgins (PPE), in writing.** – We cannot wait for another catastrophe before acting to protect air passengers. Dublin Airport Authority (DAA) has tendered a contract, worth up to EUR 2 million, for body scanners at Dublin airport. The DAA said that, if the Department of Transport gives the go-ahead, which seems very likely, and the equipment proved successful, the scanners could be extended to Cork and Shannon airports. But the Data Protection Commissioner is concerned that any moves by the Irish authorities to bring in scanners goes through proper consideration and balances security needs with individual privacy rights. Manchester Airport, where one of the scanners is being trialled, insists the black and white images are not pornographic or erotic and are viewed by a single officer at a remote location after which they are immediately destroyed. Body scanners are not infallible but they are the best technology available at present and so we need to use what tools we have to hand in order to reduce the terrorist threat. We need a pan-European approach to the issue of scanners – airport security needs to be uniform. I eagerly await the conclusion of the Commission report of the impact of body scanners.

**Danuta Jazłowiecka (PPE), in writing.** – (PL) Ladies and gentlemen, listening to today's debate, one might have the impression that the main problem currently facing European countries is whether to increase the use of body scanners at airports or to limit possibilities for their introduction. It seems to me that this is not, however, a correct understanding of the matter. From this point of view, the problem of guaranteeing protection of human rights is not very significant, either. The fundamental question we should ask is whether the new methods and instruments proposed by the special services will be used effectively. If we give up part of our liberty in favour of security, will our security really be guaranteed? The information we are receiving about this makes us very sceptical. If the appropriate services are not even able to guarantee effective passport control, and if they cannot use the information they possess – which is so clearly shown by the incident with the flight to Detroit – what guarantee do we have that they will be able to use the new instruments effectively? History teaches us that in crisis situations, special services want to take the simplest route. They demand new powers, more money and better instruments, while they are not able to use to the full the possibilities they already have. Someone should stand up for common sense and healthy scepticism, and it seems to me that the European Parliament has a not insignificant role to play in this regard.

**Elżbieta Katarzyna Łukacijewska (PPE), in writing.** – (PL) The events of recent years have forced us to look for new solutions which will ensure the greatest possible security for travellers. The terrorist threat has made us agree more readily to the restriction of our own freedom. I hope that before a decision is made on the general introduction of body scanners at airports, a thorough analysis will be made of their effectiveness and safety, as well as the costs which will have to be incurred. We do not want a repeat of what happened with the mass introduction of vaccines against A1/H1N1 influenza, when governments, in a wave of panic, bought stocks of vaccines at huge cost without receiving a guarantee of their safety from the producers, and now those stocks remain unused. Perhaps it would be more effective to use solutions developed by the Israelis, where emphasis is placed on observation of passengers' behaviour and on thorough checking of those who arouse most suspicion, and not of everyone. This system has proved its effectiveness over many years.

**Petru Constantin Luhan (PPE), in writing.** – (RO) It is our duty as MEPs to get involved in resolving the issues raised by the subject of body scanners with regard to both the fight against terrorism and the civil and personal rights of Europeans.

I totally agree with finding viable solutions for enhancing our citizens' security. However, we have an obligation to ensure the protection of all the rights of our fellow citizens across the European Union. This implies the right to privacy and the fundamental right to personal dignity, which must be balanced with the security concept of the airport machines. The question which arises in this context is whether these body scanners are the most viable solution for resolving the security problems at airports.

I think that Europe must say YES to finding solutions for combating terrorism and organised crime and NO to infringing the right to privacy and personal dignity, which is a basic principle of democracy.

**Ioan Mircea Pașcu (S&D), in writing.** – Every time a real or would-be terrorist boards a plane, fooling the vigilance of our brave security guards and their wonderful machines, millions of passengers get a more miserable life for years to come. The 9/11 terrorists have been successful beyond imagination: they managed to alter our lives – for the worse – forever! We, in the East, wanted to get rid of our ‘Big Brother’ and we got in exchange the ‘Western’ variant, more sophisticated but no less scary. Many ‘security guards’ at some airports misbehave; they consider themselves above the law, looking at every passenger as a suspect, taking the liberty to inspect every bit of luggage without any explanation and, of course, excuse, when their ‘suspicion’ proved unfounded. And when you dare to protest, they laugh in your face. You would agree this is an abuse. It is high time, then, that the Commission looked into the activity of these firms and imposed some standards of behaviour towards the large mass of honest citizens. After all, we have a Charter of Fundamental Rights to be respected equally by every European, including those in charge of security in our airports.

**Joanna Senyszyn (S&D), in writing.** – (PL) To fight terrorism effectively, we need coordinated action, including EU rules on scanners. The principles which we accept must include protection of basic rights and personal data as well as something no less important – citizens’ health. A decision on compulsory use of scanning equipment must be made. There is no point talking about it at all if the scans are to be voluntary. For it is difficult to suppose that terrorists will agree to being scanned. A very important question is, of course, the safety of the scanners for health. Opinions are divided on this, from the opinion of the Czech Office of Nuclear Safety, which shows that scanning equipment emits radiation which is harmful to human health, to that of the French Central Civil Aviation Directorate, which considers the equipment completely safe. Further tests are essential to show which types of scanner are safe for health and any possible side effects of their use. The research should be coordinated by the European Commission with the full cooperation of Member States. The scanners used must have a safety certificate allowing their use in all Member States. In this way, we will avoid duplication of research costs by individual Member States, and we will be sure that citizens’ health is protected equally in each Member State.

**Joanna Katarzyna Skrzydlewska (PPE), in writing.** – (PL) Mr President, a new method of searching passengers has been introduced at some European airports. Alongside the current forms of security, full body scanners have been brought into use. Most airline passengers are decidedly against this, seeing in this form of search a violation of fundamental human rights, including the right to intimacy and protection of personal dignity. In addition, and this is very significant, this reluctance is deepened by a lack of knowledge about what effect the scanners have on the health of those scanned.

There are no clear regulations on the storage and protection of data collected by scanning. It is also being argued that the scanners are nowhere near as highly effective as is claimed by their producers. One would hope that their effectiveness does not turn out to be similar to that of the vaccines against swine influenza, which, in the final analysis, were effective only in increasing the incomes of pharmaceutical concerns. Taking into account all these justified doubts, I think the European Commission should specify principles for protecting the rights of passengers which, at the same time, ensure their safety.

## 15. Situation in Ukraine (debate)

**President.** – The next item is the statement by the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission on the situation in Ukraine.

**Štefan Füle, Member of the Commission.** – Mr President, the High Representative and Vice-President of the Commission, Cathy Ashton, asked me to make the following remarks.

Allow me to thank you for this very timely invitation to address you on Ukraine, which is a key partner for the European Union.

As you will be aware, a second round of presidential elections took place on Sunday in Ukraine. This was an important event, not just for the country itself, but for the wider region as a whole. It is important because a democratic Ukraine will serve as an important example to its neighbours.

We welcome the positive assessment made by the OSCE/ODIHR-led International Election Observation Mission that the elections were conducted in accordance with international standards and that there has been further progress in Ukraine’s already good electoral track-record since 2004.

The statement issued by the High Representative on Monday expressed this sentiment. It also congratulated the people of Ukraine for their continued commitment to the democratic process. The high turnout on both election days was particularly encouraging.

It is clear that Ukraine's democracy is continuing its process of consolidation. The population of the country goes to the polls, makes its choice freely, and expects to be heard. This is a significant achievement. Most importantly, it demonstrates Ukraine's attachment to European values.

Elections have winners and losers. It is the electorate who decides. As we meet here today in Strasbourg, official election results have not yet been certified by the Central Election Commission.

Preliminary election results show a very small gap between the two contestants. We have already heard about possible challenges to the results in the courts. Some local court cases have already been initiated.

It is logical and legitimate that any possible problems are investigated. At the same time, it is of utmost importance that the electoral process as a whole continues in a smooth manner, demonstrating both the resilience and depth of Ukraine's democratic maturity and the candidates' own shared commitment to the country's development.

Every election is a demonstration of popular will. It is also an opportunity for a new start. It is now vital for Ukraine to move forward. The success of the electoral process in Ukraine – given Ukraine's geographical and strategic importance – matters to the EU, and to Europe as a whole.

In the past years, we have seen political instability, characterised by competition between the President and Prime Minister, exacerbated by a lack of clarity in the Constitution. Ukraine has consistently held good elections, and has a vibrant civil society and free media. Regrettably, however, the overall reform process – which is vital for Ukraine – has significantly slowed. Much more should have been done in the past years.

Pre-election politics also got in the way of the implementation of the IMF standby arrangement, with Ukraine failing to meet required conditions. The weakness of Ukraine's constitutional framework has also contributed to this.

I am convinced that I speak for all of us in saying that we look to the new leadership in Ukraine to give new impetus to its reform efforts. As a first priority, in order to address the effects of the global financial crisis and ensure future economic stability, Ukraine needs to get back on track with the IMF programme, without delay. This is also a precondition for the disbursement of possible EU macrofinancial assistance.

In the weeks and months to come, we will see a new administration being formed in Kiev. The EU's message to Ukraine's leadership is consistent and clear: now is the time to act. We expect to see concrete steps forward. Reform is essential for Ukraine's own long-term prosperity and security. It is in Ukraine's own interest – not just to please the international community. This message was also already conveyed at the EU-Ukraine Summit of 4 December 2009.

Action is needed at many levels. On the economic front, Ukraine needs to take urgent action to tackle corruption and to improve the business and investment climate. This includes efforts to strengthen the independence of the judiciary, to open up the economy and to ensure fair and transparent competition – for example, by the adoption of a public procurement law in line with international standards and the European Union *acquis*.

At the same time, essential sectoral reforms in areas such as energy – in particular the gas sector – transport and the environment need to be undertaken and implemented. We have also consistently encouraged Ukraine to revisit constitutional reform, to bring stability and put in place functioning ground rules for political life. A constitution needs to stand the test of time, and its reform should not be tied to short-term political considerations. It is up to Ukraine to choose the model it wants to adopt. However, it should ensure that an effective system of checks and balances is in place which avoids the political paralysis that Ukraine has experienced in the past. The help and advice of the Venice Commission will be important in ensuring that this is done in a manner corresponding to European standards, availing of the best experience available.

Over and above the first reform priorities, Ukraine needs to continue the extensive task of ensuring regulatory approximation with European Union standards. This is a prerequisite to ensure that Ukraine can enjoy the full benefits of the new and ambitious EU-Ukraine association agreement which we are currently negotiating with Ukraine – including a deep and comprehensive free trade area,



It is our task to encourage Ukraine on the way forward and to support Kiev's own leadership in a process of far-reaching reforms and modernisation. We have many tools to do so. Through the European neighbourhood policy, we have the means to support Ukraine's own reform efforts. Already today, ongoing and planned technical and financial cooperation with Ukraine is in the region of EUR 435 million, without counting possible macrofinancial assistance. The Eastern Partnership has brought additional tools. The comprehensive institution-building programme envisaged by the Eastern Partnership is a case in point, as it specifically targets institutions within the Ukrainian Government which need strengthening in order to deliver on reform.

More generally, in negotiations with Ukraine on a new ambitious EU-Ukraine association agreement, we have set out our goals clearly: political association and economic integration between the European Union and Ukraine. This is a very significant undertaking, including the establishment of a deep and comprehensive free trade area involving extensive regulatory approximation to the European Union *acquis*.

But our offer to Ukraine is not a one-way street. The pace at which Ukraine and the EU come closer together in the future depends on the quality and depth of Ukraine's own reform efforts. We look forward to working with Ukraine's new leadership to achieve our common goals.

We have been in contact today through our cabinets with the High Representative and my colleague in the Commission, and let me summarise the three following messages: firstly, we both agreed that these elections testified the vibrancy of democracy in Ukraine; secondly, we are committed to deepening the relationship with Ukraine and supporting it in implementing its reform agenda; and, thirdly, we look forward to starting a constructive cooperation with the President-elect as soon as official results are announced.

#### IN THE CHAIR: MRS WALLIS

*Vice-President*

**Elmar Brok**, *on behalf of the PPE Group*. – (DE) Madam President, Commissioner, we are rather disappointed. I am one of the people who was in the tent city during the Orange Revolution in Kiev and when I look at what has been done over the past five years, I want to say to President Yushchenko that he has not brought stability to his country, he has not created parliamentary opportunities and he has brought the legislative process to a halt. He is certainly responsible for the failure of the Orange Revolution. I hope that these elections will bring new stability to Ukraine. However, despite the elections apparently being conducted in accordance with international standards, I am concerned that this is not a stable, self-confident democracy. When the legislation is amended three days before the second ballot, right in the middle of the elections, for whatever purpose, this does not demonstrate that the process has been understood. Instead, it causes us to watch Ukraine with great concern. I believe that we must become closely involved in the issue of the development of democracy and the rule of law in Ukraine, together with the related subject of stability, which is not a contradiction, but a consequence of this.

Mr Füle, you have a specific responsibility relating to neighbourhood policy. However, neighbourhood policy does not simply mean going on as before. Instead, it means using the tools available to us not only for a bilateral relationship with a country like Ukraine or with other countries in the region, but instead in a multilateral approach to these countries, so that they come closer together and become more stable. We must give them perspectives. This does not involve referring every day to the enlargement of the European Union, but instead making visa facilities available to them now, considering the possibility of a free trade zone and perhaps even offering them the prospect of the same status as Norway within a European economic area. This will not harm anyone, does not represent aggressive behaviour towards anyone and, at the same time, will lead to the introduction of the European perspective and of stability in countries of this kind. I hope that the new government will prove itself worthy of taking part in this type of project.

**Kristian Vigenin**, *on behalf of the S&D Group*. – (BG) Madam President, Commissioner, one of the drawbacks of your being responsible for both enlargement and the neighbourhood policy is that you will spend more time in this Chamber. Now to the matter in hand.

We must say that the international observers gave a very positive assessment of the elections in Ukraine, regardless of the fact that the legislation surrounding the actual elections stood on shaky ground. It can be said that the fact that changes were made at the last minute did not directly affect the result of these elections. In fact, we can say that democracy in Ukraine was the main winner because, when the current president stands again as a candidate and only receives 5% of the votes, this seems to me to be a very clear sign that democracy is working.

One of the rules of democracy is that you accept the result of the elections as it is. Also, you acknowledge your rival's victory when the assessment of the actual elections is positive. This is why our message to the losing candidate must be very clear: Ukraine needs political stability and must be given the opportunity finally to initiate long-delayed reforms. Apart from these messages, we must clearly state in this House that we will help Ukraine to start moving forward again through our policy, the Neighbourhood Policy, and the Eastern Partnership.

**Siiri Oviir**, *on behalf of the ALDE Group*. – (ET) Madam President, Commissioner, ladies and gentlemen, the recent presidential elections in Ukraine marked the end of the period in recent years in which the colour orange carried a political message. The recent presidential elections can be seen as another step in the consolidation of democracy.

There is a saying that a revolution devours its own children. This is true, but Ukraine remains a state even after these elections. It still has its multi-party system, and this is mainly thanks to the Orange Revolution. Likewise, the existence of freedom of speech and a free press can be attributed to the events of five years ago, when the route towards freedom and respect for human rights was taken. And all of this is very important.

Thus, we have to recognise the development of Ukraine towards democracy and the rule of law, towards improving economic integration and promoting relations with the European Union. I believe that, despite the official results of the elections, Ukraine will continue on the same course – it will continue to support integration with the European Union, to make the state government more effective, to make the political system more balanced – and to continue with constitutional reform.

Ukraine's internal political stability and concentration on internal reform are a precondition for the further continuation of relations between the European Union and Ukraine. It is a crucial precondition for bilateral and multilateral cooperation that Ukraine's Government continues to implement its objectives. We have to continue talks on the association agreement between Ukraine and the European Union. In recent times, the tempo has been slowing, and we must speed it up again.

We also have to put a more concrete content into energy and environmental cooperation. Joining the World Trade Organisation is a significant achievement, which is also an important precondition for creating a proper free trade area for us and Ukraine. We also have to mention shortcomings, however: corruption has already been mentioned, and there are entrenched special interest groups and nepotistic practices. We hope that Ukraine turns round these shortcomings ...

*(The President cut off the speaker)*

**Rebecca Harms**, *on behalf of the Verts/ALE Group*. – (DE) Madam President, first of all, I would like to pick up on what Mr Brok said. It is true that it was a very sad result for the hero of 2004, Victor Yushchenko, to be beaten in the first ballot. In my view, Mr Yushchenko is the only person to pick up the tab for the failings of all the leaders of the Ukrainian parties or blocks.

One important issue that we need to deal with is the fact that the people of Ukraine do not really trust any of the heads of the Ukrainian parties to lead their country on behalf of and for the benefit of all its citizens. If there is one result that has come out of the presence of the election observers, alongside the fact that the elections were conducted properly, which goes without saying, it is the discovery during the course of many discussions that most people voted for the lesser evil. None of the citizens whom I met had great expectations of this election. That is alarming in the case of such a young democracy, which has moved further away from the former Soviet system than any other country in Eastern Europe.

Mr Füle, I hope that your presence today and the absence of Baroness Ashton does not mean that Ukraine is once again taking second place and will disappear among all the other foreign and security policy priorities. It must be one of the major priorities, because this has not been the case during the last five years.

The internal failings in Ukraine are mirrored by failings in the European strategy. We must not take this lightly any longer. We must give our unconditional support to Ukraine's focus on the West, because we have a lot to lose. Gas is one subject which always causes a great deal of consternation. I only need to mention Sevastopol, where we are facing a major conflict. We cannot simply let things go on as they have before. You have taken on a significant responsibility in this area.

**Andreas Mölzer (NI)**. – (DE) Madam President, Commissioner, of course, Yulia Tymoshenko is entitled to appeal against the result of the presidential election. Given the intrigues and scheming which went on in 2004, we cannot blame her, except for the fact that this time, international election observers have confirmed

the results. She can stand up for her supposed rights. However, this is not a clever move in political terms, because a dispute of this kind will result in the political and economic uncertainty in the country continuing.

The close election result reflects the fact that the country is split into two camps. However, realistically, it will not be possible for Mr Yanukovich to reinstate the authoritarian regime that was overthrown years ago, even if he wanted to, despite the fact that the oligarchic structure in the political and economic system has undoubtedly been reinforced by the presidential elections.

Given the close result, both camps will have to make compromises. It is important that the cultural and social East-West split within the country is overcome for the sake of the people. A lot will depend on whether Mr Yanukovich appoints a prime minister whom both the Eastern and Western Ukrainians can live with and whether Mrs Tymoshenko has the democratic maturity to acknowledge her defeat and join the opposition.

**Paweł Robert Kowal**, *on behalf of the ECR Group*. – (PL) Madam President, Commissioner, five years ago, this Chamber went through the Orange Revolution, too, in a certain sense. However, several weeks ago, including in Mrs Ashton's speech, questions were asked about whether the Ukrainians were ready for the Orange Revolution, and if they had put it all into practice? I share Mrs Harms' regret, here, that Mrs Ashton is not with us today. There is an answer to this question: a 70% turnout at an election is, truly, a rarity in Europe, and it is a real rarity in our countries, too. In this sense, Mr Brok is not right when he says the Orange Revolution lost. It won, because it was all about having rules from which everyone could benefit. In Poland, too, we know about situations in which the beneficiary of democratic rules was someone who had formerly been opposed to democracy. However, this is good – this is how it should be.

Now the time has come for our answer: have we done everything we should have done following the Orange Revolution? Have we answered that question? Apart from all the instruments which the Commissioner has spoken about – and it is good that we have created these instruments – have we answered that the door is open for Ukraine? Can far-reaching reforms be carried out in a post-communist country without that promise? Can we encourage people to make sacrifices if we tell them they will always be kept waiting outside? Should we not, rather, tell them: there is room for you in Europe, not today, not tomorrow, but there is room.

To say that is a great opportunity for the new Commissioner, Mr Füle. Mrs Ashton has not come, today. Commissioner, be bold and be the first person who starts to say that there is room. Not today, not tomorrow, but there will be room. This will be of great help to the Ukrainians. This may be the last moment when this can be said, and this is why all Ukrainians must be certain that integration, cooperation with Europe and changes to the law are their own personal opportunity.

This must not just be said to the elite, to businesspeople or to students. It must be said in such a way that everyone will understand that it is still worth making sacrifices after the years of communism, that it is still worth doing something. It is an opportunity for you, too, Mr Füle. Say this clearly, and you will go down in history. You will help not only Ukraine, but all of Central Europe, because prosperity and security for Ukraine mean an opportunity for the whole of Central Europe. Everyone must feel that they have an opportunity. This is why, apart from the association agreement, which is very important, we need to relax the visa requirement for Ukrainians and, in the future, lift it. We need to say very clearly: the door to Europe is open for Ukraine. Someone must, at last, after these five years, say it.

**Lena Kolarska-Bobińska (PPE)**. – Madam President, Ukraine's recent elections have shown that the country is a functioning democracy.

The new President will be governing in the face of robust opposition and free media. It is to be hoped that the opposition will be constructive and the standards of governance in the country will improve.

The election campaign confirmed that the Ukrainian political elite wants to continue the process of integration with the European Union and to maintain good neighbourly relations with Russia. The European Union must respond with clear signals welcoming both trends. At the same time, Ukraine needs to speed up its reforms.

If such progress is made, the EU must consider extending a promise of membership to Ukraine. In the meantime, we should encourage and do much more for integration at the grassroots level.

People-to-people exchanges, youth and school visits, scholarships, city and regional twinning arrangements and business contracts are the best way of spreading the message that reforms are the only way to a better future.

What is most important at this moment is that the EU finds a way of liberalising the entry visa regime. We must ensure the greatest possible flow of people across our frontiers with Ukraine.

As one of my constituents wrote to me recently, help 1 000 people to travel to the EU from eastern Ukraine and 100 000 will hear about their favourable impressions when they return.

This is the way to underpin the reforms we want to see happening in this valuable democratic neighbours of ours.

**Marek Siwiec (S&D).** – (PL) Madam President, there is at least one country of the former Soviet Union where the results of elections are not known in advance. That country is Ukraine, and we should be pleased about this, because we, too, have played our part, here. After the elections in Ukraine, something will change. There will be a new President, and that new President should meet with a friendly reception in the European Union and the European Parliament. This is because Ukraine's European inclinations are not a passing interest, but a serious challenge and the ambition of millions of Ukrainians. A new openness to Ukraine is needed from the European Union. Let us not be motivated by personal ambitions. I do understand that in the European People's Party, there is a little regret that the elections were not won by the woman they wanted to win. However, let us not push the new President of Ukraine into the arms of Moscow. Ukraine is going to be a partner from whom much will be expected. Ukraine is going to be a partner who will be given much to do. Ukraine is going to be a partner who should be treated with goodwill. Therefore, once again, a new European impulse is needed, because Ukraine is part of Europe, and we must implement this policy in our own interest.

**Traian Ungureanu (PPE).** – (RO) I hope that the Ukrainian authorities will step up their efforts to cooperate externally with the European Union and to come into line with European standards internally. The Eastern Partnership and Euronest initiative offer a suitable framework for this.

Regardless of the political hue of the new administration, the question is not whether the Ukraine should remain eastern or become western. The question is whether the Ukraine can consolidate democracy internally. This means establishing democratic norms and protecting human rights. One sensitive area is, for instance, the situation of the Romanian-speaking minority in Ukraine and their right to education in their mother tongue.

On the foreign policy front, Ukraine must be encouraged towards cooperating with the European Union through developing good neighbourly relations with EU Member States. However, it is just as important to involve Ukraine in the European processes for cooperating on the Black Sea region. Finally, consolidating relations with the pro-European government in the Republic of Moldova may be an immediate, beneficial step towards a good neighbourhood policy.

**Mário David (PPE).** – (PT) Five years after the Orange Revolution, the Ukrainians seems to be looking back on the period as a lost opportunity. This is not solely the fault of their political elite. It is true that they were too consumed with conflicts of power and influence. Many reforms were never implemented, and many never left the drawing board.

In a democracy, it is inconceivable for electoral law to be changed between the two rounds of an election. This does no credit to those who proposed them, those who voted for them or those who made them. It suggests that there are unworthy and undesirable intentions behind it. A lot needs to change with the judicial authorities' lack of independence, as they are subject to too much influence, not only from political powers but also from economic actors. Without a free and independent justice system there can be no law, human rights are not guaranteed, and there is no foreign investment or progress.

However, the blame for this disillusionment can also be laid at the door of this House, and many Member States in particular. I wish that for a few seconds, we could put ourselves in the shoes of a citizen of a European country which, due to the vicissitudes of history, is still not a member of the European Union. What would we expect from the EU? Solidarity. Yet many foreign ministries, with the sole concern of not bothering or upsetting Moscow, have used and abused the permanent infighting in Kiev in order to avoid stating unequivocally that the Ukraine is an independent and sovereign country.

As such, if the majority of its people freely show themselves to be in favour and it meets the established criteria, Ukraine can aspire to becoming a member of the European Union in the future.

**Laima Liucija Andrikiienė (PPE).** – (LT) Although it is disappointing, we must recognise that the six year romantic period in Ukraine's political life is over. The result of Ukraine's presidential elections is neither an

accident, nor a 'mistaken' choice by the people of Ukraine. Rather, it reflects deeper political problems and the fact that the hopes of the Orange Revolution were not fulfilled.

Commissioner, you said that we expect energetic and purposeful action from Ukraine's new President and new administration. The country needs serious structural reforms.

However, we should say something to the European Union. In this situation, if we want to have influence in the post-Soviet space and consolidate the positions of democracy and human rights in this region, then we must work with Ukraine, and more actively than ever before. The European Union must give Ukraine an alternative European vision. To do this, we should first of all aim for so-called 'soft' measures that have a long-term impact, such as promoting economic integration, the more active creation of people-to-people contacts and political dialogue with Ukraine's government institutions.

**Kinga Gál (PPE).** – (HU) In the debate about the current situation in Ukraine, I would like to ask the Commission to use its relations or network of relations with Ukraine to request and show a consistent and clear commitment with regard to the rights of national minorities, alongside other areas, as what we have heard today about recent setbacks in Ukraine, affecting so many areas, applies exponentially to members of minorities, to education in the languages of minorities and to the use of their mother tongue. Clarity and consistency is required on our side because the European Union does have the ability to influence Ukraine, which has a neighbourhood policy status, right across the board, including the rules and regulations regarding national minorities. We have seen that the consistency of our standpoint and messages does work, and we hope that this may help in finding the appropriate remedies for such issues. I propose that any future agreement drafted with Ukraine specifically covers these issues, including the right to mother-tongue education, as this is a fundamental pre-requisite for the survival of national minorities.

**Vilija Blinkevičiūtė (S&D).** – (LT) Today, Ukraine is experiencing not just an economic, but in some senses a political crisis. Perhaps these presidential elections will help bring the country out of political stalemate and will provide more stability. Ukraine is still deciding which model of civilisation it should subscribe to. Should the country cooperate with the east or choose integration in Europe? It is not such an easy choice to make, especially when the ideological division that exists in political life has also spread to society. The door to Europe must be left open for Ukraine and transparent elections are an important step strengthening the principles of a democratic state. The people of Ukraine have expressed their will to choose the leader of their country. Ukraine is a European country which must have the right to take decisions on Europe. Therefore, the European Union must cooperate intensively with Ukraine, strengthening democracy in this country and speeding up its integration in the European Union.

**Ivo Vajgl (ALDE).** – (SL) Commissioner, your report on Ukraine today was very clear. Ukraine has the prospect of accession to the EU and we have the instruments to make that prospect a credible option.

This election was closely fought, but it was a democratic one and, for us, that is the news of the day. Basically, the close contest has exposed how complicated this country is. Ukraine is a multi-ethnic and a multi-confessional country and one with a very chequered history, which is something we have to take into account. I think that we, both the European Parliament and Europe as a whole, should use all means to encourage some sort of productive dialogue within Ukraine, a dialogue that would strengthen the Ukrainian state and society from within.

Attaching labels to this country or spreading any kind of prejudice about it would be a negative thing. I do not think we have done this in the past and I hope we will not do so in the future, either.

**Charles Tannock (ECR).** – Madam President, on Sunday, I had the privilege to be present in Kiev as an observer for the ECR Group. Everything I saw was peaceful, transparent and – in many ways, curiously – more robust than in my own country, the UK, with transparent ballot boxes and photo ID required in order to allow you to vote.

However, I was, of course, disappointed by the result, because President Yanukovich is no Western-style democrat. He will now formally drop all NATO aspirations and pay only lip-service to EU membership for his country which, of course, is now also formally opposed by Russia, his close friend and neighbour. He will content himself, instead, with an FTA and a visa liberalisation regime. Mrs Tymoshenko is clutching at straws, in my view, by challenging the result of her narrow defeat in the courts and I doubt very much this will succeed.

The one real concern I have now is what I heard being discussed on the night: renewed splittist tendencies to break off the Ukrainian west – opposed to Yanukovich and supporters of Tymoshenko – to either join Poland or form a new western state. It probably will not happen but, if it does, it must be peaceful and by consensus. What we must do here in the European Union is to support the legacy of the Orange Revolution and our common shared democratic values with Ukraine.

**Franz Obermayr (NI).** – (DE) Madam President, the battle is over and at least for the next parliamentary term, Mr Yanukovich will be president of Ukraine. It is encouraging that this was the result of a fair election. This also indicates that the voters did not want the various positions to be set in concrete, such as joining NATO, on the one hand, or the orientation towards Moscow, on the other. Mr Yanukovich will be well advised to continue the democratic process, not to concentrate solely on looking towards the East and to bring about noticeable improvements in the living conditions of the people of Ukraine. Otherwise, the results of the next elections will already have been decided.

The EU must provide close support and assistance for this stabilisation process. It will be clear by the time of the European Football Championships in 2012 at the latest whether Ukraine has developed a common Ukrainian consciousness or whether it will continue to suffer from its linguistic and geographic divide.

**President.** – Again, I apologise to all those to whom I could not give the opportunity to speak. I am sure it is a subject to which we will return again.

**Štefan Füle, Member of the Commission.** – Madam President, let me once again thank you for the opportunity of addressing you today. I believe that this has been a useful exchange of views, taking some concrete suggestions and remarks to reflect on.

As I said at the beginning, Ukraine matters. It remains a partner of strategic importance for the European Union, and a leader in the region. EU-Ukraine relations have deepened considerably in the past years. I firmly believe that this dynamic should continue in the future.

The pace and depth of the rapprochement of Ukraine to the European Union will depend on the implementation of reform. That will encourage me to be even braver. The EU stands ready to support Ukraine in this task, with a wide range of tools at its disposal. Nevertheless, we look to the new leadership to demonstrate the political will for reform in the interests of Ukraine's future stability and prosperity.

**President.** – The debate is closed.

The vote will take place during the second part-session in February.

#### **Written statements (Rule 149)**

**Elena Băsescu (PPE), in writing.** – (RO) Ukraine is particularly important to the European Union from the perspective of getting involved in the Eastern Partnership and Black Sea Synergy and for the EU's energy security.

My contribution today will refer to an aspect which is not mentioned very much, but which is of particular concern to me when we are talking about Ukraine. More than half a million ethnic Romanians live in this country. The authorities in Kiev have hitherto shown them little interest in terms of guaranteeing basic rights. However, we saw for the first time that during the election campaign in this country neighbouring Romania, a new concept of governance was promoted. One of the candidates guaranteed Romanians in this country that he would support the introduction of Romanian as a regional language in areas where Romanians are in the majority.

Ukraine is currently faced with two value systems. Some citizens would like to move closer to the European Union and want our values, such as freedom and peace, to be guaranteed. Another group of citizens look at European integration with distrust. Ukraine needs support and solidarity from the EU to continue the reforms already under way in order to eliminate this division between East and West.

**András Gyürk (PPE), in writing.** – (HU) After the presidential elections, a new chapter begins in relations between the EU and Ukraine. One of the most important areas of cooperation will be the issue of energy supply. This is no accident, as the European Union, with its increasing dependency, has a notable portion of energy imports coming via its easterly neighbour. For the security of energy imports, I think it is justified that the European Union should assist Ukraine by every possible means in maintaining and modernising its energy network, especially the vital gas pipeline network. At the same time, in agreement with the conclusions

of the June EU summit, I think that there is a fundamental pre-requisite for financial support: Ukraine should start its reform of the industry and make its gas industry more transparent. The lack of transparency in the system of intermediary companies has resulted in disadvantages for the citizens of Ukraine, while also hindering the security of supply for EU Member States. Furthermore, efforts aimed at expanding storage capacity are also worth supporting. In fact, establishing reserves is one of the main ways to guarantee the smooth transit of gas in Europe during the cold winter period.

The European Parliament is expected to adopt the new gas supply regulation for the EU in spring. This regulation will require Member States to approve coordinated action plans in the event of gas supply disruptions. I think that Member States will need to coordinate such action plans not only among themselves, but also by involving Ukraine in the consultation process. Even in future, resolving the issue of disruptions to imports is not something that is conceivable without intensive talks with leaders in Kiev.

**Cătălin Sorin Ivan (S&D)**, *in writing*. – (RO) The election of Viktor Yanukovich as president means that Ukraine is entering a new phase which will bring it closer to the EU. As a member of the EU-Ukraine Parliamentary Cooperation Committee and a European citizen, I believe that the European Union can and should tip the balance in favour of a European and democratic path for its eastern neighbour. The European Parliament Election Observation Mission welcomed that the ballot passed off lawfully without incident, thereby guaranteeing the legitimacy of the new president and marking a particular contrast to the elections which took place in 2004–2005. The change of political hue must not affect our approach to Ukraine, which must remain just as consistent and even more effective. Although it is well known that President Yanukovich is not going to weaken ties with Russia, this does not mean that he is going to move away from the EU. In order to precisely avoid the risk of this happening, however small, we must be proactive in handling relations with Ukraine, which is the only country able to guarantee stability in the area. We must show openness through dialogue and firm commitments so as to give Ukraine the necessary encouragement towards a pro-European development. I am confident in Ukraine's ability to resume the reforms and demonstrate that it is a trustworthy partner for the EU.

**Tunne Kelam (PPE)**, *in writing*. – Ukraine continues to be crucial for the stability and democratic development of Europe. Although the Orange Revolution to which the European Parliament so effectively contributed has disappointed most expectations, it is to be hoped that the legacy of Mr Yushchenko's Presidency – free and fair elections, people who have overcome fear when voicing their opinions and a basically independent media – will endure. It is true that a big country like Ukraine that has been deprived of independence for a long time and has suffered a real genocide – the Holodomor – will need some time to better define its European identity and future strategic goals. But we cannot look away from the responsibility of European Union policies toward Ukraine since 2004. The EU has not been eager to offer Ukraine the prospect of EU membership. The EU's support of Ukraine has proved to be mostly ambiguous and not convincing to the Ukrainians as it has often been dominated by a fear of irritating Russia. We need to realise that the main key to a genuinely democratic and good neighbourly Russia is an independent and Europe-integrated Ukraine. This will remain the EU's responsibility. Now we need to make maximum use of the Eastern Partnership.

**Krzysztof Lisek (PPE)**, *in writing*. – (PL) Madam President, I have taken note of the information given about the election of Viktor Yanukovich as President of Ukraine. Although Ukraine is in a very serious situation, changes for the better can be seen in terms of respect for the law in the period since the previous elections. I hope the legal dispute over the election results will be resolved quickly and that both sides will concentrate on work to help Ukraine come out of the economic crisis and strengthen its position in the world and, in particular, to help Ukraine develop closer relations with the European Union. In view of the newly-elected President's promises to increase democratisation and ensure international stability, as well as the fact that he places great emphasis on Ukraine's accession to the European Union, I am convinced that the current good cooperation between Ukraine and the European Union should not only be continued, but extended. Representatives of all EU countries hope that Ukraine will, finally, enter a period of political stability and consensus on economic policy.

In my opinion, Ukraine's new leader will also turn to the European Union for help in bringing Ukraine more rapidly out of its profound crisis, as a result of which there has been a horrendous economic decline and a 12% budget deficit. Europe should consider making a specific proposal to include Ukraine in European structures.

**Marian-Jean Marinescu (PPE)**, *in writing*. – (RO) I hope that the new president will take into account the pro-European direction expressed by the majority of Ukrainians.

The association agreement is being negotiated and I believe that it is beneficial to both sides to conclude it as quickly as possible. Election promises must be fulfilled. One of these is respect for the rights of minorities and the removal of the policies on denationalising and assimilating ethnic minorities.

Romania can serve as a model for Ukraine when it comes to applying European standards to the situation of minorities. In this respect, the MP representing the Ukrainian community in Romania in the Romanian Parliament can act as a good adviser, and I recommend him to the future president of Ukraine.

**Iosif Matula (PPE), in writing.** – (RO) Ukraine is a European state and shares all of Europe's cultural values. Ukraine needs to implement honestly and effectively a political programme guaranteeing rights to national minorities such as Russians, Tatars, Romanians, Poles, Hungarians, Greeks and others. It has to implement the European Charter for Regional or Minority Languages, which guarantees these languages the status of regional languages. I believe that the EU must support the implementation of such measures, stressing that not a single minority should be overlooked.

For example, there is a Romanian-speaking minority in Ukraine numbering more than 410 000. It is a traditional national community with deep historical roots, which lives in harmony with the majority and other minorities, especially in the Chernivtsi Region (Northern Bukovina, Northern Bessarabia and the Hertsa Region), the Odessa Region (districts in Southern Bessarabia) and in the Transcarpathian Region (historical Maramureş Region). I think that the EU must encourage the Ukraine authorities to develop sections offering teaching in Romanian as a mother tongue in the vocational colleges and secondary schools currently operating in the towns in the regions mentioned above. In addition, the EU should cooperate with Kiev so that the Chernivtsi State University establishes sections offering teaching in Romanian as a mother tongue in all the current departments and specialties.

**Cristian Dan Preda (PPE), in writing.** – (RO) I am pleased that the Ukrainian elections last Sunday passed off well. The results of the elections must be acknowledged by all the parties involved as a democracy cannot be built on permanent distrust and dispute. I am sorry that Yulia Tymoshenko lost the elections. However, I am even sorrier about the numerous statements she made during the latter part of the campaign, which disputed the judgment of the International Court of Justice relating to the Black Sea continental shelf. I hope that the Ukrainian Government, regardless of whether it is going to be led by Mrs Tymoshenko or anyone else, will accept the fact that such a judgment is definitive.

**Csaba Sógor (PPE), in writing.** – (HU) Viktor Yanukovich promised the following measures to the Hungarian minority in Ukraine if he wins the election: immediate withdrawal of restrictions affecting the Hungarian education system, Hungarian primary school pupils and final-year students; unrestricted use of their mother tongue in education, justice, public administration, the media and other areas; unrestricted use of national symbols, unimpeded contact with their mother country; involvement of community representatives in local, regional and national public administration. The results of the presidential elections in regions with a higher proportion of Hungarian residents and the narrow margin of the final results indicate that the votes of the Hungarian community contributed to the victory of Mr Yanukovich to a great extent. In the heat of the campaign, Yulia Tymoshenko also promised to cancel the discriminatory measures affecting mother-tongue education. However, this did not sound credible coming from a politician who has been prime minister for 5 years and during that time showed no interest in the problems of the minorities. So the Hungarian and Ruthenian minority now put their hopes in Mr Yanukovich, expecting him to recognise the regional status of minorities and to create new grounds for relations between the majority and the minorities. However, if the new Ukrainian president fails to fulfil his promises, for example, in return for support from Ukrainian nationalists, he would not only lose the support of minority communities, but the establishment of the much-heralded European Ukraine may also be delayed for years.

**Csaba Sándor Tabajdi (S&D), in writing.** – (HU) The European Union should play a more active role in Ukraine; we should stop the practice that has prevailed over the last few years of the European Union treating one of the largest states in Europe in an uncertain and half-hearted way. Ukraine is a major partner in the Eastern Neighbourhood Policy of the European Union and it is also the most important transit state for relations cultivated with Russia. With Viktor Yanukovich elected as president, Ukraine has a strong, easy-going leader who is open towards both Europe and Russia alike. The most important task for the new president will be to overcome the deep political divide so that a stable administration can be established and the long-overdue, comprehensive social and economic reforms can be implemented. The most important thing for the European Union now is to make its presence felt more strongly than before in Ukraine, and to establish new grounds for cooperation. The Eastern Partnership provides an excellent framework for this, and the External Action Service created pursuant to the Treaty of Lisbon will provide appropriate means. I would



like to emphasise that Hungary, with Ukraine being its largest neighbour, is particularly interested in political and economic stability being established in Ukraine. It is also in our interest that relations between Ukraine and Russia are consolidated. We also very much hope that Ukraine will give up its anti-minority policies, which have encroached upon the rights of minorities in the Lower Carpathians region, including those of Hungarians.

## 16. Question Time (Council)

**President.** – The next item is Question Time (B7-0006/2010).

The following questions are addressed to the Council.

Question 1 by **Zigmantas Balcytis** (H-0008/10)

Subject: Creating an internal energy market

Creating a single internal energy market is referred to as a political priority in the agreement and long-term strategy of the troika of Spain, Belgium and Hungary. In order to attain this objective, the most isolated regions of the Community, such as the Baltic Sea region, need to be better integrated into the European energy market. The Baltic Sea Strategy contains many electricity and gas interconnection projects, which, if implemented, will allow Baltic countries to break free from their energy dependency on a single supplier. In view of their cross-border nature, implementing these projects successfully will depend not only on providing funding but also on the political will and intentions of the Member States involved. In creating an internal energy market, the Community has undertaken to speak with one voice.

Will Spain, which holds the Presidency of the Council, take a lead role in encouraging Member States to speak with one voice in the implementation of energy projects in the Baltic Sea region, such as AmberLitPol, Swedlink and others, that would bring about an increase in energy security not only at a regional level but throughout the Community?

**Diego López Garrido**, *President-in-Office of the Council*. – (ES) Madam President, the internal energy market and security of energy supply are inextricably linked. We have gradually realised this in the European Union and energy security has therefore become one of the Union's strategic priorities. Indeed, this became a critical issue just over a year ago, with the gas crisis between Russia and Ukraine.

We realised at that point that an internal energy market, a fully-functioning, interconnected, effective market, is a precondition for security of energy supply to Europe.

Security of supply is thus a key strategic element that has to be improved by ensuring greater energy efficiency, by diversification of energy suppliers, sources and distribution channels, by promoting the Union's energy interests in relation to third countries and, finally, by creating a genuine common energy market, which we still do not have. To help us achieve this, we will have the support of the Lisbon Treaty, in which, for the first time, there is an explicit reference to that competence for the Union at primary legislation level.

The Union therefore needs to be more assertive in its relations with third countries, and it must speak with a single voice in those relations. The Spanish Minister of Industry, Tourism and Trade made this very clear when presenting the Spanish Presidency's priorities to the relevant committee of the European Parliament on 27 January 2010.

Consequently, within the framework of the Second Strategic Energy Review, what can be called connecting the energy islands in the European Union to the internal market has become one of the Union's key objectives.

In July 2009, when the Commission presented the Action Plan on Baltic Energy Market Interconnection, an initiative that aims to promote the integration of the energy market and the development of energy infrastructure in the Baltic region, the European Council welcomed it as a major contribution to enhancing the energy security of the Union, and I am reading this word for word.

The Baltic energy market initiative now falls under the wider umbrella of the Union's Baltic Sea Strategy, which was one of the Swedish Presidency's main priorities. The October 2009 European Council adopted the initiative and welcomed the progress made on energy infrastructures and interconnections in the Baltic region, thereby endorsing the information in the Commission's report.

**Zigmantas Balčytis (S&D).** – (LT) Minister, once again, I would like to thank you for your thoughts and answer. However, one aspect of my question was related not just to third countries but the European Union itself, namely that some European Union Member States have neither an economic nor political interest in contributing in some way or other to joint projects. So my question was whether, during the Presidency, Spain is taking on a political role to speak on behalf of the European Union to ensure the implementation of these future projects?

**Diego López Garrido, President-in-Office of the Council.** – (ES) Madam President, we believe that undoubtedly forms part of a common energy policy and that just as we do not want to have energy islands from a technical point of view, we do not want to have them from a political point of view either.

That is certainly not a position that you could call pro-European and, in fact, that has not been the case in practice. I seem to remember that during the debate on the Regulation on measures to guarantee the security of energy supply, a European commitment on this issue was agreed. I am referring specifically to the energy projects approved as part of the programme to aid economic recovery implemented during the Czech Presidency last year. A total of EUR 425 million was allocated to three interconnection projects in the Baltic region: the Skanled/Baltic gas pipeline, the Estlink-2 electricity interconnection and the Sweden-Baltic States interconnection.

The Spanish Presidency will therefore urge the Member States to support the energy infrastructure projects in the Baltic region, although it will then be up to the Member States themselves to implement the specific projects in accordance with national legislation and applicable European legislation. The Member States concerned should also act as one on this matter.

**President.** – Before we go on, can I just make it clear to everybody in the Chamber that the Minister is prepared to stay until 19.20, so there will be more questions than would be taken up to 19.00.

**Silvia-Adriana Țicău (S&D).** – (RO) Minister, I would like to draw attention to the importance of integrating renewable energy sources into the national power grid, with the European power grid being made up of the Member States' power networks.

The Baltic States provide an example of good practice in using renewable energy sources and in energy efficiency in buildings. An internal energy market needs better interconnection between national power networks.

I would like to ask you whether you have an action plan, along with Member States, aimed at the use of renewable energy sources.

**Franz Obermayr (NI).** – (DE) The process of integrating the electricity market in the Baltic states should include unrestricted deregulation of the market for private customers and a common energy exchange. The Baltic States have been hit very hard by the economic crisis.

Therefore, I would like to know how a total deregulation of the energy market can be achieved realistically in this very fragile economic situation. I am thinking in particular of price volatility. What is the plan with regard to the infrastructure in the Baltic States and what will happen about the diversification of energy transport routes and energy sources?

**Diego López Garrido, President-in-Office of the Council.** – (ES) Madam President, we agree with the views expressed on the subject of renewable energies and their integration into the European energy network. We also believe it is one of the main objectives of the European Union's strategy for the fight against climate change, which we argued for at the Copenhagen Summit. We hope that by 2020 renewable energies will make up 20% of the overall European energy mix, and we would like that approach to be included in the second Energy Action Plan for 2010-2014, which we hope to see adopted under the Spanish Presidency.

That objective of the action plan is therefore clearly on the Spanish Presidency's agenda, and is shared, of course, by the Belgian and Hungarian Trio, because it is a strategic objective.

With regard to what Mr Obermayr has said, we also believe that diversifying resources is, without doubt, another strategic objective, as I mentioned earlier.

The European Union and its institutions are being very proactive, giving all their political support to projects such as Nabucco, Nord Stream and South Stream. All those projects have a very clear objective: to diversify energies, to diversify suppliers of energy, and to diversify the different channels by which energy is distributed.

They are, of course, part of our strategy to become a Europe with a truly common energy market, which it currently does not have. All of this is necessary in order to establish that market and to achieve that energy security, which forms the basis for it all.

**President.** – Question 2 by **Silvia-Adriana Ticău** (H-0009/10)

Subject: Development approaches, objectives and actions under the EU's 2020 sustainable development strategy

The economic crisis, climate change and demographic changes are having a drastic impact on the lives of European citizens. Health, education, agriculture, the development of transport and energy infrastructure and investment in research and innovation and in the modernising of public services must be priorities, both for the Member States and for the EU. There is a joint obligation to guarantee the fundamental rights and freedoms of European citizens, including the free movement of workers. The European social model ensures the necessary support for employees who have lost their jobs, for the elderly and for the young, as well as for migrant workers. The EU's 2020 sustainable development strategy is to be presented at the informal European Council meeting in February 2010.

Could the Spanish Council Presidency indicate what the main development approaches, objectives and actions will be under that strategy, and what resources it estimates will be needed for its successful implementation?

**Diego López Garrido**, *President-in-Office of the Council.* – (ES) Madam President, there is no doubt that the 2020 strategy is probably the most ambitious and important objective for the immediate future, and is going to be at the centre of the debates that are being held in Brussels tomorrow in the informal European Council, and which are taking place at the highest possible political level under the Spanish Presidency.

The aim is to propose and approve a programme promoting growth and the creation of quality employment, replacing the Lisbon Strategy and focusing, on the one hand, on strengthening certain indispensable aspects which are necessary for the competitiveness and productivity of the future European economy: investing in information technologies, making Europe a space for the information society, and highlighting social aspects as well, meaning that employment should be based on specialisation and training; we are also, of course, driving for a green, low carbon economy as referred to in the content we have already discussed.

Another fundamental element – one that will no doubt polarise tomorrow's debates in Brussels – is the issue of governance. At the informal European Council meeting, the President of the European Council is going to present an initial proposal for a debate on governance, in other words, moving towards economic union within Europe, not only monetary union, and making it essential – as stated in the Treaty of Lisbon – that our economic policies, our employment policies and our social policies converge within the European Union.

This element of the strategy for sustainable development and the creation of quality employment is therefore a central objective of the Spanish Presidency and the whole of Europe. The proof of this can be seen in the fact that we have begun to tackle the matter already, at the highest level, by holding the informal Council meeting tomorrow in Brussels.

**Silvia-Adriana Țicău (S&D).** – (RO) We also now have comments which have come from the stakeholders. The public consultation about the EU 2020 strategy on the Commission website is over. However, we have a 10% unemployment rate in the European Union, and it has reached 20% in Spain and Latvia. This is why I would like you to tell us what measures we are taking for the benefit of the European Union's citizens in order to preserve and create jobs and, above all, improve their quality of life.

**Diego López Garrido**, *President-in-Office of the Council.* – (ES) I think that at the centre of the future 2020 strategy must be exactly those points you make and, to be precise, Mrs Țicău, jobs must not be so precarious, so volatile, so unstable as has been the case in the European Union. You mentioned the case of Spain which indeed has suffered greatly in the property sector.

Therefore, we need to aim towards a production model which in itself creates stronger, more solid, more stable jobs based on specialisation.

Thus, we must work towards measures along these lines, measures which increase specialisation and staff training in order to place workers in knowledge-based society, information technology and specialised society jobs, upon which the production and development model for future employment should be based.

That is the idea which we believe each country should put into practice; however, we must coordinate this among all European countries. Furthermore, the European Union must provide support, for example, through incentives or stimuli such as the use of specific Structural Funds, for instance, the European Social Fund, thus stimulating those countries which indeed invest in this production model so as to create quality employment.

That, I think is the guideline which should be at the centre, at the very heart of our strategy which, between us all, must be implemented within the next few months, before the European Council in June to replace the inadequate Lisbon Strategy.

**President.** – Question 3 by **Bernd Posselt** (H-0011/10)

Subject: Freedom of religion in China

What steps does the Council plan to take to improve the situation of religious communities and, in particular, of Christian churches, and the implementation of the right to freedom of religion in China?

**Diego López Garrido**, *President-in-Office of the Council.* – (ES) Madam President, Mr Posselt, you will be perfectly aware that one of the main instruments of our relations concerning the human rights issue in China is the biannual human rights dialogue which was set up more than 15 years ago. It is therefore a structured Dialogue which gives us the opportunity to exchange viewpoints regarding matters which are of concern to us.

In November last year, the Council adopted conclusions about religious freedom which allowed us to once again reiterate the European Union's position on this subject, in clear terms. Respect for religious freedom, as defined in the international instruments on human rights, forms part of the human rights clause which is included in agreements between the European Union and third countries.

Over the last five years, the European Union has periodically brought up freedom of religion and beliefs in its dialogues on human rights and in its consultations with third countries. It has made a number of statements regarding this and negotiations have taken place in relation to people threatened for their beliefs. The European Union has played a very active part, on a global scale, in promoting religious freedom in international fora, such as the United Nations General Assembly and the Human Rights Council.

As regards China, the Council determined a certain number of reference criteria for the human rights dialogue in 2001. I can assure you, Mr Posselt, that religious freedom forms an integral part of those criteria. We recently discussed this issue several times with our Chinese counterparts, we have met with the competent authorities in Beijing and, with the purpose of the dialogue in mind, those responsible for religious matters have visited Europe in order to increase their awareness of practices in a number of Member States.

**Bernd Posselt (PPE).** – (DE) Mr Garrido, thank you very much for your detailed answer. I have two brief additional questions. Firstly, when will you next have the opportunity to discuss these matters with China? Secondly, could you push for a list to be drawn up of the priests, nuns and bishops who have been arrested?

**Diego López Garrido**, *President-in-Office of the Council.* – (ES) I have already said that there is a structured dialogue and so a series of conversations take place regularly with China, on this subject.

We, the Council, are aware that there are a certain number of people practising religion who have been threatened or have been subjected to practices which equate to persecution in China. This is the case with certain Tibetan Buddhists who are practitioners of Falun Gong, and has also occurred with Christians, priests and believers as well as the lawyers which have defended them in some cases. The Council has investigated these cases and has brought them to the attention of the Chinese authorities.

On all these occasions, we have said that the peaceful practice of religion is a right and that it should never be considered as a threat to the State.

Of course, honourable Members, I must reaffirm that with regard to the application of religious freedom in China and the evaluation process of the human rights dialogue, we will examine all the ways in which we can maximise our ability to produce positive changes in this area.

**Jim Higgins (PPE).** – I thank the Council for its reply. A lot done; a lot more to do. The reality of it is that, as regards religious practice in China, Article 36 of the Constitution of the People's Republic states exactly what is involved. It is very carefully phrased. 'Religious belief' is guaranteed, but what about practice? What constitutes 'normal religious activities'? And, as regards 'foreign domination', if an outside preacher comes

in, that is regarded as 'foreign domination'. And the religions that are really looked at askance are Buddhism, Catholicism, Deism, Islam and Protestant Christianity.

A lot done, but an awful lot more to do – so keep up the good work.

**Franz Obermayr (NI).** – (DE) Thank you for your accurate answers, Mr Garrido. However, I would like to ask for some even more detailed information. Is there a clause in the current bilateral agreement with China which is intended to provide special protection for Christian churches or is the Council planning to introduce a clause of this kind?

**Diego López Garrido, President-in-Office of the Council.** – (ES) Honourable Members, indeed, there is still work to be done, but we certainly place our trust in the dialogue and what we could refer to as the impact of the dialogue and its effects. As Baroness Ashton said in the European Parliament a short while ago: the human rights dialogue does undeniably have an effect and, of course, there are various places we can conduct it. We can conduct it with specific people, for example, in the case of the well-known human rights activist, Liu Xiaobo, or we can also conduct it on other levels, on a political level in political dialogue. In any case, we will continue to conduct it with determination so as to protect all human rights, each and every one. We must not support some more than others, as human rights are indivisible and we will strive to strengthen and improve the situation concerning human rights in China.

Dialogue is essential and, of course, it is also essential to see how changes take place in this area, and we are certain that the Chinese authorities, our counterparts, appreciate the importance of this dialogue.

**President.** – Question 5 by **Ilda Figueiredo (H-0015/10)**

Subject: CIA - secret prisons and flights

Recent press reports have revealed the existence of a secret prison in Lithuania, located in a former riding school and used by the CIA since 2004, where a number of 'terrorism suspects' have been tortured.

An Italian court has found more than 20 US agents and two Italian officials guilty of the kidnapping in Milan of Abu Omar, who was subsequently tortured in Egypt. A number of other trials are under way, notably in Poland and the UK.

There is evidence that other governments and, in particular, Portugal, were (in the context of a secret NATO agreement) aware of the use of their airspace and airports for maintaining the detention, kidnapping and torture network masterminded by the US.

What is the Council's position on this new information and these trials, and what explanations can it furnish?

What measures will it propose to ensure that these circumstances are not repeated in the future?

**Diego López Garrido, President-in-Office of the Council.** – (ES) I would, firstly, like to reiterate the support of the European Union for the United Nations global strategy for fighting terrorism, which recognises that development, peace, security and human rights are interconnected and reinforce each other.

The so-called secret detention and transportation programme by the United States or the alleged CIA use of European countries to transport and illegally detain prisoners has been, without a doubt, a source of concern for many Members of this House. It was the subject of a very recent debate, just a few days ago, and, as the Presidency has already said, the Council clearly shares Parliament's view, there is no two ways about it; that the possible existence of these secret detention centres does not comply with international law. This continues to be our opinion.

That is why we felt it was so appropriate for President Obama to change US policy in relation to certain detentions and to the existence of prisons such as Guantánamo. What is more, we believe that, in reality, this change has occurred and a turnaround has occurred in US policy. We have always taken the opportunity to express our concerns to the United States from a European Union standpoint regarding these matters.

We must be pleased that this change has taken place and because this joint declaration was made official between the European Union and the United States on 15 June last year. We therefore believe that we will remain along the lines of this policy and we will always be very clear as long as we are aware and have irrefutable proof of the existence of these cases.

In certain cases, we have not had this evidence, although it has been talked about, or there have been specific references made in the media; however, on some occasions, there has been a lack of proven and thorough knowledge of the existence of these cases.

However, there is no doubt that the European Union has been very clear on this matter and has always been against these detention centres, whether they be known detention centres such as Guantánamo, or allegedly secret ones, and we have always been very open in the European Union to finding out the facts as to whether the latter really exist.

**Ilda Figueiredo (GUE/NGL).** – (PT) Madam President, Minister, thank you for your response. In fact, however, even after that statement in July, there were new discoveries. It is known that last November, the Italian court itself convicted 23 US agents and two Italian officials of the kidnapping of Abu Omar in Milan, and one of the convicted CIA agents admitted to the press that he broke the law and that the decisions had been made in Washington. The Obama Administration merely declared that it was disappointed with the decision by the Italian court.

Other cases, also relating to CIA flights, are under way, such as in Poland and the United Kingdom. The Lithuanian Parliament has confirmed that there was also a clandestine jail in Lithuania, and that many flights by the CIA covered up their activities and, of course, led to people being illegally imprisoned. The question is this: will we denounce the human rights violations that are inherent in all of this?

**Diego López Garrido, President-in-Office of the Council.** – (ES) We are defenders of human rights and I believe we can say this clearly and confidently; therefore, we do not have a right but an obligation to denounce cases of human rights infringements, wherever they may take place. It is also true that the European Union must respect the competence of Member States and so specific areas must be investigated by Member States; they cannot be investigated by the European Union. The Treaty of Lisbon, for example, makes it very clear that the supervision of intelligence services in Member States' territory is a Member State's competence.

With respect to something also mentioned in the question, we are certainly not aware of an alleged secret NATO agreement. In any case, the possible existence of this agreement, of which we are completely unaware, would by no means prevent Member States from having to carry out their obligations in accordance with international law and humanitarian law. However, Mrs Figueiredo, we certainly believe the European Union is clearly one of the areas in the world where human rights are respected and the European Union is obliged, while respecting how each country chooses to govern itself, and will obviously always be obliged, to denounce human rights infringements, as we have a responsibility to humanity and not only to each of the competent States. We will continue to act and develop along these lines. What is more, we now have a new more important reference point, which is the Charter of Fundamental Rights of citizens of Europe.

**Justas Vincas Paleckis (S&D).** – (LT) Minister, the media and media sources were mentioned in the question, because it was precisely the media that broke the news of the setting up of a secret prison in Lithuania and elsewhere. How do you assess in general the role of the media in these matters, and would it be possible to mobilise public opinion, so that such events are not repeated?

**Bogusław Sonik (PPE).** – (PL) Madam President, I would like to make a statement thanking Mr López Garrido for what he has said, but he has not said anything new. Three years ago, a special parliamentary commission was appointed on Guantánamo. The European Council also worked on this matter, and now keeps coming back to it. There are, really, more important matters, and it is true, as Mr López Garrido said, that it is the Member States which are obliged to monitor human rights. One more thing – Mr López Garrido, when speaking about China, you said that there are different human rights and we should uphold them all. However, the fundamental right of liberty in dictatorships is liberty itself, and I think that, first of all, we should stand up for the right to liberty.

**Diego López Garrido, President-in-Office of the Council.** – (ES) I agree with the points made by the last speakers. I believe that the defence of human rights is one of the crucial objectives that any democratic State and any democratic organisation such as the European Union must pursue.

Of course the European Parliament has a culture of defending human rights, of which we are proud and also of the European integration, in this sense, as the construction of Europe is based on human rights. The nature of Europe and what unites Europeans who speak different languages and have different traditions is precisely the fact that we share these values of defending human rights.

In this respect, I believe that the role of the press is an absolutely vital one. The press is a key feature at the centre of democracy and is undoubtedly a necessary and indispensable instrument for the defence of human rights and for denouncing cases of human rights infringements when they occur.

When these infringements take place but are not known about other than on a personal level, it is simply impossible for us to pursue them.

Therefore, the press plays a fundamentally vital role and I also believe that the most genuine and authentic culture of journalism must be extremely sensitive to the defence of human rights and the defence of all freedoms. That is what truly ensures that life is worth living and it is what ultimately gives meaning to the coexistence of human beings.

The pursuit of those who infringe human rights and the defence of victims is, without a doubt, one of the axes of the European integration, of the European Union, and I feel very proud to belong to an area in which those values are cherished and where instruments of legal, supranational, judicial independence have been established, such as the European Court of Human Rights which is located in this city, Strasbourg. I feel very proud that Europe preserves precisely these objectives and truths in its tradition, in its culture and in its history.

**President.** – Questions which have not been answered for lack of time will receive written answers (see Annex).

Question Time is closed.

*(The sitting was suspended at 19.25 and resumed at 21.00)*

#### IN THE CHAIR: MRS KOCH-MEHRIN

*Vice-President*

### 17. Composition of Parliament: see Minutes

### 18. Effects of the economic crisis on world trade (debate)

**President.** – The next item is the debate on the oral question to the Commission by Vital Moreira, on behalf of the Committee on International Trade, on the effects of the economic crisis on world trade (O-0005/2010 – B7-0005/2010).

**Vital Moreira, author.** – Madam President, I am going to put the question on behalf of my committee, the Committee on International Trade, and as the chair of this committee.

The effects of the crisis on world trade indicate a possible 10% decline in 2009. This represents the biggest such contraction since the Second World War brought on by the collapse in global demand. Keeping international trade flowing is vital for the EU and other exports-oriented countries. Despite commitments made by the G20, trade restrictive and distortive measures in response to the crisis have increased within the G20, as well as globally.

The first sub-question is: what steps have been taken by the Commission to tackle such measures and, conversely, have any steps been taken by third countries against any other EU measures to boost economic growth?

The second sub-question: there are indicators that some of the emerging countries that have been less affected by the crisis are becoming drivers of growth in international trade. In this case, EU industry needs to retarget its export markets and possibly the future of its products. What strategy does the Commission intend to pursue to enable EU industry to become more competitive?

Third sub-question: the global crisis and subsequent fall in world trade are having multiple effects on developing countries where the most unemployment is concentrated. What adjustment measures does the Commission plan to take in its trade relations in particular for the poorest countries in the world?

Fourth point: while, on the one hand, large trade deficits are driven by excessive spending and indebtedness in some Member States, including the United States of America, on the other hand, large export-driven economies in certain emerging countries are experiencing trade surpluses. These trade deficits have contributed

to global imbalances that are at the root of the global economic crisis. What strategy does the Commission intend to pursue to mitigate such global imbalances in its trade policy?

Fifth and last point: the social impact of the economic crisis and the subsequent fall in world trade are set to outlast economic recovery. For example, we are seeing signs of economic recovery now, but levels of unemployment remain very high. When does the Commission plan to conduct an impact assessment on the impact of the crisis on jobs in Europe and in the developing countries? What strategy does it intend to pursue to incorporate the social and environmental dimension of trade into international WTO rules?

These are the five points that the Committee on International Trade would like to address to the new Trade Commissioner Mr De Gucht, whom I welcome to the floor for the first public exchange of views with Parliament and the members of the INTA Committee, in particular. Thank you in advance for the answers that I am sure you will be able to give to the questions that we are putting to you.

**Karel De Gucht**, *Member of the Commission*. – Madam President, quite a lot of broad questions have been asked which would, in fact, deserve much more time than I have.

I suggest focusing in my initial reply on the contribution of trade policy to economic recovery. First, as regards the impact of the crisis on trade, we should be relieved that world trade only decreased by 10%. This did not happen by chance, but is a result of strong political will expressed at various G20 summits. It is also the result of systematic monitoring of trade restrictive measures by the WTO, the OECD and the Commission.

By and large, only a few countries resorted to trade protectionism. The international community thus avoided a protectionist downward spiral of the kind witnessed at the time of the Great Depression. In order to maintain this, it is important to remain extremely vigilant. Where protectionist or trade-restrictive measures are identified, we will take action against them with all available trade tools, such as our market-access strategy or even the WTO dispute-settlement mechanism.

External sources of growth will be crucial to EU economic recovery. I therefore concur with you that European industry should target the new and fast-growing emerging markets.

Through our trade policy, we can help them to achieve this by further opening up these markets and reducing all sorts of barriers to trade and investment.

This will be achieved through the free trade agreements that we are currently negotiating and by deepening trade and economic partnerships with key trading partners such as, for example, the US and China, where the TEC and the high-level dialogue have already laid solid foundations. This will be a priority for me as Trade Commissioner.

Over the coming weeks, the Commission will put together the EU's new common agenda for sustainable growth and recovery via the EU 2020 strategy. This strategy will have an effective external dimension in which trade policy plays a key role.

In a globalised world, the EU 2020 strategy should be a vector to promote openness and constructive international economic engagement. This will also be a central theme of a communication on future trade-policy priorities that I intend to present later this year.

But trade policy is about more than just competitiveness and growth. It is also about projecting our values worldwide and it must also duly integrate the development dimension of trade.

Promoting a strong contribution to development goals is already an important part of the EU's trade policy. The current multilateral negotiations are a development round. We have bilateral and regional negotiations with developing countries and autonomous preferences in favour of these countries. We help them to contribute to, and also tap into, the global economy so as to raise living standards in a way that delivers both greater political stability and social progress.

As regards social issues, I agree that trade must contribute to helping those people in our societies who suffered most from the economic crisis, especially those who lost their jobs. In this respect, I believe that we will need trade – and more trade – to preserve our social system of protection in Europe.

Our European model of society, the combination of a free economy with a high degree of social protection, must be preserved in a sustainable way, and this will take growth.



In sum, the Commission's forthcoming EU 2020 strategy will support a full recovery from the crisis while speeding up the move towards a smarter and greener economy. Open trade policy will be an important element, both as a contribution to European economic recovery and as a vector for the external projection of our principles: openness, social and environmental protection and sustainability, and constructive engagement on the world scene.

Putting the right strategy in place will naturally involve working closely with Parliament as well as the Council and other stakeholders, and I look forward to your cooperation in building a shared agenda.

**Christofer Fjellner**, *on behalf of the PPE Group*. – (SV) Madam President, I, too, would like to start by welcoming the Commissioner. It is a pleasure to see you here. We have high expectations and hopes of you. You have an important task ahead of you.

A year ago, I was extremely concerned. When trade crashed and we were expecting world trade to develop in ways not seen since the Second World War, the situation was very serious indeed. The World Bank stated that 17 of the G20 countries had, in total, introduced 47 new trade barriers and tariffs. Russia imposed tariffs on cars, China restricted food imports, India banned imports of toys and Argentina introduced import licences for textiles and leather goods. It was almost like a protectionist arms race – a pattern from the 1930s that was worrying.

However, no trade war came about. I think it is important to stop and reflect on why that was. I think the main reason was the WTO, the global regulatory authority for trade, which forces countries to behave and not to resort to protectionism and populism. I would say that it is too early to declare the crisis over. The crisis has not passed. We all know that unemployment is highest late in the economic cycle – and it is unemployment that drives protectionism and populism. If we look around us right now, we can see that a number of countries have not yet come through the crisis; perhaps they even have the worst yet to come. I am therefore somewhat concerned when I listen to some members of the Council of Ministers, who do not say much about new markets and free trade but rather criticise globalisation and talk of protecting European companies and European jobs. That is not necessarily protectionism, but at times, they are only a hair's breadth away. It is, in any event, an expression of a mercantilism that I believe to be damaging.

We should instead work together and think about how we can make Europe more competitive by making it more open. That would amount to considered action and leadership on our part. We need to think about what we can do to make sure that there are fewer barriers to trade, not more – especially when it comes to making decisions on Korea and mandatory origin labelling and when there are increasing demands for climate levies. We in Parliament need to reflect on that too.

**Kader Arif**, *on behalf of the S&D Group*. – (FR) Madam President, Commissioner, ladies and gentlemen, Europe is currently experiencing an unprecedented crisis which, beyond the economic and financial crisis, represents first and foremost a crisis of the system.

Even before beginning to deal with the effects of the economic crisis on world trade, which forms the topic of our debate, I wish to clarify one point: trade is not a victim of the crisis; it is also one of its contributing factors.

Indeed, we are currently experiencing a period of huge global imbalances, fuelled, on the one hand, by certain countries' excessive trade deficits at the cost of growing domestic indebtedness and, on the other, by trade surpluses stimulated by the exports of certain, especially emerging, countries with internal consumption that is not growing at the same rate.

Moreover, the trade liberalisation policy conducted thus far has only exacerbated these imbalances, weakening, in particular, the poorest countries on the planet. These countries, which have been encouraged to specialise in export monocultures, have therefore found themselves destitute in the face of extreme fluctuations in the prices of raw materials, the volatility of which has increased as a result of international speculation.

It is a strange world that sets as its first Millennium Development Goal the eradication of poverty and hunger but then, at the same time, speculates on the rise in wheat prices.

However, the very people who defended liberalisation and deregulation at any cost in the 1990s are now finding themselves in a difficult situation as well. The continual rise in job losses, stagnant, sometimes even negative, growth, and the developing social crisis are all factors that mean we can no longer afford to let jobs disappear in the name of this cult. In a period of crisis, how do we explain to employees who are losing their

jobs that the main thing is to maintain deregulated trade, even at the cost of sudden and sometimes tragic relocations?

The crisis we are going through is therefore definitely a systemic crisis, to which we must respond with a new development model. In its current Global Europe strategy, the vision developed by the Commission is essentially based on access to the market and the liberalisation of all sectors.

Commissioner, I believe we need to redefine this strategy, which has been on the wrong track and sometimes led to setbacks. It is not by forcing developing countries to open up even more that we will revive our industries' exports. That would only aggravate the situation in those countries, which already accommodate 70% of the 59 million people in the world who lost their jobs in 2009.

On the contrary, it is essential to consider a new strategy that strikes the right balance between openness, protection and support. I would like to return to these ideas. We cannot ignore these developments, which lead the United States to make further use of its trade defence tool or China to take issue with the WTO over European anti-dumping measures.

Indeed, when we are faced with unfair practices, it is clear that protection is necessary, but the principle of it must be accepted and defended internationally and the sometimes false accusations of protectionism dismissed once and for all.

Moreover, the need for support for trade policies is becoming more obvious every day, and such support depends, in particular, on the policies implemented by the Union being genuinely consistent. Consistency in policies is not an intellectual debate, but an absolute necessity if we want to redefine a new development model.

**Metin Kazak**, *on behalf of the ALDE Group*. – (BG) Madam President, Commissioner, ladies and gentlemen, the financial crisis has indeed had a detrimental impact on trade in the European Union Member States. For example, in countries like Bulgaria, exports for the first 11 months of last year fell by a whole 24% compared to the previous year, and imports by 35%. Property and tourism are sectors which have been particularly affected by this. This has an extremely powerful effect on employment. Consideration must be given to the sharp rise in business-to-business indebtedness, non-payment of national and local public contract organisations, etc.

The problems presented above are typical of other countries as well. A comprehensive solution is needed for them at EU level, which requires close cooperation between the European Commission's various directorates too. Commissioner De Gucht emphasises the importance of support for expanding European companies' area of activity and opportunities, deploying clear preventive commercial instruments, successfully concluding the Doha negotiations, using new facilities for direct foreign investments and their protection, as well as for a new investment policy against the backdrop of a financial crisis.

The achievement of these aims, along with the successful signing of the economic cooperation agreements with countries from Africa, the Caribbean Basin and Pacific Ocean region, is also closely linked to the recovery from the financial crisis.

However, a number of issues remain on the agenda, some of which have already been mentioned. Are we making effective use of European funding to combat the high level of unemployment? What can the European Union do faced with the current deficit, devaluation of the currency and high inflation, which are having a direct impact on trade? What commercial policy instruments does the European Union have available to tackle the financial crisis and its repercussions? What measures must be taken to avoid the recurrence of a crisis of such magnitude and for trade to continue expanding? What strategy do we have against countries like India and China, which are threatening to change the entire financial system? I am counting exclusively on this Europe 2020 strategy to find these answers.

**Yannick Jadot**, *on behalf of the Verts/ALE Group*. – (FR) Madam President, Commissioner, thank you for having put the fantasy of crisis-related protectionism into its proper context. I think that, in the context of a debate, it is wise of you to point out that a world war linked to the revival of protectionism is not about to break out.

Now, I almost want to reverse the issue. For me, the issue is not ultimately about what effects the economic crisis has on trade, but more fundamentally about what effects trade, and specifically the trade policies undertaken for 20 years, have on the crisis we are experiencing today.

In a way, the food crisis that we experienced two and a half years ago arrived before the financial crisis, and it was indeed a crisis of the world agricultural markets. In the same way, we keep being told that liberalising trade with China is good for us. I believe that, at some point, unless we incorporate social issues, monetary issues, fiscal issues and, of course, environmental issues, China will have not just a comparative advantage over Europe, it will have an absolute advantage over it.

It follows that, in all the national debates – and, as a key figure on the Belgian scene, you will know this – all the political parties are now discovering that it is impossible, in a globalised world, to manage social dumping, environmental dumping, monetary dumping and fiscal dumping.

Similarly, we might consider that the strategy that all us Europeans expected after the fall of the Berlin Wall, which was to say ‘social democracy will come about through trade’, is not working, as we can see with the example of China.

Commissioner, you have cited the Lisbon Strategy, innovation, the green economy, and you know that this European strategy is now a failure. Indeed, if we do not mainstream the Lisbon Strategy before the Global Europe strategy, we may wonder what industrial sectors Europe will still have. Where is the definition of the industrial choices, the agricultural choices, the economic choices and, of course, the social and environmental choices that we are making throughout Europe, so that we can learn how trade works with the rest of the world? Until we define these choices, we shall be pursuing a strategy of failure.

I have a more specific question: on 4 February 2010, a meeting of the WTO’s Committee on Trade in Financial Services was held, and it focused specifically on the challenges presented by the financial crisis and the liberalisation of financial services. Can you tell us what the outcome of that meeting was and what your opinion is on this matter, if you were able to follow it?

**Jacek Włosowicz**, *on behalf of the ECR Group*. – (PL) Madam President, in the current global economy, most borders are allowing a more efficient flow of people, capital and services. This, of course, is intended to produce a better standard of living. This is all very well, as long as most countries achieve a positive trade balance and a growth in GDP. The problems begin when the economy slows down, market indices fall sharply and problems start with unemployment. The opening of borders, apart from bringing a better standard of living, has caused a mutual dependence of different economies on one another. This is the other side of the coin. This can be seen clearly in the current situation. For example, the slowing down of the German economy is having a negative effect on the Polish economy, and this is because Germany is one of Poland’s key export partners. Fortunately, Poland’s GDP is showing positive growth, which is an exception in Europe, but it is worrying that the unemployment rate has been rising for several months. This example shows very clearly that governments should not only think about how to solve economic problems exclusively in their own countries, but they should also come to an agreement about how, together, they can develop defensive mechanisms so that in future, they will be protected from similar situations.

I think the present crisis will be a test for all of us. I am thinking principally, here, about countries belonging to the European Union. We cannot allow a situation in which some countries try to conceal their use of State interventionism, while, in the name of free competition, others are prevented from giving State aid. Of course, I do realise that particular governments may be, in a certain sense, hostages of their electorate, but if we are going to build a European Community for the good of everyone, we must make clear rules and we must keep them. We must also use our strengths – advanced technologies and human capital. Only in this way will further strengthening of cooperation between our countries be effective, and we, as citizens of the European Union, will be able to think of the future in better terms and hope that our (...).

*(The President cut off the speaker)*

**Joe Higgins**, *on behalf of the GUE/NGL Group*. – Madam President, world capitalism is experiencing its worst crisis since the Great Depression. As then, it is the working class and the poor who are paying dearly for, and suffering the consequences of, this, whether in Europe or in the poorest countries on earth.

World Bank researchers predict that, in 2010 alone, 64 million more people will be plunged into extreme poverty by the crisis and that because of it, in 2009, between 30 000 and 50 000 children have already died in Africa of malnutrition. This crisis is having devastating consequences on world trade, but the demand of the United Nations financial summit last year, for example, that the conclusion of the Doha Round of trade negotiations is the answer, is utterly wrong. According to the respected NGO War on Want, that would threaten a further 7.5 million workers with losing their jobs, including in the poorest countries.

This crisis of world capitalism is enormously exacerbated by the activities of the financial speculators on the world markets. Not content with having precipitated the crisis, these parasites now want to exploit it to rake in further billions. Did the EU Commission see the headline in the *Financial Times* yesterday: 'Traders in record bet against the euro'? But what does the Commission do? It falls on its knees in front of the speculators and demands that the countries worst hit by the crisis, like Greece, make savage cuts in workers' wages, pensions and public services.

What do you think such a draconian programme of cuts is going to do for trade, either in Europe or in the world? If you cut the ability of the working class to purchase goods and services, then you cut demand for those goods and services, which means you cut millions more jobs of workers who would provide them. That, concretely, is the prescription of the Commission. Therefore, the tens of thousands of Greek workers who marched yesterday were absolutely right. Capitalism can only bring more suffering and crisis. We need to replace it with a system of human solidarity, based on the values of democratic socialism.

**William (The Earl of) Dartmouth**, *on behalf of the EFD Group*. – Madam President, the great investor, Warren Buffet, once said 'when the tide goes down, you kind of get to see who is not wearing a bathing costume'. Last year, the UK economy contracted 4.8%. So did Italy's. The German economy contracted 5% and EU trade much more so.

I am going to focus on the third question, which is: what strategy does the Commission intend to pursue to enable EU industry to become more competitive?

Well, before there was the Lisbon Treaty, there was the Lisbon Strategy, and in the Lisbon Strategy, the EU intended, and I quote, 'to become the most competitive and dynamic knowledge-based economy in the world'. Now, one prerequisite for a competitive and dynamic knowledge-based economy is to have a flexible work force. So what has the EU done to bring this about?

Well they have brought in the Agency Workers' Directive in 2008 and this has been like pouring glue into the most flexible part of the labour market. The Agency Workers' Directive is yet another ill-thought-out and inappropriate EU directive which has yet again disproportionately and adversely affected the UK, which has a third of all EU agency workers. And, incidentally, it is by having a flexible workforce that you raise people out of poverty.

The EU's series of ill-considered directives stand in the way of a competitive and dynamic knowledge-based economy emerging in the Member States.

The EU economic crisis reveals that the EU has, as it were, no bathing costume.

**Béla Glattfelder (PPE)**. – (HU) I would like to talk about two issues: the trade deficit and CO<sub>2</sub> emissions. The document rightly states that the growth of the trade deficit of the European Union and the United States has contributed to the international economic crisis to a large extent. The trade deficit of the European Union grew from EUR 75 billion in 2004 to EUR 243 billion in 2008. This is a three-fold increase in 4 years. This means that the consumption of each European citizen exceeded produced value by EUR 500. Such a large trade deficit and a consumption that exceeds production to such an extent are not sustainable. Measures are required to reduce the trade deficit, because if we do not do this intentionally, the laws of economy will spontaneously enforce such a change. However, this would incur a much higher social cost. The current events in Greece illustrate this.

As regards energy, world trade is not only distorted by protectionism, but also by energy price support mechanisms. The use of oil is subsidised in a number of developing countries, with oil being available at prices lower than on the international market, while budget resources are also used to support the use of electricity. At the same time, European producers need to pay taxes, carbon dioxide quotas, if they want to use energy in production. Copenhagen made it clear that developing countries wish to hinder a climate protection agreement as they are not willing to accept sanctions related to cuts. Measures are required to prevent this, as several economists have now pointed out that cheap carbon dioxide gives a more competitive edge to China than cheap labour. If we do not reduce energy consumption, there is a danger that again and again ...

*(The President cut off the speaker)*

**David Martin (S&D)**. – Madam President, as other speakers have said, the full impact of the financial crisis is now becoming clear. If you believe the Commission, trade dropped by 10% in 2009. If you believe the IMF, it dropped by 12.3% in 2009.

The ILO itself reckons that 212 million people worldwide were unemployed in 2009, a 34 million increase from 2007.

Sub-Saharan Africa, which had a fiscal surplus of 0.3% of GDP in 2008, had a deficit of 6.4% in 2009. In other words a surplus of three billion turned into a deficit of 64 billion, taking 67 billion out of Sub-Saharan Africa's spending power.

All parts of the world have suffered because of this crisis, but the third world, the developing world, has suffered the most. And that is why today Oxfam have today launched a call for what they have called a 'Robin Hood tax'.

This is a variation on the Tobin Tax, which was to tax speculative trade on financial products, stocks, bonds, commodities and currency transactions. The Robin Hood tax represents a tiny 0.05% of transactions, but would raise billions for development projects in the third world.

The Millennium Development Goals need between 34 billion and 45 billion to be met and the banks received a trillion-dollar bail-out. Banks should do more than simply pay back that cash: they should repair the damage they have done to wider society.

So this Robin Hood tax would be a good way to tackle poverty and to ensure that the banks make a socially useful contribution.

Will the Commissioner look seriously at Oxfam's proposal, which has had an indication of support from the British Prime Minister, and put his weight behind it as a European Commissioner for Trade?

**Olle Schmidt (ALDE).** – (SV) Madam President, our continent is a rich one. The EU must shoulder a particular responsibility for maintaining free and fair trade. The financial crisis is creating a global economic recession that depressed trade by 10% in 2009, as has been stated, such that trade is now at the same level as in 2005. Developing countries are particularly vulnerable when their exports fall and they have problems obtaining bank financing. For the ACP countries, for example, trade in goods represents 50% of their trade. These countries are thus extremely sensitive to crises. A 1% drop in growth results in 20 million people falling into poverty.

Here, the EU must shoulder its responsibility as a rich part of the world and ensure that the financial crisis does not force more people into poverty and exclusion. The EU must work to ensure that the poorest countries receive increased levels of effective aid and debt relief where appropriate. In this context, my friends, I believe that a number of the countries that you come from could do more to ensure that the aid provided by your home countries is increased, improved and made more efficient. We should not always call on the EU; there are some things we can do on the home front.

The most important priority for the Union is that the Doha Round is concluded and that the EU's agricultural policy is quite simply scrapped. It is unreasonable for the rich EU to force out poor farms in Africa through competition. A new free trade agreement would be the best way of taking the world out of financial crisis and preventing protectionism.

The EU can and must act as a beacon for the liberalisation of world trade. Globalisation and international trade are fundamentally positive. Protectionism is an evil and has always been an evil. Those of you who believe that protectionism would teach and help the world in some way should learn from history.

**Janusz Wojciechowski (ECR).** – (PL) Madam President, one area in which we should look for ways to fight the crisis is the trade in agricultural products. In recent years, under pressure from the World Trade Organisation, we have introduced many voluntary restrictions on the production and export of agricultural products in the European Union. We carried out, for example, a huge reform of the sugar market, which reduced European sugar production by one third and closed down many sugar refineries. Many farms stopped growing sugar beet, we increased unemployment and did not achieve any social or economic benefits. It was a present for the big sugar concerns, which moved their production out of Europe, and today we import sugar from them.

I think that during the crisis, we should give strong protection to our economy and our producers. I am not talking, here, about protectionism, but about a policy of equal opportunities which, at present, our producers do not have. A variety of high standards are in force in the European Union, for example, in agriculture there are standards for animal welfare. It is right to promote these standards, but we should also require that these same standards be met by those who export their products to the European Union. If, for example, we bring

in a ban on battery hens, we should not at the same time import eggs from countries where this method is in use. We should act in a similar way on many other matters. We should observe a simple rule – the same requirements for exporters as for our own producers, because without this, apart from the economic crisis (...).

*(The President cut off the speaker)*

**Jaroslav Paška (EFD).** – (SK) The financial crisis brought on by the US financial sector grew very quickly into an economic crisis which immediately affected all areas of economic life. The inevitable consequences were a rapid decline in consumer spending power, a decline in output, higher unemployment, lower fiscal revenues and less money to finance state budgets.

As output fell all over the world, of course, the value of goods traded necessarily had to drop with the decline in production. If, therefore, we are now asking how to achieve stability or even growth in the volume of global trade, ladies and gentlemen, it can only be through effective measures for halting economic collapse, through measures for stabilising the economy and through the gradual start-up of economic growth.

The current economic system is so interlinked and globalised that, in my view, it is a worthless illusion to rely on limited artificial interventions that target specific sectors and produce no added value.

**Iliana Ivanova (PPE).** – (BG) Ladies and gentlemen, the crisis has inevitably led to a significant reduction in global trade volumes. This is also reflected in the drop in production and investment, as well as in limited growth opportunities. At the same time, national governments are strongly tempted to put up barriers to protect their domestic production capacities.

In 2009, we observed an alarming increase in the various forms of national protection used, both in individual European Union Member States and in the new developing economies. This protectionism hampers access to international markets for small and medium-sized enterprises, which form the backbone of the European economy, adding a further burden and restrictions.

In order to overcome these problems and encourage entrepreneurship and trade, I think that Europe needs, above all, a strong internal market. This can be achieved if the European economy is sufficiently competitive, innovative and based on high standards of quality. As also noted by the European Commission, in spite of the progress made, we must continue the efforts to increase the capacity of the educational systems as a contribution to an innovative, dynamic knowledge society.

In my view, stable public finances in the European Union, which will guarantee the sustainability of the national economies and the European currency, are an important prerequisite for overcoming the trade imbalances. The euro's stability is of paramount importance to the trust of our trade partners. A further boost to reviving trade and investment is also provided by the timely implementation of the necessary structural reforms aimed at laying new stable foundations for growth.

Last but not least in terms of importance, I believe that the internal market would also be strengthened by the prudent and prompt expansion of the euro area, which will result in the economic integration of European states and make the European economy even more influential in relation to its international partners.

**Enrique Guerrero Salom (S&D).** – (ES) Madam President, as the 2009 figures show, and as has already been indicated, the financial crisis which broke out at the beginning of 2008 has considerably reduced trading figures.

In any case, it seems that we have managed to avoid the serious temptation of protectionism which occurred during the crisis of the 1930s, and it seems that the trend for the emergence of new restrictive measures disappeared at the end of last year. This is demonstrated in the Fifth report on potentially trade restrictive measures adopted by the Commission at the end of last year.

Nevertheless, many countries have adopted these restrictive measures, countries with different economic bases such as the United States, China, Argentina, Russia and Indonesia, but also many developing countries. And it is these countries, the developing countries, which need open markets that can receive their products.

For that reason, I call on Mr De Gucht, in his capacity as Development Commissioner, to work towards broader and freer trade in the world, towards the European Union taking the lead in reducing protectionist barriers in developed countries and to work towards a greater commitment to taking development into consideration in trade negotiations.

**Georgios Papastamkos (PPE).** – (EL) Madam President, ladies and gentlemen, I consider that the reduction in world trade has gone well beyond the boundaries of the recession itself. Studies have shown that the lack of financing for trade by the banks is due in large part to the slowdown in commerce.

I should like to ask two questions: firstly, what has become of international commitments on the multilateral financing of trade? And secondly, what results has the more flexible financing framework to facilitate access by undertakings to financing at European level had?

Moving on to global trade, I should like to point out that the rules, disciplines and commitments of the World Trade Organisation have, to a large degree, prevented the use of restrictive trade measures, at the same time providing the flexibility to adopt policies aimed at economic recovery.

However, we call on the Commission to closely monitor the measures adopted by our trading partners and their impact on European exports, including the 'buy national' policies applied by important EU trading partners. At the same time, we must not overlook the dynamic increase in exports by certain emerging economies.

In the present case, I should like to underline in particular the issue of the competitiveness of European products on global markets, which existed before and exist independently of the economic crisis.

Finally, what we need, among other things, is to achieve reciprocity with our trading partners in terms of market access, restore terms of fair competition on the international markets and ensure that imported products are subject to the same rules as goods produced within the EU.

**Laima Liucija Andrikiienė (PPE).** – Madam President, (*inaudible*) is in a very difficult situation already because of the global recession and the decreasing demand for a number of products worldwide. However, protectionism further hurts international trade and the EU's interests directly.

One of the international trade actors which have enacted additional and counterproductive trade barriers is Russia. Since the beginning of the financial crisis, Russia has imposed a number of so-called 'temporary' anti-crisis tariffs on a number of imports, such as meat and milk products, furniture, and also some steel products. Another instance which may be recalled is the temporary tariff on drugs that Russia has imposed on EU exporters.

What is even more alarming is that, on 1 January 2010, a customs union came into existence between Russia, Belarus and Kazakhstan. As a consequence, a total of 30% of the EU's product lines have seen increased tariffs. The main problem is, of course, that Russia, like Belarus and Kazakhstan, is not a member of the WTO, and is therefore not bound by the WTO rules restricting the unilateral increase of import tariffs and other trade-restrictive measures. Since Russia is not a member of the WTO, we do not have a dispute settlement mechanism with them.

Commissioner, I have two questions for you. How does the Commission assess the current EU trade problems with Russia, and do we have a particular strategy on how to address the issue of Russia's membership of the WTO?

**Daniel Caspary (PPE).** – (DE) Madam President, ladies and gentlemen, we have heard on several occasions that world trade has declined dramatically over the last three months, despite the successful attempts by many members of the World Trade Organisation to keep the markets open as far as possible. I am also very grateful that the European Union has played a highly effective role in this respect and has introduced hardly any protectionist measures.

In my country, there is a saying that attack is the best form of defence. I would like to pick up on what Mrs Andrikiienė has just said about the specific measures that Russia has taken. We need to ask what effective options we have open to us that will allow us to go on the offensive against those trading partners who have not kept to the agreements made in the G20, who have introduced protectionist measures, who have closed the markets and who have helped to bring about an even greater fall in worldwide economic performance than would otherwise have been the case.

Should we not make more proactive use of our Global Europe strategy and forcefully implement the points it contains? Is it not now the right time to address our interests proactively instead of simply preventing protectionism? I have in mind a possible new initiative which will allow us to make progress within the WTO at last. I think we should take the logical step of negotiating free trade agreements quickly. We have one

result in South Korea. However, what has happened with regard to India, Canada, Colombia and Peru? Would we not be sending out a very positive signal if we could make progress on these free trade agreements now?

Many other Members have referred to the developing countries. Is this not the ideal opportunity to bring about some progress at last in the Economic Partnership Agreements so that the developing countries and the African, Caribbean and Pacific countries (ACP) could be better integrated into world trade and so that effective measures could be taken to bring about economic growth and combat poverty? Over recent decades, it has become clear that the states which have taken part in world trade have had the highest levels of growth. I look forward to hearing your answer, Mr De Gucht.

**Theodoros Skylakakis (PPE).** – (EL) Madam President, my first comment is that the correlations in our trade relations with rapidly emerging countries are not static. When, for example, there are completely different growth rates between the Union and China, the non-tariff obstacles applied against us, which we considered to be of lesser importance when the Chinese economy was smaller, are having worse and worse results for us as China's relative importance increases and ours decreases.

At the same time, as our relative size decreases, our negotiating power decreases as well. There is therefore a window of opportunity through which the Union can impose its policy and effectively reduce obstacles to our exports in rapidly emerging economies and limit social and environmental dumping. Time is working against us, even more than before as a result of the crisis.

My second comment is that, as the correlations change, the importance of trans-Atlantic trade relations and of promoting a more functional American market which will increase trans-Atlantic trade and give the parties on either side of the Atlantic greater negotiating power increases.

Here, too, there is a window of opportunity, as it will take time to build up the trans-Atlantic market, because it is a complex process. How does the US rate the importance of these relations? Unfortunately, the fact that President Obama will not be attending the forthcoming summit in Madrid is not an encouraging sign.

The question is: does the Commission feel the need for urgent action, while we still have the necessary negotiating power?

**Tokia Saïfi (PPE).** – (FR) Madam President, the economic and financial storm we have just gone through has caused a lot of damage. Our economies are disoriented, and we are still struggling today to get back on an even keel in the face of determined emerging powers.

It is now time, European Commissioner, for you to captain an ambitious and meaningful European trade policy that is unapologetically aimed at defending our commercial interests and based on mutual openness of the markets and on the exploitation of our competitive advantages.

The European Union must first of all find a happy medium between ultra-free trade and protectionism. To my mind, this third way must be embodied by the creation of a fair trade framework. The European Union is armed with certain values: respect for the protection of intellectual property, fairness in terms of investments, access to markets, the fight against non-tariff trade barriers and respect for social and environmental standards. Consequently, it has a duty to ensure that these values are accepted as principles by India and China, emerging countries which are not only our customers and competitors, but also our partners.

Apart from the need to establish balanced trade, you must, Commissioner, help to boost the competitiveness of our European companies. How can this be achieved? Innovation, investment in research and development, and the international influence of competitive clusters seem to be some of the key factors that will get us out of the crisis.

We also need to focus our actions on innovative companies, especially SMEs, by relieving them of any excessive administrative and fiscal burdens, and on green technologies and services.

*(The President cut off the speaker)*

**Krisztina Morvai (NI).** – (HU) We must face up to the fundamental question of whether free trade, the current system controlled by the WTO, is good for the people, or whether we should be contemplating a new guiding principle, which I would rather not call protectionism but economic self-determination? I would like to propose looking at the differences between these two guiding principles in three areas. What does global world trade mean in its current form and volume in terms of creating and preserving jobs in Europe, especially when we think about small traders, SMEs, family businesses and small farms in European countries,



which are adrift and have lost opportunities to progress because of the current global, liberalised world trade? If we think of solidarity, is it good for the poor, developing countries that, instead of developing their own agriculture and industry, they are obliged to open their markets? Is it good for the environment that goods are delivered from great distances?

I would like to propose that as an initial step, at least with regard to agriculture and food, we contemplate the introduction of the principle of food self-determination, which means that communities and countries have the right to decide what they want to produce and how they want to produce it, and then how they want to sell it. Consumers are entitled to quality, healthy and nutritious food, and we know that this is not the food that has been shipped from thousands of kilometres away, but the locally produced, locally processed and locally sold food.

**Rareș-Lucian Niculescu (PPE).** – (RO) I would like to congratulate the Commissioner on his new appointment. Could he, if possible, give some details about the effects of the economic crisis on world trade in agricultural products? Mrs Andrikienė has already mentioned the case of the Russian Federation, which announced that it is prepared to ban poultry meat imports until 2015, because it covers its requirements from domestic production.

Given that the promotion of a more competitive agricultural system in an open global trade environment is one of the duties assigned by President Barroso to the new Commissioner for Agriculture, I am going to take advantage of the commissioner's presence in the Chamber to ask him how he views the cooperation with his colleague responsible for agriculture in terms of concluding the negotiations as part of the Doha Round.

**Seán Kelly (PPE).** – Madam President, firstly, I want to say that the Commission is to be congratulated on rejecting a recent proposal by the WHO that we should ban the sale of duty-free alcohol and spirits. If this was accepted, it would have cost EUR 2 billion to the European economy and hundreds of jobs across the Union. It was a notion based on moralistic preaching rather than on scientific evidence by the WHO and, thankfully, it was rejected by the Commission.

The second point I want to make is that the banks were primarily responsible for many of the ills which we are seeing nowadays, but what happened? A new theory came into being – they were too big to fail. I think, rather than be too big to fail, many of them are too big for their own boots. That is seen in the immoral salaries that some of them are getting and the grotesque bonuses they are also getting. No banker should be getting more than the Prime Minister of his country, and we should work towards...

*(The President cut off the speaker)*

**Czesław Adam Siekierski (PPE).** – (PL) Madam President, international trade, alongside the financial sector, is the area of the world economy which has suffered most as a result of the economic crisis. It is estimated that world trade turnover fell last year by around 10% as a result of the crisis. In addition, the policy of protectionism adopted by many countries as a basic tool for fighting the recession is having a disadvantageous effect on trade. The advantages of free trade in a global economy ought not to need explaining to anyone. It is safe to say that the prosperity which free-market countries achieved in the second half of the 20th century was, in large measure, the fruit of free trade, which developed dynamically in this period. The fall in world trade, the rise in unemployment, especially in developing countries and, with this, the growth of poverty and social exclusion – this adverse trend can be stopped by restoring dynamic trade on fair and just (...).

*(The President cut off the speaker)*

**Michael Theurer (ALDE).** – (DE) Madam President, Commissioner, firstly I would like to congratulate you on your appointment as commissioner. We are pleased to see such an astute and successful politician and a well-known Liberal on the Commission. You will need all your powers of persuasion to bring a new impetus to international trade policy in the EU. We must fight against any protectionist tendencies. History clearly shows that countries which have taken part in world trade have enjoyed better growth than those which did not.

We are also facing a new world order. Some of the players involved, for example, China, have State capitalist systems, but may be using quite different methods in this arena. Therefore, I call on the Commission to develop a new strategy for world trade. It is clear that we must move forward with the Doha development round, because a multilateral approach is the right one. However, we will need all our efforts to make progress in relation to China.

**Daniel Caspary (PPE).** – (DE) Madam President, I would like to pick up on a subject which two other speakers have mentioned. Mr De Gucht, fortunately you are also responsible for the Transatlantic Economic Council (TEC). I would be very grateful if you could put the TEC right at the top of your agenda, with the aim of solving all the problems that we have referred to.

It is still the case that Europe and the US are responsible for almost 60% of global economic performance. If we could manage to remove only a fraction of the trade barriers on the transatlantic market, we could do much more for our citizens and, of course, for employees than has been achieved by many of the other measures that we have put far more effort into over the last five years. I would be very grateful if you could devote your attention to the TEC.

**Karel De Gucht, Member of the Commission.** – Madam President, if I were to try to give a balanced answer to all the questions that have been put and to all the matters that have been raised, I would need, I think, at least half an hour. I have only two or three minutes if I understand rightly.

Having said this, let me start with a general remark. I really do not believe that protectionism is a solution. Whether you are a believer or not, looking back into history, it is thanks to international trade that our countries have become prosperous.

Secondly, Europe has a transformative economy, which means that we have to import to be able to export. The idea that we could export without importing is completely false and contradictory to the facts.

So I staunchly believe that we should have free trade agreements with major economic partners, that we should make a success of the Doha Round and that we should further liberalise international trade, but that does not mean that we should not take into account the fact that this international trade also has to be fair and that we are entitled to protect our interests. The Commission is certainly going to do so when necessary and we will use the TDI mechanisms we have to have an impact on what we consider to be unfair distortions of trade.

Some very specific questions have also been asked, by Mr Jadot, for example, on the meeting on 4 February at the WTO and what the result of this was. Well, the main message at that meeting was that the rules of the General Agreement on Trade in Services are not an obstacle to the right of countries to ensure effective financial regulation. The reason is that GATS has a very broad scope for financial prudential measures, so this financial regulation, be it at national or European level, is certainly not contradictory to the GATS rules.

That brings me to the origins of the crisis we are going through. Hopefully, the major part is behind us. I am firmly convinced that it has had a major impact on trade, but that the origin of this crisis lies with financial imbalances which resulted from completely wrong choices by financial institutions. The financial crisis did not originate in Europe; it came to Europe and to the rest of the world from the United States.

I can agree that the food crisis of a couple of years ago, which was still not completely resolved and digested, let us say, has added to big imbalances, especially for the developing countries. You can say a lot about developing countries, about good governance and so on, but you certainly cannot lay the blame on the developing countries for being at the origin of the financial crisis. That is obvious, and they are very severely hit by that crisis, so we should take that into due consideration.

There have also been some questions, the last time by Mr Caspary and one by Mr Jadot too, asking what are we going to do with the TEC and with the strategic initiative for China?

My personal opinion is that the only good response to the economic development of China – which we are not going to stop, by the way – the only good response is to become stronger ourselves. I think that is the only good response.

When you look at this in terms of trade deficit, it is true that the trade deficit with China has gone up considerably, but when you look at the global trade deficit with Asia, this did not go up that much. Also, within Asia, the other Asian countries are facing very fierce competition from China.

So what we should do is become stronger ourselves. I believe that achieving this transatlantic marketplace, for example, is one of the best answers we can give.

We have a recent report, produced at the request of Parliament, which shows that, if you were able to reduce by 50% the non-tariff barriers between Europe and the United States, this would have an effect which would be much larger than the Doha Round. We should work on that, but, having said this, it is not easy at all.

Speaking of the Doha Round, I staunchly believe that we should try to close that round because it has a lot of important features, among them, that the existing tariffs cannot go up any more, that we would be able to close them down. Secondly, there is a strong developmental approach in the Doha Round, provided, of course, that we can keep it as it stands now, and that should be the goal of the European Commission.

There was also the question by David Martin on the Robin Hood tax. First of all, I must say that I like the name Robin Hood much better than Tobin. But apart from that, I fear the Robin Hood tax is facing the same problems as the Tobin tax, that you can only do it if it happens on a global scale. You should also bear in mind that doing this, even on a global scale, would imply a very costly implementing mechanism to put it into place. President Barroso said about the Tobin tax that we are ready to support it as long as everybody else does, and that, of course, is the sticking point in all this.

A last word on – Mr Higgins, amongst others, asked a question – speculation and what came about from that, and also with respect to Greece.

This is not a debate on Greece so I am not going to go into the details of it, but I think, sincerely speaking, that some fault also lies with Greece itself. What you cannot have in a global economy, and what you cannot have in the European Union either, is moral hazard. Being a Member State of the European Union also implies some obligations. So Member States who get into a difficult position – and certainly we are ready to support them and help them whenever possible – should also realise that they have to obey the rules and if they obey the rules, then probably they will not get into the difficult situation they are in now.

**President.** – The debate is closed.

#### **Written statements (Rule 149)**

**Edit Herczog (S&D), in writing.** – (HU) The shrinking of world trade has had a particularly detrimental effect on the countries of Central and Eastern Europe, as the drop in demand primarily affected products which have played a significant role in exports, such as cars, consumer electronics, and so on. At the same time, these countries have also been hit hard by the credit crunch. Boosting exports would be extremely important to ensure that these countries are able to recover from the difficulties arising from this double pressure and the resultant social problems, such as growing unemployment. Financing for exporters seems to be a major obstacle in this area, as payment periods have become longer, credit has become more expensive and more difficult to access, while credit insurance conditions have also deteriorated. This is why programmes should be developed targeting the countries in question, especially EU Member States, to assist them in overcoming these difficulties.

**Andreas Mölzer (NI), in writing.** – (DE) The trend for outsourcing in the 1990s has led to capital and also expertise being transferred abroad within the world economy. The fact that jobs have been and are being created in countries with low wages has resulted in average wages falling in Central and Western Europe, which, in its turn, has caused a fall in consumption levels. The consequence of this is that European companies are no longer making the majority of their profits from producing goods, which is their core business. They are attempting to improve their results by means of financial transactions and speculation. This is the point at which we must start. We need to impose a quota on how much ordinary share capital companies can invest in stocks and shares and also on how much of their reserves they can deposit in financial packages in third countries. Secondly, we need regulations for the companies that have suffered damage as a result of the crisis. Thirdly, the economy requires not only fresh capital for the banks, which were one of the main causes of the crisis, but also and, more importantly, new regulations for money transfers, strict guidelines on the sale of credit packages and an independent supervisory body for the new and flourishing trading business, which includes areas such as short selling, that should be banned.

**Artur Zasada (PPE), in writing.** – (PL) If the forecasts presented just now by Mr Moreira are right, then the predicted decline in world trade will be the biggest since the Second World War. It goes without saying that both Member States of the European Union and countries which do not belong to the Community are taking measures to increase competitiveness and overcome the effects of the crisis. Research carried out by the Centre of Economic Policy Research has shown that since the first meeting of the Group of Twenty devoted to the crisis, 425 legislative initiatives have been undertaken to combat the effects of the crisis. Some countries have resorted to protectionist practices, while others are trying to liberalise trade. In view of the fact that the economy is a system of connected vessels, is the European Commission monitoring legislative initiatives being undertaken both within the European Union and around the world? Does the European Commission, when taking anti-crisis measures, take these into account? As protectionist and liberalising measures accumulate, a situation will arise in which they are mutually exclusive and will have no effect on world trade.

## 19. EU - South Korea free trade agreement (debate)

**President.** – The next item is the debate on the oral question to the Commission by Daniel Caspary, Peter Šťastný, Paweł Zalewski, David Martin, Gianluca Susta, Kader Arif, Michael Theurer, Niccolò Rinaldi, Metin Kazak, Marielle De Sarnez and Jan Zahradil, on behalf of the Group of the European People's Party (Christian Democrats), the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, the Group of the Alliance of Liberals and Democrats for Europe and the European Conservatives and Reformists, on the free trade agreement between the EU and South Korea (O-0171/2009 – B7-0001/2010).

**Daniel Caspary, author.** – (DE) Madam President, Commissioner, the negotiations on the agreement with South Korea have been completed and the documents have been initialled. That is a very good thing. However, if we look at the details of the agreement, it seems as if speed took precedence over thoroughness. I have the impression that your predecessor wanted the agreement to be signed and sealed at any price, so that she had at least one success during her period of office.

We are familiar with the many expert reports which were drawn up before the start of negotiations and which clearly indicated the many possible benefits for European industry and the European economy. There is likely to be a positive impact on the mechanical engineering, chemical, pharmaceutical, food and service industries. All of these sectors and many others hope to gain major benefits from the agreement. However, the main protests are coming from the car industry. There are difficulties with the duty drawback system, with the question of the amount of parts from foreign suppliers that can be used in cars from South Korea and with the issue of environmental standards which remain unresolved.

I would like to see us not only addressing but resolving many of these criticisms over the next few months using the safeguard mechanisms and the safeguard regulation. The Members of this House can only vote in favour of this free trade agreement if we have dealt with the justified concerns of the car industry and can also incorporate genuinely effective solutions into these safeguard mechanisms.

The text of the safeguard mechanisms was published on the Internet today, but unfortunately, I have not yet had a chance to read it. I would like to offer you the opportunity on behalf of my group to work with us in partnership to develop a suitable regulation at a European level, in order to ensure that the interests of the car industry are addressed in this free trade agreement.

**Gianluca Susta, author.** – (IT) Madam President, Commissioner, ladies and gentlemen, new players have emerged out of the wings onto the world stage, some of which were actually considered developing countries not long ago.

This must change our approach, cultural and otherwise, towards free trade and the tangible manifestations of the relationship between the European Union and its major competitors. This relationship is currently mediated by certain magic terms that have not yet entered into the vocabulary of the European Commission. These terms are reciprocity, European interest, the fight against dumping and the fight against tariff barriers.

This is the background to the free trade agreement with Korea, which incidentally confused two Commissioners – the Commissioner for Internal Market and Services and the Commissioner for Employment – and some governments.

What are the real advantages of this bilateral agreement, when 50% of the trade between the European Union and Korea concerns the automotive sector, when the disparity between the 700 000 Korean cars exported to us as opposed to the 27 000 European cars imported by Korea is glaringly evident? What is the sense in providing indirect aid of approximately EUR 1 600 for each Korean car sold in Europe when some European governments find it difficult to provide incentives for buying and selling cars to stimulate consumption? How can we also fail to take into account the serious doubts over the textile and electronics industries?

We will not settle with hearing for the umpteenth time, Commissioner, as Mrs Ashton said before you, that there are advantages for our chemical, pharmaceutical or agrifood industries because these pale scandalously into insignificance compared to the consequences for textiles, electronics and, above all, for cars, or financial services. Could it be that Europe, even with the crisis we are in today, is yet again choosing the financial option for its development?

We all welcomed the birth of the new Europe in Lisbon with hope. Europe cannot however, fail to take responsibility for European interests in the world, particularly today. The United States is jumping through

hoops to defend Boeing against Airbus and the Argentinean Government is threatening to expropriate Telecom.

The agreement with Korea actually legitimises pass-through financing with China which, until now, was illegal. This is the scenario in which our major businesses are forced to operate. Behind them are hundreds of thousands of workers, of families who can see their future going up in smoke, not because they are producing poor quality services or goods but because poorly defined interests are allowed to prevail over more evident and objective interests.

We trust in your sensitivity, Commissioner, in the hope that you will avoid over-hasty ratifications, which could go hand in hand with unacceptable decisions over the provisional application of the commercial side of the agreement pending ratification, or at least decisions that will be unacceptable until the regulation on the bilateral safeguard clause has been clearly defined. The adoption of this clause is subject to the ordinary legislative procedure that should be considered a first step to any appraisal of the advisability ...

*(The President cut off the speaker)*

**Michael Theurer, author.** – (DE) Madam President, Commissioner, ladies and gentlemen, the Treaty of Lisbon is opening a new chapter in the cooperation between the Commission, the Council and Parliament. The right of codecision of the European Parliament that has been directly elected by the citizens of Europe gives us the opportunity to bring democracy back into decisions on trade policy. This is the right thing to do, because it will have consequences for employees and consumers in the Member States.

Free and fair trade forms the basis for Europe's prosperity. We must therefore firmly oppose any protectionist tendencies. Free trade agreements like this one with South Korea can make an important contribution to stimulating world trade, growth and employment. However, it is in the nature of agreements of this kind, that, depending on their specific structure, they bring more benefits for some sectors of industry than for others. It is our job in Parliament to weigh up carefully the impact on different industries and sectors within the EU. In order to do this, we need the relevant data and impact assessments and it is the Commission's task to provide them. However, despite many requests from the committee and in the plenary session, we have not yet received data which we believe to be satisfactory. This is the reason why the Group of the Alliance of Liberals and Democrats for Europe has joined with other groups to ask this question.

According to the information that we have received so far, the agreement offers opportunities for the service, mechanical engineering and plant construction, chemical and agricultural industries in the European economy. However, the concern is that the agreement will have a negative impact on the car industry and the textile and electronics sectors.

The free trade agreement with South Korea is the only agreement with a developed country which does not include a ban on duty drawbacks. This may lead to one-sided cost benefits for South Korean industry. As the Commission has assured us on several occasions, the provisions on the duty drawback include a safeguard clause, which allows for a waiver on the basis of certain criteria. However, we urgently need to clarify this in the interests of the companies involved. The system must be applicable in practice. It must not be the case that the safeguard clauses are worthless because the companies cannot provide the necessary proof. As the agreement seems to contain one-sided regulations and as it sets a precedent for future agreements, for example, with India or with the Association of Southeast Asian Nations, we feel that the specific wording of the safeguard clauses, the procedure for settling disputes and the other regulations relating to the application of the agreement are of central importance.

We are therefore calling on the Commission to submit the free trade agreement together with the provisions on its application to Parliament for approval. We want a decision quickly. For this reason, a provisional version of the agreement must not be allowed to come into force. I know from discussions with companies what an important impact the implementation has. Therefore, my question to the Commission is as follows: Will the development of the European External Action Service lead to it playing a stronger role in trade policy? In our opinion, at least, this should be included.

**Robert Sturdy, author.** – Madam President, during times of economic downturn, it is only through the opening-up of markets and the removal of barriers that we can rebuild our industry, create jobs and boost development. Thank you, Commissioner, for your points of view on the previous debate.

EU exporters of consumer goods, electronics, pharmaceuticals, chemicals and medical devices are just some of the sectors which will benefit immensely from the removal of non-tariff barriers. Simplification of

certification procedures, transparency and price predictability are all things that will benefit the consumer. The Korean consumer market, in turn, wants access to speciality European agricultural products, such as wines, spirits, meats, cheeses, all protected by geographical indicators.

However, it would be wrong to accept this free trade agreement – and we have heard many people speak on it – at face value, and there are areas which need further clarification by the Commission. The inclusion of duty drawback clauses has been a concern for many of us, as I mentioned.

Any free trade agreement must be based on the principle of reciprocity or mutual benefit, but the potential burden on European car manufacturers remains unclear and of great concern to us. The Commission has assured us that Korea is actively liberalising its import regime. The level of duties that Korea can refund under the duty drawback are gradually being reduced. The negotiators are convinced that the economic relevance of the duty drawback will therefore diminish over time. What evidence does the Commission have to support this argument? If the Commission finds itself resorting to repeated or continued use of this safeguard mechanism, will it consider reviewing negotiations to extend the transfer period?

Commissioner, I look forward to working closely with you in the new agreement that is coming up.

**Karel De Gucht**, *Member of the Commission*. – Madam President, I would like to thank the honourable Members for their oral question, which confirms the interest of the European Parliament in the EU-South Korea free trade agreement.

As this will be the first major trade agreement to which the European Parliament will be asked to give its formal consent under the Lisbon Treaty, I very much welcome this opportunity to reply to the many aspects of the free trade agreement raised in the oral question. I might not be able to give detailed replies to all aspects of the question, but I am happy to address them in a possible follow-up question.

The EU-South Korea agreement is not only the first FTA negotiated by the EU with a country in Asia; it is also the most ambitious and comprehensive free trade agreement ever negotiated by the European Union. After more than two years of negotiations, the free trade agreement was initialled on 15 October last year.

Throughout the negotiating process, the Commission remained in close contact with Parliament. In this respect, the Commission welcomes the resolution on Korea voted by Parliament in December 2007. Many of the issues raised in this resolution have been addressed in the free trade agreement.

The whole process was also accompanied by a constant dialogue with civil society and a comprehensive trade sustainable impact assessment. The FTA is currently being translated. By the end of March, the Commission envisages presenting to the Council the decisions to authorise the signature of the FTA as well as to conclude the FTA. The objective is to sign the agreement in April.

The Commission is currently completing its analysis as to whether the agreement also falls within the competence of Member States. In this case, the FTA would require the ratification of all Member States before formally entering into force. As this process may take some time, it may be necessary for the Commission to propose that the agreement be provisionally applied pending its entry into force. The provisional application is decided by the Council on a proposal by the Commission.

The Commission is sensitive to the desire of Parliament to be able to give its views on the FTA before it is provisionally applied. The Commission will continue to seek out the best means, together with the Council and Parliament, to ensure that this takes place in a manner that does not cause unnecessary delays. It is of great importance that we apply the agreement as soon as is feasible.

As regards the regulation on safeguards, the Commission intends to present its proposal for such a regulation to the Council and the European Parliament in the coming weeks, and hopes that it will be possible to adopt this legislation rapidly so as to ensure that its application takes place as close as possible to the application of the FTA.

The economic benefits of the FTA are mostly in the EU's favour. It will relieve EU exporters of industrial and agricultural goods from Korean tariffs, saving them EUR 1.6 billion in duties annually, half of these directly from the day of the entry into force of the agreement. Obviously, potential gains from these duty savings will be even higher, as trade between the EU and Korea is expected to expand over time.

According to one study, the FTA will create substantial new trade in goods and services of 19.1 billion for the EU compared to 12.8 billion for Korea. Existing studies have not identified any sectors that would be negatively affected by the FTA, but in case of serious injury or threat thereof, the Commission would not

hesitate to activate the safeguard procedures built into the agreement. Let me also remind you that, in the event of such a necessity, we have the possibility of employing the support measures under the European Globalisation Adjustment Fund.

With regard to intellectual property rights, the FTA contains ambitious commitments going beyond WTO rules. Besides, the Commission has been careful to ensure that no element in the FTA contradicts the EU *acquis communautaire*.

On the implications of the protocol on cultural cooperation, the FTA would set a framework for engaging in policy dialogue on cooperating and facilitating exchanges regarding cultural activities. It is, above all, a demonstration of the EU's commitment to actively promoting the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expression.

On rules of origin, the negotiations with South Korea resulted in a number of changes which are consistent with the ongoing process of reform of such rules. These changes go in the direction of simplification, thus implementing a specific request by the European Parliament. At the same time, strict rules have been maintained for all sensitive sectors.

The Commission has paid particular attention to creating a new market-access opportunity in Korea for European fruit and vegetables. In order to encourage Korea to open up its market, European Union entry prices have been eliminated except in the case of the three most sensitive products: tomatoes, oranges and Korean citrus.

Obviously, the FTA also opens the EU market to Korean products. To protect our industry against import increases causing or threatening injury, the FTA contains an effective safeguard mechanism.

This safeguard clause can be invoked from the entry into force of the FTA. The Commission will monitor the EU market and Korean imports to assess the need to invoke the safeguard clause, and remains committed to making use of it if conditions are met.

The same applies to the special clause on duty drawback, which can be invoked based on publicly available trade statistics on imports into and exports from Korea.

I am aware of certain concerns expressed, notably by the EU car industry, about the duty drawback provisions in the FTA, but I have to emphasise that duty drawback is currently allowed and used by Koreans as well as by EU exporters. Thus, maintaining it in the FTA does not accrue any new benefit. The current economic impact of duty drawback is very small, about one eighth of the value of the Korean duty concessions.

In the case of cars, available studies show that, on average, the foreign content of Korean cars is between 10% and 15%. If foreign sourcing were to increase significantly, the special clause on duty drawback would provide for an effective remedy.

It cannot be ruled out that implementation of the FTA may give rise to different views and interpretation between the parties. To address such situations, the FTA contains an efficient and rapid dispute settlement mechanism. The Commission will monitor closely the implementation of commitments by Korea and will not hesitate to invoke dispute settlement procedures if warranted.

The FTA would also break new ground in promoting the protection of the environment and respect for labour rights, containing comprehensive commitments on a range of social and environmental standards. The scope of these commitments is broader than that of any comparable agreement. To ensure that these commitments are respected, the FTA establishes a strong framework for monitoring their implementation, involving civil society, business, trade unions and NGOs.

Finally, I would like to inform you that Korea and the EU have been discussing possible adjustments to the tariff dismantlement schedule. These adjustments would imply, *inter alia*, that products classified under three years and five years would be subject to four- and six-year tariff cuts respectively, so that duties would be eliminated one year later than originally scheduled.

While this implies a modest sacrifice in terms of our offensive interests, we thought that such an adjustment would be appropriate, taking into account the sensitivities of certain sectors. Korea has indicated its readiness to agree to those changes on the basis that the sensitivities of both sides are equally respected.

**IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ***Vice-President*

**Ivo Belet**, *on behalf of the PPE Group*. – (NL) Commissioner, first of, I would like to wish you the best of luck in your new role. We find ourselves in economically tricky times, but we know that you are not afraid of them.

In relation to this free trade agreement with South Korea, as you say, there are undoubtedly many positives for Europe in this agreement, but for our car-making industry, it is, and remains, a disastrous agreement. Mr Caspary also made this point. Just take a look at the figures, Commissioner. For every car that we export to South Korea from Europe, 15 come the other way. We currently have a ratio of 15:1, and that is primarily the result of non-tariff barriers to trade in South Korea.

It is also no coincidence that a manufacturer such as General Motors should reverse its decision to build the new, small SUV in Europe, specifically in its Antwerp factory, and instead move the entire project to South Korea. This forthcoming free trade agreement with South Korea is the direct cause of this decision. I do not think, Commissioner, that we can accept that, and just sweep it under the carpet by arguing that many other sectors in Europe will benefit.

I believe that we still have plenty of time to adapt this situation for our automotive sector, and you were quite right to refer to the safeguard clause. I accept that such safeguarding measures exist, but we are asking, first and foremost, for there to be a fundamental review of the impact of this agreement on the automotive sector. The numbers and the trends are much too alarming. The reality, in any case – and you know this better than I do – is that the US Government is currently negotiating with the South Koreans about making adaptations to a similar agreement that they have.

Do not forget, Mr De Gucht, that the car industry is still Europe's most important industrial sector. We are talking about an awful lot of jobs, here, that are under severe pressure at the moment. In my opinion, we must not allow more jobs to be put on the line and we therefore urgently ask you to build additional guarantees into this agreement.

**David Martin**, *on behalf of the S&D Group*. – Mr President, I believe that this Korean free trade agreement is important for three reasons. Firstly, as you have indicated, it is a win-win deal for Korea and for the European Union economies. It is good for consumers, it is good for jobs and, as you rightly say, it has a potential to add 19 billion to our trade flows with Korea.

Secondly though, given the debate we have just had, in the context of the current global financial crisis, it sets a very positive example. If two large economies like the European Union and Korea can agree a free trade agreement, it sets an impetus for other partners. Japan, for example, is showing much more interest in economic relations with the European Union than it was just a few years ago and partly that is due to the Korean deal.

Suddenly, on the other side, the Koreans are finding the US is now coming back, knocking on their door, wanting to get the KORUS agreement moving again.

The third reason – more parochially, but I hope colleagues in the House will bear this in mind – is that it is important for Parliament because many of the demands we made in my report have been met by the Commission, and time does not permit me to go through them all but I want to just give you three or four examples.

Firstly, we said in my report that we needed much better access to the Korean agricultural market. Well, Korean agricultural tariffs are going to come down by 75% over the first seven years of this agreement; we wanted our geographical indicators protected, our Whisky, our Champagnes, our wines, our hams and so on are going to be protected in Korea as a result of this agreement. And they are not, as one of my colleagues indicated, insignificant. Scottish whisky sells GBP 137 million worth a year into the Korean market already so with this deal, we could see a significant increase.

We called for non-tariff barriers to be tackled and this will be of particular benefit to the automobile industry. We wanted improved trade in environmental goods. Well, under this deal, environmental trade in goods and services will, after three years, have virtually duty-free access to the Korean market and their environmental goods and services duty-free access to our market.



We asked as a Parliament for improved social and environmental standards. Well, Korea, since the negotiations have been initialled, has signed four ILO Conventions and their trade and sustainable development forum is going to be established as a result of this agreement allowing the civil partners in Korea to ensure that greater market opening is accompanied by labour and environmental standards improvements.

All of these things, Parliament asked for. It would be ludicrous and perverse for us to turn our back on them, having achieved them.

Is this a perfect deal? Well, of course it is not. Are there things in it that I would not want in it, of course there are, but negotiations mean that you have to come and go, but on balance, is it a good deal for Europe? Yes. Is it a good deal for Korea? Yes. Is it a good deal, potentially, for the world economy? Yes. So we should not shilly-shally on this: we should get on and sign it.

**Niccolò Rinaldi**, *on behalf of the ALDE Group*. – (IT) Mr President, Commissioner, ladies and gentlemen, this is a classic subject on which European institutions are staking their reputation with industrialists, with workers and with European consumers.

A free trade agreement is always good news, a cornerstone for stability and a cornerstone for the prosperity of the planet, all the more so when it represents the first successful bilateral trade policy for the European Union after years of disappointments. Perhaps, however, for this very reason, there has been a certain amount of haste in sealing the agreement. It is almost as though the Commission were tempted to close the deal at any cost.

For us in the Alliance of Liberals and Democrats for Europe, although the duty drawback is acceptable for the WTO, even though it is already practised, it is effectively an export subsidy and a slackening of the rule of origin is a step backwards as far as transparency is concerned. These two principles will soon constitute a precedent for our other trade partners. We know that the Commission has driven a hard bargain, but, in the words of the Korean proverb, 'even the best make mistakes'.

We have often heard that the Commission is losing its ability to safeguard the legitimate interests of producers, workers and consumers and something certainly went wrong in its communication with both sides of industry in a negotiation that was sometimes criticised for its lack of transparency.

Every European citizen expects all of us, Commission and Parliament, to demonstrate political sensitivity. European industry is not doing well and it is pointless for some Member States to grant the automotive sector subsidies, which I am incidentally totally opposed to. On the other hand, with this agreement, we risk introducing subsidies for Korean exports.

We all know that these agreements are complicated and that there are also many benefits to be welcomed: the end of Korean customs duties, the recognition of European certifications, new possibilities for European services, the protection of geographical indications. Partly for this reason, I have no wish to go down the same road as in the United States, where an agreement with Korea has been awaiting ratification for years and where some even want to re-open the automotive chapter.

This is the Commission's demand: the text of the agreement must form part of an overall package made up of three documents, in other words, the free trade agreement to be submitted for ratification, the implementing measures, particularly with regard to duty drawback, and the regulation on the safeguard clause. If possible, I would also add the option of access to the global adjustment fund for areas that may be affected by this agreement.

Commissioner, we wish to see all the documents together and we consider, above all, under the ordinary legislative procedure established by the Lisbon Treaty, that we should rule out any kind of interim agreement, which we would oppose because we want to work together.

**Yannick Jadot**, *on behalf of the Verts/ALE Group*. – (FR) Mr President, as you said, this agreement breaks new ground. It breaks new ground, but not necessarily in the way in which we talk about it. Perhaps for the first time, in fact, we see in the outcome of the negotiations that there are losers, which one accepts, but within the context of trade negotiations with third parties. It is not within the context of the Lisbon Strategy, it is not within the context of an industrial policy that it was decided who, in Europe, would lose out in an open trade relationship.

Secondly, this agreement also breaks new ground because, in trade negotiations, it is usually the farming sectors that resist and the industrial sectors that are satisfied. In this case, we see that the opposite is true. For the first time, it is literally major industrial sectors that are complaining about the decisions made by Europe.

Thirdly, this agreement also breaks new ground because you refer to a EUR 1.6 billion reduction in customs duties from which we will benefit on the Korean market. Just what do these figures mean, however? I am an elected representative for the west of France region, and more specifically for Brittany. If you have visited Brittany, Mr De Gucht, you will know that, these days, green algae and ground water pollution associated with the intensification of pig farming are a huge problem.

Now, we are told that we shall earn a small amount of money from pigs by trading with South Korea. The reality, in the region I represent, is that this intensification of pig farming leads to a loss of jobs, a loss of added value, a loss of tourism and, consequently, in my region, we are the losers in this agreement. Perhaps in your overall calculation, people gain from it, but in a region like mine, people lose.

Lastly, this agreement again breaks new ground because, for the first time, an environmental derogation will be called for. We are continually told that Europe is the indisputable and undisputed leader in the fight against global climate change. The reality is that we are reduced to negotiating derogations with South Korea on CO<sub>2</sub> emissions from cars because the automobile lobby has been very powerful in Europe when it comes to pushing back the deadlines for the introduction of restrictions on CO<sub>2</sub> emissions and because now, it is obliged to obtain derogations abroad.

We therefore clearly see once again that, when it comes to an industrial strategy, a strategy for our businesses and the choice of economy, it will be more the case that Europe suffers this agreement than that it shapes it. You have talked about the Lisbon Strategy, the green economy and innovation. I do not see in this agreement how this will be encouraged.

Finally, your approach to discussing issues is often very balanced, but as soon as people start talking about taxes, all of a sudden ... On the carbon border tax mentioned during your hearing and now on the Tobin tax, I bet you, Mr De Gucht, that before the end of your mandate, the Commission will have to speak out strongly on the Tobin tax because it is now an essential tool for regulating the financial markets.

**James Nicholson**, *on behalf of the ECR Group*. – Mr President, first of all, can I take the opportunity of welcoming you, Commissioner, to your new post, and may you have a very successful term. Can I take the opportunity to say that it is good that we are having this debate here tonight and getting some things out in the open.

The truth is that the negotiations have been long and protracted, and I certainly welcome the Commissioner's statement that he is hoping to bring this very shortly to an end.

There will be enormous benefit to both Europe and Korea on the signing of this deal. I know there are concerns and I have listened to those concerns. We have heard them here tonight about the car industry. But, you know, I think if we are going to depend on the car industry – and we are going to totally defend it – then I think we are picking the wrong particular area in which to do this, and certainly General Motors would not be the most important in my area, as far as I would be concerned.

I share these concerns and I share some of the real concerns held by many people, and I understand them. But I believe the opportunity outweighs that concern, and I think that, if we are always to be reticent, then I do not believe we will achieve anything.

So we must look to the opportunities and take them, and not the negatives. We cannot forget that this deal also has a political content, because to the north of South Korea there is a very aggressive enemy, and I think we send out a message as well as to whom we support.

So we must do all we can to break down the barriers that are in that particular region. The agreement will show our support for progress.

I have had the opportunity to go there and I know the people in that area are very much inclined to go forward and to be progressive. There is clear and visible support for each other between the north and the south when you visit an area like Kaesong. This, I believe, is a tremendous opportunity for us to move forward.

Can I just simply ask the Commission: firstly, how would it comment on the provision of the dispute settlement mechanism and how will this operate in practice? Specifically, how quickly will we be able to utilise this mechanism in the case of serious market disruption?

**João Ferreira**, *on behalf of the GUE/NGL Group*. – (PT) Mr President, Commissioner, we have decried the disastrous consequence of the liberalisation of the global economy for many sectors of economic activity, particularly in some Member States and the regions that are most dependent on these sectors. We are talking about the destruction of productive activity and jobs, a serious impact on the capacity to create and distribute wealth, an increasing dependence on foreign markets, chronic and growing imbalances in trade; in short, economic and social breakdown.

We are also talking about the attacks on workers' rights, social dumping, the ruination of millions of small producers and many small and medium-sized enterprises. These are consequences of the gradual liberalisation of international trade which their advocates cannot ignore. I recall here the clothing and textile industry, which is particularly pertinent to this agreement, and a study by the Directorate-General for Employment and the Eurofund, which presents scenarios for a decrease of 20 to 25% of Community jobs by 2020, while acknowledging a scenario where 50% of jobs in this sector would be lost. I also recall, however, sectors such as electronics and the component manufacturing industry in the automotive sector, already mentioned here. These complaints give rise to questions that continue to go unanswered.

What measures will be taken to safeguard these sectors, doing more than mitigating the effects of getting rid of jobs? What defence mechanisms and safeguards are there against aggressive exports? When and how will we have a way of effectively tackling the relocation of businesses? According to the proposal of this group, the budget for 2010 will provide a new budget heading for action in the textile and footwear industry and creating a Community programme for the sector. What are the key elements of this programme?

Commissioner, fair economic relations must be established as a matter of urgency. These must be at the service of the people and their countries, rather than certain economic groups or those who finance the European Union. Defending every country's right to produce in a sustainable way has been necessary for the future, in the name of a new economic, social, energy-oriented and environmental rationality that the neoliberal model not only fails to deliver but even renders impossible.

**Anna Rosbach**, *on behalf of the EFD Group*. – (DA) Mr President, I do not see this in the same way as the previous speaker. I actually welcome the free trade agreement with South Korea. As far as I can see, it is clearly in the EU's interest to foster as close a relationship as possible between Europe and the democratic countries of Asia, including South Korea.

For a long time, there was an imbalance in trade between Europe and South Korea because of protectionism, between the EU with its free trade and South Korea with its protectionism. A few decades ago, South Korea was an agricultural society; it has developed rapidly into an industrial society, with 81% of the population now living in urban areas. The country is now the world's eleventh largest economy and the EU's fourth largest trading partner.

South Korea is an important ally in a strategically important area. Forecasts suggest that the country will have an even more dominant position in the high-tech sector in a decade's time.

South Korea has to compete with the economic and military giant to the north of it, China, which is, at the same time, the country's main trading partner. In competitive terms, China has an almost inexhaustible resource in the form of cheap labour. Consequently, China is also the country's main trade competitor. By imposing quality requirements on South Korea, the EU can make the country's goods better suited for export to the US and Europe – much better than those from China, and I imagine we are all interested in bringing that about.

This free trade agreement will, as has been mentioned, remove tariffs worth EUR 1.6 billion a year. That may be a very good thing in general, but for me, the question is whether South Korean trade and industry has been sufficiently liberalised and whether the roadmap for the free trade agreement can be met, taking into consideration the fact that South Korea still gives extraordinary subsidies to certain industries such as the pharmaceutical and electronics sectors.

**Peter Šťastný (PPE)**. – Mr President, during the last few months, the EU has experienced several changes and transitions. We have had three Commissioners on International Trade, two EU Council Presidents and the Lisbon Treaty.

During that time, I argued with all the top officials about the need to fine-tune the South Korea-EU FTA, so as to get on board deeply dissatisfied industries, particularly the EU automotive industry.

The strongest arguments were mainly in the area of DDB safeguards and non-tariff barriers. When the new Commissioner, in response to my question during the hearings, stated that DDB deserved a closer look, I felt optimistic. Even the USA has shelved its FTA with South Korea partly because of similar objections from the car industry.

This is the first major FTA. This is a template. We need to do it right. There must be a level playing field for both parties. Please do not get me wrong. I am a strong proponent of FTAs. I understand their positive impact on GDP and employment, but we should also understand that, when the competitive advantage is one-sided, benefits will diminish and, in the worst case, could even be negative.

Employees in the EU deserve better. Perhaps we should turn to our transatlantic partner and together demand small adjustments which would at least partially satisfy these giant industries and get new FTAs to work as soon as possible. There will always be some unsatisfied elements but, all in all, FTAs must be beneficial to citizens of both sides. It is my responsibility to monitor the situation and ensure that my constituents, and EU citizens, get a fair deal.

**Kader Arif (S&D).** – (FR) Mr President, Commissioner, ladies and gentlemen, in September, we were already debating in plenary the free trade agreement between the European Union and Korea. There were already many of us who expressed our fears about the negative consequences of this agreement, especially with regard to the automobile sector. We did not think that events would prove us right so quickly.

On 21 January, Opel announced the closure of its Anvers site, the production activities of which will be relocated to South Korea. Are we to believe that this decision has nothing to do with the free trade agreement that has just been negotiated? Allow me to spot a connection there. During this period of economic crisis in which the workers are the first to pay for the mistakes of the financiers, the Commission is duty-bound to consider, now more than ever, the job-related consequences of the agreements that it negotiates.

It is no longer possible to give a simplistic response to these employees, for whom we know full well it will be very difficult to find another job. We cannot say to them that international trade is a game of winners and losers and that, unfortunately, they are the ones who will be sacrificed and that we can do nothing about it.

We expect answers from you today, Commissioner. First of all, we want to know whether your Directorate-General has assessed the impact of this agreement on jobs in Europe, for I must tell you that the figure greedily announced, that is, the EUR 19 billion profit that European exporters are expected to make, does not convince us. Where does this figure come from? On what study is it based? Leaving aside the expected positive effects, however, have the negative effects also been taken into account?

The Commission has drafted a regulation on the methods for implementing safeguard measures within the context of this agreement. These methods relate, in particular, to duty drawback, an advantage that has never before been conceded, not even to our developing trade partners. The proposals put forward provide for complicated procedures for invoking and enforcing the safeguard clauses.

Nevertheless I feel reassured because, for the first time ever, Parliament will soon be able to express an opinion on this text under the ordinary legislative procedure. I would, however, like to point out that Europe's employment problem will not be solved by palliative measures taken on a case-by-case basis. That is why I, together with my whole group, am calling for a real European industrial policy, one that represents a genuine strategy for the future of our industries, to be drawn up at last.

In a context of economic crisis and of intensified global competition, this industrial policy must be coordinated effectively with the common trade policy so that our free trade agreements do not lead to job cuts in Europe.

A second matter on which we expect clarification is that of the protocol on cultural cooperation included in the agreement. Several Member States have reacted very harshly to the negotiations initiated with Korea, a country that has failed to ratify the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

I condemn the very principle of initiating negotiations on this topic, and I believe that cultural issues should be handled separately from trade negotiations and placed in the hands of the Commissioner for Culture so as to prevent this matter from becoming a negotiating item under the same heading as conventional goods or services.

To conclude, Commissioner, you know how essential it is for MEPs to be kept fully informed of the negotiations under way and to be involved at all stages, including from the point at which the negotiating mandate is defined. Leaving aside our differences in approach, I would like to point out that better upstream consultation of Parliament would have made it easier for us to understand the strategy being pursued.

I therefore trust I can count on your support and on that of your Commission to assist us in our future work, with everyone acting within the scope of his responsibilities, but always for the benefit of a trade policy that is obviously more European in scope, but that is, above all, fairer.

**President.** – Thank you, Mr Arif, but the interpreters are still having problems keeping up with you. They keep signalling to me to tell me that they cannot keep up with you. It is all very well to make a long speech, much longer than the speaking time permits, but the fact is it is not being interpreted.

Therefore, only you yourself and the French speakers in the House are following what you are saying.

**Ramon Tremosa i Balcells (ALDE).** – Mr President, the proposal of a free trade agreement between the European Union and South Korea has been considered unfair and unbalanced by the Catalan and the European car industry.

This industry and also the European textile sector have expressed concerns on specific issues such as the duty drawback system and the safeguard clause. Also, the European Trade Unions Federation has criticised this free trade agreement. South Korea has not ratified any of the fundamental conventions of the International Labour Organisation. South Korea persists in repressing trade union rights.

Moreover, we are aware that, for this free trade agreement with South Korea, there was a clear division among the European Commission college and also among the European Commission services, in particular, between DG Taxation and Customs Union and DG Trade, on the duty drawback system.

As far as the DG Taxation and Customs Union is concerned, the duty drawback system creates economic distortion as it is actually an export subsidy. This should create a clear competitive advantage against European industry in favour of Korean industry in the European Union.

The same Korean trade investment promotion agency has calculated this advantage as at least EUR 1 300 per car. Therefore, does the new Commission consider this free trade agreement a fair trade agreement? Will the new Commission provide Parliament with a full, up-to-date impact assessment and analyses about this duty drawback system?

**Paweł Zalewski (PPE).** – (PL) Mr President, we are discussing, today, a very important agreement, which is going to be a model for agreements with other countries in the Far East, so careful reflection and analysis are needed. We must not be pressurised into acting too quickly. I support free competition, and think its influence on stabilisation of the political situation and on economic development is unquestionable, but it must be competition which is balanced, and which is based on competition between technologies or product production costs, and not on instruments such as duty drawback, which is included in the agreement and serves the interests, quite frankly, of only one party.

We have an economic crisis, and we must, today, be particularly sensitive to the situation in Europe – we must take particular responsibility for the future of European industry. This is not only a question of the motor industry, but is also about the electronics and textiles industries. Numerous branches of industry, including many from Poland, are complaining about this agreement. Therefore, it is my conviction that we should act as follows. Firstly, we must be sure of the effects of the agreement, and for this we should also work with those industries which have reported misgivings about the agreement, and not only with those which think they will win on this agreement. I expect the Commission to produce a very comprehensive analysis of the consequences of bringing this agreement into force. Secondly, we must look very carefully at the safeguarding measures and at how to construct them so that the agreement will, in fact, be advantageous to both sides, and not just to South Korea. Thirdly, we cannot introduce this agreement provisionally before Parliament is sure that it is, in fact, advantageous to all countries of the European Union and does not establish any kind of unjustified advantage for Korean industry.

**Vital Moreira, author.** – (PT) Mr President, I would like to put two questions on the importance of this agreement for the commercial policies of the EU to the Commissioner in charge of trade. In fact, since the launch of the Global Europe strategy in 2006, aimed at strengthening the role of international trade in the European Union's economic strategy, this is the first and only free trade agreement that has been negotiated, but not yet ratified, in which the trade partnership has been significant.

How does the Commission view its own role and the meagre results achieved in the light of the objectives of the Global Europe strategy? Does the Commission consider, then, that the credibility of its own trade policy is at stake in this treaty, and that this credibility also depends on its ratification and approval by Parliament?

Secondly, this treaty involves only one country, so it is a bilateral agreement. We know that the ambitious multilateral trade agreement under the World Trade Organisation is merely marking time, with no immediate prospects. The various regional agreements proposed by the European Union have failed almost everywhere, or clearly have no real prospects. To sum up, does this mean that this bilateral agreement is testament to the failure of EU investment in bilateral and regional agreements, and that we will henceforth be condemned to bilateralism?

**Pablo Zalba Bidegain (PPE).** – (ES) Mr President, Commissioner, the position of the Group of the European People's Party (Christian Democrats) is very clear as far as the European Union's trade policy is concerned. We are firm defenders of free trade and it is certainly vital that Europe continues negotiating trade agreements with other countries because they generate new opportunities for European companies, that is to say, new jobs, which are very much required in light of the serious current economic crisis.

I did very much like your words Commissioner, because I also believe that it is very important that these agreements contain sufficient guarantees to avoid signing clauses which are unbalanced and unfair for European industry.

The agreement with South Korea has been put forward by the Commission as the first in a new generation of more ambitious trade agreements for Europe, hence the importance of this agreement. It is not a question of whether it is a small country or not; it is a question of not weakening our capacity for negotiation in future agreements with much larger countries.

Therefore, we are not against the South Korea free trade agreement; however, we do want certain paragraphs to be studied more rigorously, which we believe create unfair competitive disadvantages for certain European industrial sectors and give Korean producers an unfair advantage.

Commissioner, I want you to clearly explain to me why the safeguard clause for the duty drawback enters into force in five years. On the last opportunity I had to speak to you, you stated that the reason was that tariffs on vehicles were also dismantled after five years.

The agreement stipulates that they will dismantle the tariffs for vehicles which weigh more than five tonnes after five years. However, for vehicles which weigh less than five tonnes, which are all standard vehicles, the 10% tariff will be dismantled in three years. What is the reason for this two-year time lapse Commissioner?

I would also like to receive more details regarding any updates on this aspect you mentioned. What is the point of correcting these problems *ex post* when the whole reason for having a safeguard clause is to anticipate possible negative consequences?

**Evelyn Regner (S&D).** – (DE) Mr President, the EU should only conclude free trade agreements with countries which show full respect for human rights. It seems fundamental to me that the core labour standards of the International Labour Organisation should be implemented and, above all, complied with. The labour clauses in the contract are good, but they do not go far enough. There have been cases in Korea, in particular in recent months, in which there have been fundamental breaches of trade union rights, such as the right to collective bargaining and the right to freedom of organisation. Throughout the negotiating process, the European trade unions and, in particular, the unions in the metal industry, have highlighted these cases, specifically with regard to the problems to be expected in the automotive sector.

The case of Opel in Antwerp has been mentioned several times. To reiterate, operations have not only been moved because of overcapacity, as the management has repeatedly claimed, but primarily in order to relocate production to South Korea. Who will benefit from this? Is it possible that this is an advance effect of the free trade agreement?

Another sector with problems which has not received as much attention is the shipbuilding industry. In its ten-year plan which forms part of an act of state, Korea has made it an objective to ensure that more than 90% of the companies supplying the Korean shipbuilding industry are based in Korea. This makes the situation for European competitors and, in particular, for the employees in the industry, very difficult.

*(Question on the basis of Rule 149(8) of the Rules of Procedure)*

**Daniel Caspary (PPE).** – (DE) Mr President, Mrs Regner, thank you very much for this opportunity. You have referred to the situation with Opel in Antwerp. I would like to ask you whether you agree with me that Opel has been in serious financial difficulty for several months, that the company could produce far more cars than it is currently doing and that Opel's poor economic situation cannot be caused by a free trade agreement that has not yet come into force.

**Evelyn Regner (S&D).** – (DE) Mr President, of course, it is true that there are serious economic problems. That is very much the case. However, the company management and, in particular, Mr Reilly, have breached a delta agreement. Under the terms of this agreement, the Opel site in Antwerp was given the assurance that SUVs would be produced there. These cars are now not being manufactured in Antwerp, but in South Korea. As far as I see it, this is, in very simple terms, a case of moving existing operations from Opel in Antwerp to South Korea.

**Bernd Lange (S&D).** – (DE) Mr President, Mr De Gucht, I have three questions for you. My first question concerns the need for fair competition conditions. The fact that employees' rights in South Korea are restricted means that there are unfair competitive conditions, which include the question of collective action. Paragraph 314 of the South Korean Criminal Code refers to the crime of 'disrupting operations'. This is used to prevent strikes and to limit the rights of trade unions, for example, in the case of Ssangyong. I would also like to know why we are concluding free trade agreements with countries such as South Korea and Colombia which have the most problems with the standards of the International Labour Organisation. Therefore, my first question is this: How do you propose to use the free trade agreement to ensure that there are no unfair competition conditions in South Korea caused by restrictions on employees' rights?

My second question relates to the problems in the car industry, which several other speakers have also referred to. It is very important in this case that there are sensible safeguard clauses. General safeguard clauses are currently in place for major market disruptions and for the duty drawback system. I am not able to understand this fully. Mr De Gucht, perhaps you could explain the safeguard clauses to me in simple terms. I would particularly like to know who can trigger them and when.

My third question concerns the new contractual basis for our cooperation introduced by the Treaty of Lisbon. This includes approving safeguard clauses and implementation as part of the codecision process. Can you guarantee that the free trade agreement will not be put into force until Parliament has approved this procedure and only after Parliament has exercised its rights and adopted the safeguard clauses?

**Kathleen Van Brempt (S&D).** – (NL) Commissioner, I am sure you agree with me that free trade agreements are not concluded for ideological reasons, but because we are well aware of the impact that they have on society, both socially and economically. You, yourself, referred to a number of impact studies, but I have never read an impact study that sets out what the impact is, sector by sector, on employment.

Many people have already spoken about the automotive sector. Well, we, both I and my home region, but also still your region too, to an extent, Commissioner, have discovered, in the meantime, what that impact is. The Opel car plant in Antwerp is closing down, and the trade unions there – and these are people who have been working on this for years and years – are absolutely convinced that this trade agreement is a very important part of Opel's much talked-about business plan, a plan which we simply do not get to see and which lies at the heart of the decision not to build the SUV in Antwerp.

I have two questions for you about this. Do you know what the impact of this agreement is on employment, the effect on employment for each economic sector? If not, are you prepared – and I want to press you on this – to have an impact study carried out at this point, in order to ensure that we, in Parliament, have the information that we need when we ultimately have to give our consent? My second question is, do you intend, in future – with this being the start of your term of office – to consistently carry out this kind of impact study at the social level?

**Seán Kelly (PPE).** – (GA) Mr President, I welcome this trade settlement between the European Union and South Korea.

In welcoming this, I would say that, in all agreements of this nature, there are going to be winners and losers. Unfortunately, in this instance, the Automobile Association seems to be pointed out as the loser, but I would say that, with automobile demand likely to grow over the next 20 or 30 years fourfold at least, there may be an opportunity there.

But the overall question pointed out by the Commissioner of the EUR 19.1 billion advantage to the European Union and EUR 12.5 billion to South Korea is a good deal in my book. If it was the other way round, we might have cause for concern. Also, we cannot underestimate the political importance of South Korea psychologically in extending the hand across the oceans to Asia – something which is very important to them – and also, where we are concerned, in re-establishing our place in the world, which was somewhat undermined in Copenhagen.

**Harlem Désir (S&D).** – (FR) Mr President, Commissioner, this agreement with Korea will be the first to truly implement the Global Europe strategy as an important agreement, and it ought therefore to be particularly exemplary because it will set a precedent.

However, we note that, firstly, there is a problem concerning the information given to Parliament, particularly with regard to the safeguard clauses, then a problem concerning the method used, since we have already been told that it might be possible to implement temporary provisions or temporarily to implement the agreement without even waiting for Parliament's assent, and finally, a problem concerning the clarity and transparency of the trade framework – this was raised by Mr Rinaldi – since, through the duty drawback, we could in fact have an agreement indirectly concluded with China. I believe we must be particularly clear about these free trade agreements.

In addition, there is a consistency problem with regard to the aim of developing social and environmental standards. When it comes to compliance with social standards, we are, for example, a very long way from what the United States has negotiated in its agreement with Korea.

Finally, to be honest, when one looks at the economic situation we are in, with a car industry ...

*(The President cut off the speaker)*

**Niccolò Rinaldi (ALDE).** – (IT) Mr President, ladies and gentlemen, I would like to put a supplementary question to the Commissioner. We understand that we do not have a clear framework as far as the procedure for any ratification by national parliaments is concerned, but what majority will have to vote in this agreement in the Council? Is it a qualified majority or a majority by consensus? This is something else I have not grasped and I believe it is important to understand this aspect of the legal basis.

I would also add that I have been surprised by the tone of this debate. I feel that I have heard many concerned voices and I therefore again call on the Commission for us to work together. Commissioner, we are sure you will do an excellent job but, in the words of another Korean proverb, 'ask the way even when you already know it'.

**Czesław Adam Siekierski (PPE).** – (PL) Mr President, the free trade agreement with South Korea seems a very good development. An agreement on a free trade area will lead to a significant growth in reciprocal trade. Thanks to the elimination of Korean import duties of around EUR 1.6 billion and EU import duties of around EUR 1.1 billion, there will be a significant liberalisation of trade in important sectors of industry and in services. This concerns mainly telecommunications, environment protection, transport, finance and legal services. In addition, the free trade agreement will contribute to an increase in transparency on the question of intellectual property protection and public procurement. Thanks to the agreement, Korea will also honour EU certificates and quality standards. The agreement is particularly important in the present economic situation, because it will allow for faster development in EU countries. We realise, however (...).

*(The President cut off the speaker)*

**Karel De Gucht, Member of the Commission.** – Mr President, first of all, with respect to the procedure – because a lot of questions have been asked about that – obviously, this will be the first time that Parliament has had to give its consent on the agreement as such and also the first time that the safeguard clauses will have to be adopted by codecision. This has consequences, I think, for the relationship between the Council, the Commission and Parliament.

The safeguard clauses are a proposal. The Commission adopted its proposal yesterday and it will be presented to the Council and Parliament very soon. Obviously, then, it will be a codecision procedure, so I do not understand the many remarks in which you put questions and express doubts about safeguard clauses. There will only be safeguard clauses that get your agreement, because it is codecision: it is as simple as that. So you should not be so worried about it and about ratification by Parliament.



That implies, of course, that there will be a debate in your committee. I already said during the hearing that I am not going to make a proposal for an early, provisional application unless Parliament has itself pronounced on the agreement, whether as formal ratification by Parliament or by some other procedure that we can establish between the INTA Committee and the Commission. That remains open and can be discussed, but in any case, Parliament will have the opportunity to give its political judgment on the agreement before any proposals for early application are put forward.

Another question is whether this is a mixed agreement or an agreement which is only about Community competences. The Legal Service is still preparing an opinion on that, but we cannot rule out the possibility that in the end, we will have to consider this a mixed agreement, which implies that all the national parliaments will also have to ratify it, and which could also have – in reply to Niccolò Rinaldi's question – consequences for the voting procedure in Council.

So much for the procedure: you will have every opportunity to express yourselves, and we will scrupulously respect this – if we did not do so, I think we would get into trouble!

*Member of the Commission.* – (NL) I will now deal with the issue of Opel. I understand that it is not just in Belgium, but also in other Member States, that the Opel issue arises. What I do not understand, however, is when people say 'look, there is a direct link between the free trade agreement with South Korea and the fact that there are plans to make closures at Opel in Europe'.

Opel announced back at the beginning of 2009 that it intended to cut capacity in Europe by 20%. It is true that this can be done in such a way that, ultimately, all the factories remain open, on condition, of course, that Opel also views it as possible, from a business point of view.

It is also the case, however, that the decision to actually produce the SUVs in South Korea came, at any event, after the agreement with Magna had been reached but before the conclusion of the negotiations over a free trade agreement between the European Union and South Korea. The assertion made by both Mr Belet and Mrs Van Brempt thus does not fit in with the timeline. The agreement with South Korea was only concluded afterwards.

It is possible, in fact, to argue the opposite case, I would have thought, in other words, that some Member States only agreed to a free trade agreement with South Korea on condition that they knew what was going to happen with Opel. I think, in fact, that you have to go with this opposite case if you look at the correct timeline as it developed in practice.

Incidentally, I would like to add, for Mr Belet's benefit, that there is a small mathematical error in the comparison he quoted, where he stated that South Korea exports 15 times as many cars to Europe as Europe exports to South Korea. This may be related to policies that I was recently involved in in Belgium. The present figures are that 37 000 cars are being exported to South Korea and approximately 440 000 imported from there.

What is more, your line of reasoning is also faulty, as you are presuming that the two markets are the same size. If you compare the two markets, you have to observe that the South Korean market, of course, is much smaller than the European one, and that means that you are comparing apples with oranges.

When it comes to market penetration, we actually send the same percentage from Europe to South Korea as comes the other way: approximately 3 to 4%. This is what really matters.

Something that I think is actually far more important in estimating the market situation is the fact that South Korean manufacturers have recently opened major factories in Europe, namely in the Czech Republic and in Slovakia, which will be capable of producing around half a million cars between them on an annual basis, so the reality is perhaps that, in future, Korean cars produced in Europe will largely, in effect, be the cars that reach the market here. What you have there is a clear shift, and so what you actually see across the car market as a whole is that there is a displacement taking place towards the major markets where, in the end, cars can be bought and sold.

As a final thought about what is, in any event, a particularly regrettable situation at Opel – for which, in my view, a solution is ultimately on the way – I think that one must not overlook the fact that the manufacturers follow the customers, and not the other way around, and that that is one of the most important reasons for specific policy decisions in a shrinking European car market also faced with a number of car makers who have found themselves in a difficult financial situation.

I will, perhaps, make one last comment about the tension between bilateral and multilateral negotiations, an issue also raised by Mr Moreira. Negotiations based on the Doha Round have been taking place since 2001, which is now nine years, and there is still no solution to the impasse. I am a great supporter of multilateralism, and I think that we do also need to bring a positive conclusion to Doha, specifically retaining the development elements that it contains. I believe this also because its multilateral framework also provides the greatest legal certainty for international trade. I do think, however, that while we await the conclusion of the Doha Round – which I hope will be in 2010 or at the latest in early 2011 – we cannot sit on our hands in relation to the bilateral front.

What I think is very important is that, when it comes to bilateral arrangements, we only conclude agreements that go further than Doha, so as not to undermine what is decided in the Doha Round, insofar as we are setting higher criteria. That, too, explains the drawing up of the free trade agreement with South Korea. It is not, in my opinion, of such a nature that it undermines multilateralism. If we were to undercut the multilateral track, then that would indeed be the effect, but that is not the intention, nor will it be in the forthcoming negotiations.

**President.** – The debate is closed.

The next session will take place tomorrow, Thursday, 11 February 2010, from 09.00 to 13.00 and from 15.00 to 17.00.

The agenda is published in the session document which contains the same name and also on the European Parliament's website.

## **20. Agenda for next sitting: see Minutes**

## **21. Closure of the sitting**

*(The sitting was closed at 23.30)*