

## WEDNESDAY, 7 OCTOBER 2009

IN THE CHAIR: MR BUZEK

*President*

*(The sitting was opened at 15.00)*

### 1. Resumption of the session

**President.** – I declare resumed the session of the European Parliament adjourned on Thursday, 17 September 2009.

### 2. Statements by the President

**President.** – Ladies and gentlemen, in opening today's plenary session, I should like to say a few words about the referendum which took place last Friday. I am very pleased with the result. It was a great day for Ireland and a great day for Europe.

*(Applause)*

I would like to say that when the result was announced, I was at the other end of Europe, in Sicily, and there the result was received just as you have received it – with applause. In many other places throughout Europe, people were also delighted with the Irish result. The Irish have sent a clear signal that they want to continue to be at the heart of a united continent. *Míle buíochas do mhuintir na hÉireann.* A thousand thanks, and congratulations on the result of the referendum. I said it in Irish, perhaps not very accurately, but that is more or less how it sounds.

The European Union has demonstrated that it can listen to the justified fears of its citizens and respond appropriately. The guarantees given to Ireland proved to be satisfactory, and convinced the voters that the Treaty of Lisbon will benefit their country. It was a victory for civil society, and is a good argument in the continuing debate in other Member States.

I would like to underline the large role played by employers, trades unions, farmers' and fishermen's organisations, and also by the Church and social leaders. This helped to win the referendum.

I would also like to congratulate the Irish Government and opposition, and also one of my predecessors, Pat Cox, who led the 'Ireland for Europe' campaign. Congratulations to Pat Cox!

*(Applause)*

I am confident that the process of ratification will be continued and will end with success in the two remaining Member States. I have received an assurance from the President of Poland, that now, when the Irish referendum has returned a positive result, he will sign the Treaty of Lisbon without delay.

*(Applause)*

I hope that President Václav Klaus will do the same as soon as the Czech Constitutional Court resolves all remaining doubts.

The objective of the Treaty of Lisbon is to prepare the European Union for the challenges of the 21st century. We have to face up to the fears of our citizens about energy issues, rising unemployment, immigration and climate change. We will have to act together, just as we have done many times in the past, and we must not forget that the key to success is the principle of European solidarity.

There is much work before us, but we now have the essential tools, so let us not hesitate to use them.

I would like to make one more important comment on the Irish referendum. We cannot forget those who voted 'No'. It has become our tradition to think about all Europeans, respecting their views and their right to a different opinion. Those who voted 'No' also want to tell us something. They want to convince us of something, and, most important of all, they want to warn us about something. We take that warning on board, and we will also take their vote into account, but we are extremely pleased that the decided majority

of the Irish people said 'Yes', and that they support a common Europe. I myself am determined to work hard at helping you to feel that our common Europe is also your Europe – and we will write the story of Europe's future together.

\*\*\*

I would like to move on to two other matters. They are sad matters.

I should like to recall a great tragedy, and in this way commemorate the victims of the mudslides in the vicinity of Messina in Sicily. I have already issued a statement on behalf of the European Parliament, expressing our condolences to the families and friends. I was in Italy at the time, and offered condolences publicly to our friends, partners and all Italians.

\*\*\*

Before we begin, I would also like to recall the fact that today marks the third anniversary of the death of the Russian human rights campaigner, journalist Anna Politkovskaya. Her murderers have still not been brought to justice. Anna is not, however, the only victim. Let us, on this occasion, also remember other social activists who have been murdered in the last three years.

**William (The Earl of) Dartmouth (EFD).** – Mr President, when you spoke to us presenting your candidacy as President of the European Parliament, you said that you were going to be a very objective figure and an objective chair. I have to say that you have just made a speech on the Irish referendum – I did stand up when you were speaking, but you were locked into your text – that was one of the most subjective, partisan speeches I have ever heard, and inappropriate from an objective chairman.

*(Mixed reactions)*

**President.** – You probably did not listen to the whole of my speech!

*(Applause)*

**3. Approval of the minutes of the previous sitting: see Minutes**

**4. Transfers of appropriations: see Minutes**

**5. Texts of agreements forwarded by the Council: see Minutes**

**6. Action taken on Parliament's positions and resolutions: see Minutes**

**7. Documents received: see Minutes**

**8. Oral questions and written declarations (submission): see Minutes**

**9. Request for the waiver of parliamentary immunity: see Minutes**

**10. Composition of committees and delegations: see Minutes**

**11. Corrigendum to a text adopted (Rule 216): see Minutes**

**12. Order of business**

**President.** – The final version of the draft order of business as drawn up by the Conference of Presidents at its meeting of 17 September 2009 pursuant to Rule 137 of the Rules of Procedure has been distributed.

Mrs Bauer's report on the organisation of the working time of persons performing mobile road transport activities has been rejected following a vote in committee.

In addition, the following reports were not received in time:

– Mr Böge's reports

on mobilisation of the European Union Solidarity Fund: Italy, the Abruzzo earthquake and

on mobilisation of the European Globalisation Adjustment Fund: Germany – telecommunications sector, and

– Mrs Haug's report – Draft amending budget 9/2009: earthquake in Italy.

These four reports have, therefore, been removed from the order of business.

**Alain Lamassoure**, *Chairman of the Committee on Budgets*. – (FR) Mr President, as regards the two reports on the use of the Globalisation Adjustment Fund for the benefit of the telecommunications industry in Germany and the Solidarity Fund for the tragedy which occurred in Abruzzo in Italy, the Committee on Budgets adopted the four reports at the beginning of the week, but not in time for translations to be prepared. I merely wished to correct what you said: these reports have been adopted in committee. There is no legal obstacle. They were even adopted unanimously.

**President**. – Thank you for that comment. It is a pertinent comment. Nonetheless, these reports are not on the order of business, because they have not yet been translated. There was not enough time. I share your opinion entirely. I am sorry. I went too far in what I said.

Before Mr Lamassoure's statement, I made two proposals for changes. The first was for the Council statement on the situation in Guinea to be placed on the agenda as the second item. The second was about voting on motions for resolutions on passenger compensation. I would like to ask if there are any motions on these matters? We do not want to confuse items.

**Barbara Matera (PPE)**. – (IT) Mr President, ladies and gentlemen, as a member of the Committee on Budgets, and also speaking on behalf of Mr La Via, I would like to take the floor briefly just to express our disappointment over the postponement of the vote on mobilisation of the Solidarity Fund for the Abruzzo region. The vote has been postponed by two weeks and will take place during the part-session in Strasbourg.

Although we realise that there are technical reasons for it, we also understand that some people are still living in tents – and L'Aquila and its region, Abruzzo, are some of the coldest areas in Italy.

We simply wish to emphasise the importance of changing and streamlining the procedures for mobilising this fund.

**President**. – We must act in accordance with the Rules of Procedure. It was difficult to do the translations in such a short time, and the rule which we apply in such a case is deferral of the matter. I am also very sorry about this, but I would like us to proceed and work through our agendas item by item, because otherwise we will end up with enormous confusion.

A moment ago, I asked about two things: the Council statement on the situation in Guinea, and voting on motions for resolutions on passenger compensation. Are there any questions about this?

There are no questions. The discussion is closed.

*(Parliament accepted these proposals)*

**Gianni Pittella (S&D)**. – (IT) Mr President, my apologies for going back to the subject of Abruzzo. It is true that we all have respect for people who have suffered an earthquake, but we cannot celebrate only when things happen and not respond when it is within our means to do so.

I agree with Mrs Matera and call on the Chamber, which remains sovereign, to approve the release of the Solidarity Fund, without translation if necessary. I do not believe that problems of this type should exist when we have tragic situations to deal with.

*(Applause)*

**President**. – Colleagues, those remarks were very important. We must overcome these difficulties. I will ask the services whether it is possible to deliver some crucial translations by tomorrow, and then we can vote tomorrow as well. It is a very urgent decision.

*(Applause)*

It is, of course, against our rules, but I think this time we should do it, so it will be organised.

\*  
\* \*

In connection with the Commission statement on freedom of information in Italy, I have received a request from the Group of the European People's Party (Christian Democrats) for this item to be withdrawn from the order of business.

**Joseph Daul**, *on behalf of the PPE Group*. – (FR) Mr President, on behalf of the Group of the European People's Party (Christian Democrats), I call for Parliament to make a statement on the withdrawal of the debate on freedom of the press in Italy and then on the vote on a resolution on the same subject. Every person of good faith knows that my group, the PPE, is deeply attached to the defence of freedom of expression and the freedom of the press.

(Protests)

(Applause)

Please respect my freedom of speech. I have always respected it in this House and I have always respected my fellow citizens here in Parliament.

(Applause)

That is why we did everything we could for the Charter of Fundamental Rights to become binding under the Treaty of Lisbon. However, the debate scheduled for tomorrow only targets one country and does not cover the question – on which we are prepared to have an in-depth debate – of freedom of the press in Europe. The PPE refuses to allow this Parliament to become a place in which purely national political accounts are settled, which is what we shall witness tomorrow if this debate goes ahead.

(Protests)

(Applause)

So yes to the defence of the liberty of the press in Europe, but no to this Parliament being used for purely partisan and national ends. I shall repeat tomorrow, as you will see, what was said by President Napolitano, who is a man for whom I have a great deal of respect, because I have worked a lot with him, as you will see tomorrow.

**Francesco Enrico Speroni**, *on behalf of the EFD Group*. – (IT) Mr President, I do not have much to add to the proposal made by Mr Daul in his speech. We all love freedom in its various forms, including freedom of expression and press freedom in the broadest sense, in other words, not only the written press but also television and other media. It is therefore right that we defend it and support it.

It is not right, however, to exploit the situation by pointing the finger at just one set of circumstances, because anyone in Italy who logs on to the Internet, goes to a news-stand or watches the TV, can see that freedom of the press is under no threat whatsoever. To sum up, if you really wish to accuse someone, use Rule 122 of the Rules of Procedure and Article 7 of the Treaties and have the courage to follow it through to the end.

**Martin Schulz**, *on behalf of the S&D Group*. – (DE) Mr President, Mr Daul is quite right in what he has just said. Yes, it is true that Mr Daul is someone who respects all aspects of the freedom of expression. He is well-known for this. However, there are clearly some people in Europe who do not respect the freedom of expression to the same extent as Mr Daul does, but instead have a different understanding of the freedom of expression. That is why we need this debate.

We therefore believe it to be appropriate, given the debate that is going on in one of the Member States, namely Italy, although not only on account of the Italian situation, but on account of the question of whether, as a result of the concentration of economic, political and media power to an extent the like of which we have not known in Europe before, freedom of expression poses a risk to democratic development in Europe. That is precisely the point that we want to discuss. We should therefore do that and reject the motion proposed by Mr Daul.

(Applause)

*(Parliament rejected the request)*

**President.** The Commission statement on freedom of information in Italy shall remain on the order of business.

I have received another request from the Group of the European People's Party (Christian Democrats) that the debate not be wound up with the tabling of motions for resolutions.

**Daniel Cohn-Bendit**, *on behalf of the Verts/ALE Group.* – (DE) Mr President, Mr Daul, we are a parliament that should, quite rightly, vote on and take responsibility for providing money for the people in Abruzzo as quickly as possible.

We are also a parliament with a responsibility. When we debate something, we must subsequently vote on a resolution so that the debate serves a purpose. We are therefore in favour of adopting a resolution after this debate.

*(Applause)*

**Mario Mauro**, *on behalf of the PPE Group.* – (IT) Mr President, I wish to speak in support of the motion for there not to be a resolution because I heard Mr Schulz say something which, in my view, is very important: if we really want this debate to encompass 'Europe' and not just Italy, there is no point then voting on a resolution entitled 'Freedom of information in Italy'.

Let us, in any case, have the debate tomorrow: subsequently, we will find the time and the means to address the issue in the context of Europe and vote on a resolution on the freedom of information in Europe.

*(Parliament rejected the request)*

\*  
\* \*

*(The order of business was thus established)*

### 13. Voting time

**President.** – The next item is voting time.

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

#### 13.1. Proposal for a decision (B7-0079/2009) - Setting-up and definition of powers, composition and term of office of special committee on the financial and economic crisis (vote)

– *Before the vote:*

**Eva Joly (Verts/ALE).** – (FR) Mr President, we wish the following phrase to be added to point A:

'as well as on the developing countries', so that this reads 'to analyse and evaluate the extent of the social, economic and financial crisis, its impact on the Union and its Member States, as well as on the developing countries'.

*(The oral amendment was rejected)*

**Eva Joly (Verts/ALE).** – Mr President, we also want to include a reference to 'development cooperation' so the sentence reads: 'To analyse and evaluate the current implementation of Community legislation in all the areas concerned, including development cooperation'. We thought that the developing countries' point of view was not reflected within the mandate.

*(The oral amendment was rejected)*

## 14. Explanations of vote

– *Written explanations of vote:*

### **Proposal for a decision: Setting-up and definition of powers, composition and term of office of special committee on the financial and economic crisis (B7-0079/2009)**

**William (The Earl of) Dartmouth (EFD)**, *in writing*. – The Governor of the Bank of England (Mervyn King) has stated, and I believe correctly, ‘Banks are international in life but national in death...’. It is national governments and national taxpayers who pay when banks have to be bailed out. It follows therefore that banking supervision must be carried out on a national basis and not via the EU. This is why I voted against the setting-up of an EU special committee on the financial and economic crisis.

**Maria Da Graça Carvalho (PPE)**, *in writing*. – (PT) Setting up the special committee on the financial and economic crisis as a body to analyse and evaluate the coordination of the measures taken by the Member States to support sustainable qualitative growth is crucial. It is essential to analyse and evaluate the extent of the social, economic and financial crisis, but also to propose appropriate measures for the long-term reconstruction of sound, stable financial markets able to support sustainable economic growth which can combat unemployment and respond to demographic and climate challenges.

It is crucial to support the involvement of universities, representatives of the scientific community and researchers as strategic partners. This partnership must be promoted, since it will be decisive for us to be able to tackle both the economic crisis and unemployment problems in the short term, as well as to find long-term solutions to deal with the problem of climate change, by developing and using clean forms of energy.

**Diogo Feio (PPE)**, *in writing*. – (PT) Setting up the special committee on the financial and economic crisis may prove to be crucial in preparing for the future of the EU. This future could not be achieved by discussing and proposing measures alone, but also by devising mechanisms that can be implemented to avoid us facing a similar situation in the not too distant future. It is therefore vital to learn the lessons of this crisis by examining its causes and consequences. It is also important to correct the failings of the financial system that led to the current situation by adopting better legislation that is duly justified.

We cannot run the risk of creating a regulatory environment that is so strict that it could result in recovery being delayed further, or the EU turning into an unattractive financial market, in a climate of strong competition.

This committee could also continue longer than the planned 12 months so as to be able to monitor and assess the measures that will be adopted in the current crisis.

**Petru Constantin Luhan (PPE)**, *in writing*. – (RO) I support this measure and I am fully confident that this committee will conduct an appropriate analysis of the scope of the financial crisis which has affected every Member State, and that it will put forward expert recommendations contributing to the European Union's economic recovery. However, I was unable to vote on this proposal as I had a problem with my voting card.

**Franz Obermayr (NI)**, *in writing*. – (DE) Overcoming the current financial crisis and its impact on EU Member States' economies and, ultimately, social areas, requires intensive joint efforts. The decision of the Conference of Presidents of 17 September 2009 to use a special committee to carry out a structured analysis and to draw up proposals for appropriate measures for the maintenance of sustainable, crisis-resistant financial markets is worthy of support. However, on a critical note, it must be said that more than 12 months have now passed since the appearance of the first symptoms of the crisis last year and the onset of the crisis itself at the start of this year. The measures that have since been introduced must be seen primarily as symptom control and emergency measures for safeguarding jobs. In support of this motion, it has to be said that particular attention has to be paid to coordinated and targeted measures as, with all due regard for the principle of subsidiarity, individual solutions will ultimately lead once again to distortions of competition.

## 15. Corrections to votes and voting intentions: see Minutes

## 16. Outcome of the referendum in Ireland (debate)

**President.** – The next item is the Council and Commission statements on the outcome of the referendum in Ireland.

I should like to welcome the Prime Minister of Sweden to the House today, who is representing the Swedish Presidency. We are very happy to have you with us, but there was a problem of formalities. I am very sorry about that.

President Barroso, it is great that you, too, are with us at such an important moment for our European Union. Thank you very much.

You can see how difficult it is sometimes to go through all the formalities, but we are a very democratic institution, as you can see. It is always necessary to go through everything in order. Then everything is OK and we can agree.

We shall now go to the main item on this afternoon's agenda. It is very important for us to have you in the Chamber to discuss such an important topic.

**Fredrik Reinfeldt, President-in-Office of the Council.** – Mr President, I am very grateful to be here today and to have the opportunity to address the European Parliament so soon after the positive result in the referendum in Ireland. I pay tribute to Brian Cowen and his associates; I also say to all of those who have been engaged in the campaign, whatever their party or background, who contributed to this successful outcome: thank you for all your efforts. This was a good decision for Ireland; it is a good decision for Europe.

I think that we can say that Europe has listened to the criticism; I know that the legal guarantees offered by the European Council were decisive in the referendum campaign. I can also say that the French and the Czech Presidencies made efforts that were crucial to find a way to meet the concerns of the Irish people. I think we should also say that it was very positive to have the very strong majority that was shown in the referendum, a convincing majority of 67.1% and with a high turnout, as high as 59%. So, all of this is very good news for Europe.

And, of course, I do not have to explain to this Parliament the need to put the Lisbon Treaty in place. It will allow you to be more democratic, to be more efficient, and to be more transparent. It will, in fact, increase the influence of the EU in the international arena and make us stronger in meeting global challenges, and I know that you in this Parliament will also be given a more significant role in the overall decision-making process. I welcome this development. Therefore, it is very important to put this Lisbon Treaty into force.

The European Council is united in its wish for the Treaty to enter into force by the end of this year and the end of the Swedish Presidency. With the number of countries that have ratified it – we are now at 24 with full ratification – country number 25 might actually be Poland, given the signals that we are now getting from the Polish President. I spoke on Saturday, after the referendum result from Ireland was known, with the Taoiseach Brian Cowen, who said they would need a couple of weeks to secure full parliamentary ratification, and therefore we can also say that country number 26 will finally be Ireland. That leaves us just the Czech Republic to have the full 27 ratifications. To that end, we have had a meeting with the three institutions here in Brussels today: the Presidency, the head of the Commission, Jose Manuel Barroso, and the President of the European Parliament, Jerzy Buzek. The Czech Prime Minister, Jan Fischer, was also with us and we tried to assess this situation. You might know that 17 senators have appealed to the Constitutional Court in the Czech Republic with a complaint concerning the Lisbon Treaty, to see if it is in accordance with the Czech Constitution. Jan Fischer told us that this is an independent court which is now working quickly to take the decision whether or not to bring up this petition. We do not foresee today an exact date when they will give this decision, and we are, of course, awaiting that signal. We hope to see it in just a week or a couple of weeks. That is the message from the Czech Republic today: an independent court taking a decision in maybe a week's time, or it may be two weeks before we know how they will proceed.

As President of the European Council, I am responsible for moving the work of the Union forward. I strongly feel that we have no time to lose. Therefore, I have decided that while awaiting the clarifications in the Czech Republic, firstly we will continue the preparations for the entry into force of the Lisbon Treaty and secondly, when there is clarity on when the Lisbon Treaty will come into force, when there is clarity, I will begin consultations on the nominations of the new President of the European Council and the High Representative and Secretary-General of the Council. Preparing this will not only be a matter for the Presidency: this is a matter for three institutions at the same time. I will therefore say that it is very important for us to work

closely and constructively together with the Commission and the European Parliament in this process. I will again renew my offer to this Parliament to cooperate when we are making our efforts to get the Lisbon Treaty finally in place.

Let us also remember that despite these institutional matters, this Swedish Presidency – and this autumn – is, of course, very much influenced by the need to move on climate change, the need to move on the financial crisis, the worry in Europe that we need a policy for job creation – a lot of important matters that need to be addressed. That sums up for us the need to be active, to put in place the Lisbon Treaty, as I have just said, and to stay active as a Presidency on these very important matters for our voters.

**President.** – Prime Minister, thank you for your very clear message regarding all that is going on after the vote in Ireland, and also for the very clear message on cooperation between the European Parliament and the Presidency of the European Council. We have just started discussions with Mrs Malmström, a former Member of the European Parliament, whom we remember very well. Thank you very much for your proposal and very clear message.

**José Manuel Barroso, President of the Commission.** – Mr President, the Irish people took a very important and historic decision last weekend: a very important decision for Ireland; a very important decision for Europe. The Irish people, by a resounding majority, recognised the importance of the Lisbon Treaty, a Treaty that offers a more democratic and effective Europe, a Treaty that gives us the right platform to deliver the modern, successful European Union our citizens wish to see.

The Treaty now has the democratic endorsement of all 27 Member States. All the Member States of the European Union, by parliament or by popular vote, have approved the Treaty.

This is indeed a major achievement. It shows how the enlarged Europe is able to share a vision for our future and a determination to move forward. It was decided democratically. Now what we need is the ratification procedures to be concluded.

I am pleased to see that President Kaczyński of Poland will be signing very soon. As he has always said to me, he will be ready to do it when the Irish have voted 'yes'. This is indeed very good news.

Of course, we have to see the completion of the process in the Czech Republic. We need to respect the constitutional proceedings in that country, as we have done in other countries, but once these procedures are concluded, I see no reason why proceedings cannot be concluded swiftly.

This is important for Europe as a whole, but it is particularly important for the Commission. I want to see the new Commission in place, a Commission in accordance with the Lisbon Treaty, and I want to see it in office as quickly as possible. A long period with a caretaker Commission is in nobody's interest. I am ready to start the formation of the next Commission as soon as the Council is ready to clarify the legal basis definitively, and also to nominate the High Representative who will become Vice-President of the Commission.

I appreciate all the efforts made by the Swedish Presidency, and personally by Prime Minister Reinfeldt, to reach a swift conclusion to all these processes. The initiative that Prime Minister Reinfeldt took today at a meeting with me and with you, President Buzek, and the video conference with Prime Minister Fischer, was a very good and useful initiative.

I also know that this Parliament has worked tirelessly to promote the Lisbon Treaty. Parliament and Commission have worked hand in hand to explain why it is the right treaty for Europe. I am proud of the role that the Commission played in giving the Irish people the information they needed to make up their minds.

Now that we have a real probability of having the Lisbon Treaty finally ratified and the whole process completed, we can turn our attention to the work to implement the Treaty. I would like to take this occasion to highlight four areas where we are working hard to ensure that we can hit the ground running when the Treaty comes into force.

One of the most important and the most complex has to be the innovations regarding the European External Action Service. We have been working hard to think through some of the practical details of how we can make the European External Action Service a real success. This work will now accelerate and, in the same spirit as the remarks made just now by the Swedish Presidency, I want to state the European Commission's determination to work with Parliament to achieve that objective.



I know that Elmar Brok has been leading on this subject here in Parliament. I understand that you will debate this at the next plenary. This is excellent timing since this will take place shortly before the same question is discussed at the European Council. I think that report is an excellent basis for discussions between our institutions, and I welcome the strong Community spirit that inspires the report. This is exactly the spirit that I will uphold in the preparation for the important innovation that is the European External Service.

Another point is comitology. It is an important aspect of how the European Union does its business. The Treaty of Lisbon introduces new rules making the system more rational and transparent. We need to fix exactly how the new system should work. But let me be clear: many of these decisions are of great political importance and deserve proper democratic scrutiny and real political ownership. So we need to maintain the strong role played by Parliament today.

Another important democratic element is the new mechanisms to allow national parliaments a direct say on subsidiarity. We need to put these mechanisms in the broader context of the excellent relations with national parliaments built up by the Commission, and indeed the European Parliament, over the last few years.

Finally, I would like to mention the European Citizens' Initiative. This is one of the most striking innovations on the Treaty's democratic agenda and one on which this Parliament has already worked in detail. Margot Wallström has been leading our work in developing a green paper to launch a consultation as soon as possible, with the goal of seeing this opportunity in citizens' hands within a year of entry into force.

When I spoke to this Parliament last month, I set out what I saw as the greatest challenges and the great opportunities facing Europe today. With the Lisbon Treaty, we will have the right springboard to help us make those goals a reality, and I am sure that with this constructive partnership between our institutions, we will make it a success. That is the commitment of the European Commission.

**President.** – President Barroso, thank you for your speech, and for your readiness to cooperate in the implementation of the Lisbon Treaty.

The cooperation between Parliament and the Council during the videoconference with Prime Minister Jan Fischer of the Czech Republic was also excellent, so thank you once again, Prime Minister Fredrik Reinfeldt, for organising that video conference.

**Joseph Daul, on behalf of the PPE Group.** – (FR) Mr President, ladies and gentlemen, with their frank and resounding 'yes' last Friday, the Irish not only said 'yes' to the Treaty of Lisbon; above all, they said 'yes' to Europe as an area of solidarity and shared values. They expressed their deep attachment to a Europe that influences globalisation without suffering it, a Europe that shares with its partners its choice of society and its choice of a social market economy.

On behalf of the PPE, I am delighted at this vote, which shows that, when a nation is consulted on what really matters, such as the principle of belonging to the European Union, it replies to the question put to it and does so with conviction.

On Friday, our Irish friends answered the question of whether they were in favour of the Treaty of Lisbon and, if not, whether they were prepared to question their country's membership of the European Union. They gave an unequivocal and resounding yes to this question. That proves just one thing: that Europe is seen for what it is, namely a protective element, a reassuring zone of stability, peace and the rule of law.

I believe that the Irish vote will have an important impact on the way in which we build Europe, especially in the months to come, inasmuch as it proves the deep attachment of our peoples to the values which Europe represents. The Irish vote encourages us in our European action and, at the same time, it links us. It encourages us, because this is the first time in a long time that a European nation has expressed with such force its will to participate in the European adventure despite – or rather because of – the crisis. It also links us, inasmuch as we have an obligation to satisfy the demand for solidarity which was largely behind the Irish 'yes'.

This is precisely, to come back to the European institutions, what the Treaty of Lisbon will allow us to do. This treaty will allow Europe to be more efficient by making the unanimous vote, which is often paralysing, the exception, and the majority vote the rule.

It will allow it to be more identifiable by creating a standing Presidency of the Council to replace the current revolving Presidency and will give greater weight to our High Representative for foreign policy. Europe needs one face, both for our fellow citizens and for our international partners.

Finally, the Treaty of Lisbon will make Europe more democratic, by giving far greater weight to this Parliament and also by giving the national parliaments and the citizens a greater say in European affairs. On Friday, the Irish were the last nation to express a positive view on the Treaty of Lisbon. All the other nations have already done so, either directly or via their respective parliaments, including in Poland and the Czech Republic.

I therefore call on the presidents of these two countries to proceed without delay with formal signature of the Treaty, so that the 27 can move forward and implement it by no later than the start of 2010.

May I say in particular to President Klaus that the 67% Irish vote should encourage him to sign the treaty when the time comes. On behalf of the PPE, I call on him to behave responsibly, as I am sure he will.

The time has come for Europe to set institutional questions aside and dedicate itself to what really matters to the 500 million Europeans: the social market economy, energy, the climate and security.

My thanks to Mr Reinfeldt and Mr Barroso for their proposals. You can count on the PPE to help work progress quickly.

**Martin Schulz**, *on behalf of the S&D Group*. – (DE) Mr President, we are discussing the result of this referendum. A great deal has been said about the institutional aspects and I have nothing to add to what Prime Minister Reinfeldt said. I think it is a good thing that he is not going to act hastily but has said that we are waiting, as we are not at the finishing line yet; we still need to go through the final stages of this ratification process before we can answer institutional questions.

Like the rest of us, Mr Barroso, you were very pleased. Your joy must have been a little dampened on Sunday evening, as the 382 votes that you received included 55 votes from members of a group whose objective it is to prevent the Treaty of Lisbon entering into force. When you are rejoicing over Lisbon, you need to bear in mind that you were supported by people who want precisely the opposite of what you are striving to achieve. Think about that, and let us base your majority on a pro-European majority in this House.

(Heckling)

When we talk about the result of this referendum, Mr President, it is, however, about something quite different. It is not about institutional games that are now to be played. It is not about how majorities in this Parliament are made up, but about something much more fundamental and that is what we need to say to the President of the Czech Republic. The 27 Member States of the European Union have a total of 500 million inhabitants. China has 1.3 billion inhabitants. India has 1.1 billion. These two countries together represent a third of the world's population! These countries now sit round the table in the G20 talks. The largest EU Member State involved in the G20 sits there representing an economic potential of only 82 million people.

There are two options open to us. The Treaty of Lisbon is not – as Mr Klaus has claimed – about making the Union a strong force against the Member States, but about something completely different. It is about making the Union a strong global partner in order to strengthen the individual Member States. That is the explicit goal of the Treaty of Lisbon. This treaty, on the contrary, serves the interests of the small Member States of the EU in particular. A country with a population of 10 million – let us take your country for example, Mr Barroso – compared with Brazil, Portugal no longer has the position it had in the 19th century. It is clear that, in the 21st century, Brazil is the stronger country. Like all European states, Portugal needs the Union so that we can be strong together. When it comes to climate change, the financial crisis, global disease control, when it comes to combating hunger in the world, securing peace, preventing wars over resources, then Europe will only be able to endure as a unified bloc and it will founder if it splits into its individual parts.

That is why the question that we must put to President Klaus is this: in weighing up the responsibility that he is taking on, is it possible for an individual – who admittedly is making use of his constitutional right, that I cannot argue with – to be able to shoulder this responsibility alone when all of the other governments and parliaments, and now also 67% of the people of Ireland who have said 'yes', are of a different opinion?

We need to ask Mr Klaus a question. Is he fully aware that this continent has reached a crucial turning point, in other words, it is decision time with regard to whether unity makes us strong or whether going it alone will weaken us all. That is the crucial question.

So, yes, it was a good day for Europe, and the day on which this treaty is finally ratified will be an even better day. Mr Klaus should accept his historic responsibility and sign this treaty.

**Guy Verhofstadt**, *on behalf of the ALDE Group*. – Mr President, last Friday was a really historic step: 67% of the votes. You can change all the constitutions in Europe with a two-thirds majority; I think a two-thirds majority is also necessary in Sweden.

We have to thank Brian Cowen. I also especially thank Pat Cox, who did a great job, and all pro-Lisbon Irish MEPs because they conducted a tremendous campaign in favour of the Treaty. So I am happy. The reason is that we started this whole exercise in the aftermath of the Nice Treaty, with a declaration in Laeken, and it has taken eight years – so I promise not to restart this whole process, Mr President.

With this Irish 'yes', all the citizens of Europe, directly or indirectly, by a referendum or by their parliaments, have said 'yes' to the Lisbon Treaty. That was also a message to the Eurosceptics who were always saying 'no – the people are against Europe, against the European institutions'. Sixty-seven per cent of the Irish population: what we saw on Friday is a clear message to the Eurosceptics.

We have to ask everyone to take his or her responsibility so the Lisbon Treaty can enter into force as quickly as possible. Now is the time to bring this process finally to an end. With this Irish 'yes', we know that the Lisbon Treaty will be brought into effect; we know that, because it was the last hurdle. However, we do not know when it will come into effect, and I think that is the problem we have to discuss this afternoon. What do we do in the meantime?

We know that we have to wait until the Constitutional Court of the Czech Republic has spoken. As you said yesterday in *Le Monde*, in the worst case scenario, we still have a few months to wait and I think that nobody in this House can tolerate the fact that the Union will be a lame duck in the months to come. We can accept that the Commission will be dealing with current affairs because after 31 October, it should be dealing with current affairs. We need action and we need action urgently. Therefore, Mr Reinfeldt, President of the Council, my invitation to you is to initiate, as fast as possible, the procedure for the nomination of the Commission.

Three weeks ago, we voted for the President of the Commission with the argument that the current crisis does not allow us to postpone a decision. That was your argument. So the same argument applies now to the nomination of the Commission. It is not necessary to wait: a new Commission is possible with the present treaty, with the present status for the High Representative and then, once the Lisbon Treaty is ratified, you can smoothly install a High Representative with another statute and a President of the Council. There is really no reason to wait to proceed with the Commission.

This was also the aim of the President of the Commission if I understood him correctly when he spoke a few minutes ago. I fear that I hear you saying 'No, I am waiting; I am waiting because I want a global package, a global package including the President of the Council'. I say that is not a problem: prepare your global package. Prepare it now, and the decision on the Council President can be as political as the decision that you took on Mr Barroso the first time. You presented him as a candidate by a political decision, not a formal decision, because we asked to formalise it afterwards. You can do exactly the same with the President of the Council and then, once the Treaty is ratified, you can formalise the whole package. Then you change the statute of the High Representative: he becomes Vice-President of the Commission. At the same time, the political decision that you take on the President of the Council now can be put into practice; you can then formalise it.

That is the best way, the best pressure that you can put on those other countries that have to sign: formalise it, because they know that we want to go forward. And we still do not have to wait for several weeks and months. In any case, you have said that there is no time to waste. I agree with you: there is no time to waste with this current economic and financial crisis.

Put the Commission together now, as fast as possible. Convince your colleagues in the Council and take your decision on the High Representative on the basis of the present Treaty. Pick one of the candidates – I have seen there are enough candidates – for the President of the Council and go forward with it.

**Daniel Cohn-Bendit**, *on behalf of the Verts/ALE Group*. – (FR) Mr President, ladies and gentlemen, I think that we have to learn a clear lesson from what happened in Ireland.

The Irish, as Guy Verhofstadt said, returned a 67% vote, which is a large majority, because reality caused them to see clearly. The reality of the crisis, first of all, in which they felt that they needed Europe. However, they also felt that this vote actually implied – as Joseph Daul rightly said – that either they said yes or they started an exit process. What needs to be understood is that referendums in Europe only make sense if they have consequences. If it is a game, a whim, you can say no, but it is business as usual. So you react depending on your mood.

I believe that the debate on Europe needs to continue. We need to arrive at a European referendum, where all Europeans vote on the basis of a qualified majority and those who say no need to say if they respect the vote and are staying in or if they are out. If the English believe that this remark is directed at them, they are not wrong, because we need to put a stop once and for all to a Europe which can be the victim of blackmail. A democratic space cannot live with blackmail and if we do not manage to resolve this problem, I think that the European democratic space will not work.

The second thing which we need to understand clearly is the situation we are in. Guy Verhofstadt said two or three things on this subject, but what frightens me is that, for Mr Barroso, there has been a public debate. We did not win, we lost, that is life, but there was a real public debate. Then there was a confrontation and the majority won.

Mr Schulz, you should not always point the finger at others. If all the socialists had voted with us against Mr Barroso, there would have been no majority. That too needs to be said; you cannot just say one thing or the other. That is life; that is how it is. Yes, it is true, Martin, you like blaming others, but once in a while, the social democrats should take responsibility for their defeats, otherwise we shall never win.

I should like to say something now about the process and here I disagree with you, Mr Reinfeldt. We are going to have a President of the European Council. I do not want this to be a *coup d'état*. All of a sudden, at the last minute, you are going to propose someone and, within a week, the decision will have been taken. I think that Europe is entitled to a public debate, that all the states should be entitled to give an opinion on your proposals. Be it Mr Blair, Mr Balkenende, Mr Jean-Claude Juncker or Mr Guy Verhofstadt, I think that we are entitled to a public debate. It should not be the governments which decide on the President of Europe, behind closed doors, at the last minute.

The reason I say this is because everyone knows that, today, public opinion is not in favour of Mr Blair, everyone knows that it is unfair for Jean-Claude Juncker not to have a chance simply because Mrs Merkel and Mr Sarkozy are against him. That is not a public democratic debate. We need to put everything on the table and then you decide. The same thing applies to the High Representative. Put your proposals on the table.

I have one thing to say to you. Mr Barroso is correct and Mr Verhofstadt is correct in this instance. You made us elect Mr Barroso by saying that it was urgent and now you are going to have a 'lame duck' Commission which will just keep going until a decision can be taken. It all depends on the Czechs.

However, there is another consideration. We proposed extending the entire Commission, including Mr Barroso, precisely so that it would be able to conduct the negotiations for Copenhagen on a full-time basis. I think it unacceptable not to launch the Commission procedure straight away, by putting the names on the table. Mr Verhofstadt made a good proposal: if the Czechs do not state their position, then the Czechs will have no commissioner, because under the Treaty of Nice, the number of commissioners will have to be reduced. If the Czechs state their position before the end, things will be done within the framework of the Treaty of Lisbon and they will have a commissioner. Everything needs to be put on the table.

To close, I should simply like to say one thing. We should continue the debate after the Treaty of Lisbon. The Treaty of Lisbon is not the end of the story. The constitutionalisation of Europe cannot stop with the Treaty of Lisbon. If we do not have the courage to continue this debate once the Treaty of Lisbon is in place, I think that we shall miss a serious rendezvous with history, Europe's rendezvous.

**Timothy Kirkhope**, *on behalf of the ECR Group*. – Mr President, I spent most of my early political years fighting against dangerous individuals like Mr Cohn-Bendit. I really was quite alarmed a moment ago that I was actually agreeing with one or two bits of his speech, and I was only saved by the fact that in his final remarks I was able to be totally opposed to him again. I want to be quite consistent about my position, speaking as leader of the British Conservatives in the European Parliament. For those of us who support the principle of the nation states coming together to cooperate freely in Europe, the progress of the Lisbon Treaty perhaps should not be such a cause for celebration today.

The tragedy of our Union is that, through too many people's eyes, it has become an elitist project, pushing its ideology onto an increasingly sceptical public, according to Eurostat information. You lose one referendum so you call another to get the result you want. If the term 'constitution' proves unpopular and unacceptable, it is given a fresh wrapping so that past rejections can be ignored. If the promised referendum looks unwinnable it is cancelled without apparent shame or embarrassment. In the UK, all political parties, including a government in office, pledged the British people that they would be consulted on the future of Europe. The

Socialists and the Liberals reneged on their promise. Such political tricks may secure short-term advantages but we should regret the fact that the peoples of Europe have hardly had their faith in their politicians enhanced by such cynical manoeuvres.

We in the ECR want a Europe built on the secure foundations of popular support and the democratic legitimacy offered by the institutions of its nation states. But the Lisbon Treaty is, in our view, still a step in the wrong direction. By opening the door to a supranational foreign and security policy, by giving more power to European institutions and abolishing national vetoes in policy areas crucial to our states, the Treaty takes a dramatic step towards the superstate feared by many. The peoples of Europe do not want a Union of ever closer centralisation, a Union that increases its powers at the expense of its Member States, a Union which is remote from their daily concerns. However, they do want a Europe of diversity, a Europe where the different cultures and ways of life combine, where added value can be achieved. They want a reformed Union, a more accountable, transparent, democratic Union which delivers value for money in those areas in which it has delegated responsibility, a Europe closer and more relevant to the people.

The Lisbon Treaty has therefore been a missed opportunity. I served in the Convention following the Laeken Declaration, which I much supported, a Convention which drafted the original constitutional text. I know the details well, the good points as well as the bad. The UK Conservatives have been consistent. We believe that the Treaty as it has turned out will not take things forward in the interests of the people. And we in the ECR will continue to fight for our vision of the European Union, a vision in tune with the hopes and aspirations of the peoples of Europe. We will continue to argue for a European Union fit for the purposes of the future, not the past, and for a European Union which rests securely on the support of its peoples and not only the priorities of any elite. We should all reflect on that.

**Lothar Bisky**, *on behalf of the GUE/NGL Group*. – (DE) Mr President, ladies and gentlemen, my group has always advocated mandatory referendums on the Reform Treaty throughout Europe. Voters in Ireland were the only ones with the opportunity to make their decision directly a year and a half ago. If we want the people to decide, then we must accept the result, even if we do not like it.

The government in Ireland went against the principle of democracy and conducted a second referendum, partly as a result of pressure from other Member States. Now they have the result they wanted. We on the Left abide by the principle of democracy, but our concern over the political orientation of the EU remains. The number of 'no' votes in Ireland indicates that we are not the only ones with this concern.

Our three main points of criticism are, firstly, that the previous policy of liberalising the financial markets, tax competition, decoupling of financial policy from economic policy and the dismantling of the social state contributed to the economic and financial crisis. As a result, this policy has led to an increase in poverty and inequality in Europe. Other than declarations of intent, very little has happened so far in terms of the regulation of the financial markets. On the contrary, while the unemployment figures are rising, the big banks are once again expecting large profits. The Treaty of Lisbon will continue this market economy policy with free competition. This is something that we cannot support.

Instead, we call for a fundamentally different approach to tackling social challenges. Our aim is the introduction of a social progress clause with minimum wages applying throughout the EU – the same pay for the same work in the same place. We must combat wage dumping.

Our second point of criticism is that the call for the Member States to gradually improve their military capabilities is incompatible with the aims of the Left, as is the entrenchment of a European armaments agency in primary European law. We will not support global military missions in order to assert our own interests. We do not want this kind of treaty; we want a treaty of disarmament rather than armament. It is paradoxical to be referred to as an opponent of Europe for this reason. Anyone in Europe who is in favour of armament is classed as a friend of Europe, but anyone in Europe who is in favour of disarmament is classed as an enemy of Europe. That is politically absurd!

So, the referendum in Ireland has taken place and, even if it did not turn out exactly as we would have wanted, we on the Left will continue to work to achieve more direct democracy in Europe.

**Nigel Farage**, *on behalf of the EFD Group*. – Mr President, well, it is all terribly simple really, isn't it? We have had one vote against the Treaty in Ireland and one vote for the Treaty in Ireland, so if we have any sort of sporting sense, we ought to make this the best of three; but the difference is that with a third referendum, let's make it a free and a fair referendum. Because what has happened in Ireland most certainly is not that! In fact, I hope you are all very proud of yourselves because what you have done is you have taken the littlest

boy in the playground, got him into the corner and given him a good kicking. This is a victory for the bully boys; it is a victory for big money and a victory for bureaucrats. The whole thing was a travesty!

(Heckling)

Oh, so you respect this vote, do you? You did not respect the last vote, did you? The European Commission poured in millions of pounds of taxpayers' money – well, pounds or euros, it doesn't matter, though it does in our case because we have still got the pound, thank God! – you poured in millions. Something like a factor of between 10:1 and 20:1 was the outspending of the 'yes' side to the 'no' side. The Referendum Commission in Ireland did not do its job, did not tell the Irish people that of course, the Lisbon constitutional treaty has profound impacts on their own constitution; and, perhaps worst of all, the Broadcasting Commission in Ireland changed the rules, so there was not equal coverage for the 'yes' and the 'no' sides. The whole thing was an outrage. But what they did campaign on, what you all campaigned on, was 'Vote 'yes' for jobs'. That was what it was all about. Well, hot off the press, folks: Aer Lingus have laid people off today and Intel, the people who put EUR 400 000 into the 'yes' campaign, have laid off 300 people today. One thousand, five hundred and fifty jobs have gone since Saturday; the only jobs that were preserved by the 'yes' vote were the jobs of the political class.

I suspect that it is all over. I suspect that for Ireland, their period of independence will be a very brief one in their history. I do not think that President Klaus will be able to hold out, I hope that he does; he is a fine and brave man. But it looks like we have got the victory of bureaucracy over national democracy. In historical terms, I think Britain now finds herself very alone, perhaps as she was back in 1940, but...

(Mixed reactions)

...there is a real debate, there is a real debate here. What is the point of having a Conservative Prime Minister if Mr Blair becomes the overlord? What is the point of a Foreign Secretary if we have got an EU foreign secretary with his own diplomatic service? What is the point of any of it? As far as I am concerned, this Irish referendum begins the real debate. There is no more pretending: if you want national democracy, you cannot remain a member of this European Union, and we will campaign for Britain to leave and to leave as soon possible.

**Andrew Henry William Brons (NI).** – Mr President, yesterday I asked Mrs Wallström, the Vice-President of the Commission, whether the Lisbon Treaty was essentially the same as the Constitutional Treaty that it replaced. She said the changes were those required by the British Government and they involved changes in names and symbols. She did not use the word 'only' but she might easily have done.

The Constitutional Treaty had already been rejected by the electorates of France and the Netherlands, and the United Kingdom was due to hold its referendum. It would certainly have resulted in a rejection. It is clear that the replacement of the Constitutional Treaty by the European Reform Treaty was carried out at the request of the British Government to enable them to renege on their pledge to hold a referendum.

The substance would remain the same, but the names and symbols would be changed as part of a thoroughly dishonest claim that the treaties were different and a referendum would not be necessary. How can anybody dare to call this trickery and this dishonesty any kind of democracy?

**Fredrik Reinfeldt, President-in-Office of the Council.** – Mr President, first of all, I would like to thank the group leaders for their comments. I see that many of them want to see some haste in this process, and I can understand that.

I think we should be clear that we are moving into more or less unknown territory. If you look at the legal ground, it was actually foreseen that the Lisbon Treaty should already have been in place from 1 January this year. We are now trying to act flexibly in a new situation arising from the situation in Ireland but also in other countries.

It is often true in Swedish debates that when you make your point you make a reference to democracy. That is good. That is also what I am trying to achieve here. If a new Treaty is to come into force, it is very clear that it has to be ratified by the 27 Member States. That is what we need to have in place and that is why I am so precise in saying that we are now at number 24. There are three countries still outstanding, and the longest wait will probably be for the Czech Republic.

Once the 27th country has ratified, we will move on. Ireland has not ratified. It needs parliamentary ratification before the process is complete. You might say this is easy but you have to be thorough, so you never know. When we have all 27, then the package is clear and we will move over to the Lisbon Treaty.

In doing so, it is also very important to say that all the Treaties we have been discussing have come about by balancing different views, and it is pretty clear that I and others present here need to follow these Treaties. It happens very often that you do something else that is not in line with the Treaties. That is what we are trying to achieve here with the Swedish Presidency.

That is why I am telling you we will try to act quickly on a situation which, at the moment, actually lies in the hands of a Constitutional Court in Prague, Czech Republic. When they give their say as to whether they are going to take up this complaint or not, that is when the Swedish Presidency will give its next reaction to this process. That is democracy at work, because we are following the Treaties precisely and the reactions from these different countries.

My message to you is that with this clear majority, we have to get the Lisbon Treaty in as soon as possible because we believe this will get us a better functioning Europe, but I will do this thoroughly. I will follow the Treaties and also respect the fact that all 27 Member States must ratify before we can make that move.

Thank you very much for your comments, and thank you for your support.

**José Manuel Barroso**, *President of the Commission*. – Mr President, I will just make some comments on the comments made by the group leaders, and I thank all of them for their contributions. These institutional issues of transitions between two treaties are very difficult from a legal and political point of view, and they require wisdom from all institutions. Of course, we would like to have the new Treaty approved as soon as possible. The majority of Members of this Parliament want it, all the governments want it, and the Commission certainly wants it.

The point is, as the Prime Minister has just pointed out, that the Treaty will not be approved before the end of the mandate of this Commission. The Commission's mandate lasts until the end of this month, so we will inevitably have a period where the Commission is a 'caretaker' Commission. That is why I think Parliament took the right decision some time ago in already deciding on the President of the Commission, because that gives the President of the Commission the authority, the political authority, to represent the Commission in very important international obligations. That was a wise decision of the European Parliament.

The important point now is to see how to deal with this transition. Today we have discussed this in the Commission, and our opinion in the College is that we should, if possible, already bring in the new Commission under the Lisbon Treaty. That is our opinion because this is the Treaty we want; this is the Treaty which gives you, Parliament, more rights in terms of the formation of the Commission itself. For instance, the High Representative will be Vice-President of the Commission, and so you will vote on the High Representative. That will not happen if we implement the Nice Treaty, and so it is our opinion that we should, if possible, bring in the new Commission under the Lisbon rules. But that, of course, is a question of wisdom and of timing as well. We have, in the past, namely in the first Commission that I took part in, also started with a prolongation of the previous Commission for three weeks.

So the question is: how long does it take? And that is why I stated very quickly – and Prime Minister Reinfeldt knows what I think about it – that it is one thing to wait for some weeks and another thing to be waiting we do not know until when. That is a question of judgment, political judgment, and I hope the European Council will take the right decisions based on the information we get from our Czech partners. This is the question which has to be decided in the European Council at the end of this month.

Certainly we do not want – I think it is in nobody's interests – to have a Commission that is without full legal competences. It is not in the interests of the Commission and I am sure it is also not in the interests of the European Parliament. That is why I have said I am ready: I am ready to start the formation of the new Commission as soon as we have the legal clarity and the European Council starts the process. For that, I need the Council to take some decisions. I need the European Council to propose a High Representative because the High Representative, according to the Lisbon Treaty, has to be approved by the President of the Commission as Vice-President of the Commission.

Regarding some comments, I want to underline certain points, and to reassure some Members of Parliament. Some of you said that there will be a 'President of Europe'. I am sorry: there will not be a 'President of Europe'. If we have the Lisbon Treaty, there will be a President of the European Council: it is different. There is a President of Parliament, there is a President of the Commission, and there will be a President of the European

Council. It is important to underline that point because sometimes, I think there are ideas about certain *dérives institutionnelles*, and I will not accept, and the European Commission will not accept, the idea that the President of the European Council is the President of Europe, because it is not in the Treaties.

(Applause)

It is not in the Treaties and we will have to respect the Treaties. We have to respect the institutions. There is a President of the European Parliament; there is President of the Commission. If we have Lisbon, there will be a President of the European Council.

It is very important to understand that all our decisions have to be taken in the framework of the current treaties. That is why I now believe that, as soon as the Czechs verify their situation, we should move forward. That is why I think we should work on those points I made before, from the Citizens' Initiative to the External Services, with that spirit of cooperation between all institutions so that, when the decisions are formally taken, we can implement with determination everything that the Lisbon Treaty brings, which I believe is more accountability, more democracy and more efficiency for our Union.

**Gay Mitchell (PPE).** – Mr President, as the first Irish person to speak in this debate, may I thank colleagues for their kind comments about the Irish electorate. I also note the people who have been thanked here so far. I would like to point out that two people who played a stalwart part in this campaign in the 'yes' vote and put their countries' interest before their own party political interests – Mr Enda Kenny TD, leader of Fine Gael, and Mr Eamon Gilmore TD, leader of the Labour Party – have not been thanked. They did more than anybody else selflessly to ensure that this campaign was carried and I want that acknowledged on the record here today.

The Lisbon Treaty process in Ireland demonstrates that when we make the effort to bring people with us, they are prepared to respond to leadership. The European project remains the best hope for the people of Europe and elsewhere for a peaceful and prosperous future. We cannot assume that people will appreciate its benefits. We have to be as open and as inclusive as possible while explaining these benefits to them. Enlargement has not blunted the project. Rather, it has enabled us to let others share in its benefits. There is indeed unity in diversity.

Some people in Ireland were unsure of the contents of the Treaty; others were concerned about abortion being forced on a Member State, about neutrality, about the loss of the Commissioner and about the potential for the country to lose control over its own direct taxation policy. The Irish Parliament, through a special committee, identified the concerns of the people following the first referendum and the government got guarantees on these matters from our partners and, crucially, the change in relation to the future composition of the Commission.

That was democracy in action at every level. The reason the Irish Parliament had a right and a duty to do what they did is that the sovereign people of Ireland gave them that right and duty. From the high turnout and overwhelming 'yes' vote, it is clear that the democratic will of the people was served.

Mr President, I support what you said about concerns among some of our peoples. Let me now raise one issue which I feel needs to be raised. Some people in Ireland and elsewhere believe that the EU is becoming a cold place for Christianity in particular, and religion in general. I have to say that I personally have experienced disrespect from people here who see themselves as fair-minded and liberal, but who are anything but that when it comes to trying to see things from the point of view of people who have religious belief. I respect those who do not have religious belief, but I fully expect them to reciprocate that respect. That is what the whole EU project is about. I repeat: unity in diversity. The second Irish referendum shows what can be achieved when we are truly inclusive. I put these words out there for those who have ears to hear, and for posterity.

Let us now move to complete the ratification and then to deliver on the promises that Lisbon contains of greater democracy and transparency, a coherent role in the world, applying the same tolerant and inclusive principles in our dealings with other regions of the world, especially the poorest parts, as we must apply internally.

**Proinsias De Rossa (S&D).** – Mr President, when we last debated this issue, I predicted that the Irish electorate would reject the political circus comprising Gerry Adams, Nigel Farage and Joe Higgins. I am happy to say that I called it correctly.



The Nigel Farage bombast, it has to be said, did add to the gaiety of the Irish nation for a while, but of course the contempt that he holds for Irish democracy oozed from every pore of his body here today. His manoeuvrings to get the Irish electorate to get Britain to leave the EU demonstrated, I believe, his poor grasp of the shared British and Irish history.

More importantly, the Irish electorate have overwhelmingly declared that our future is with Europe, that Europe is good for Ireland and that Ireland has a positive contribution to make to the development of the Union. I am hopeful that all Member States will have ratified the Treaty within a short while and that the institutional and democratic and social reforms can be implemented without further delay. The world needs a more effective Union to ensure that we can vigorously pursue the objectives of sustainable development – economically, environmentally and socially.

I want to make it clear to you, President Barroso, and to you, Mr President-in-Office, that the peoples of Europe are demanding action from the Union. They no longer need to be persuaded that we need global as well as domestic solutions to the problems we face. What they want to see is the action to actually begin to deal with these crises. They want tangible action, not rhetoric.

I do hope that we get a Commission which is effective, which is able, and capable, in particular, of shaking off the dead economic ideology which has brought us to the brink of disaster in Europe and, indeed, around the rest of the world. We must put in place the objective that we have outlined in the Lisbon Treaty: a social market economy which will bring jobs, which will bring prosperity, and which will bring a decent standard of living to all of our peoples.

**Pat the Cope Gallagher (ALDE).** – Mr President, last week, the Irish people, by a victory of 619 000 votes, gave a resounding vote of confidence in the European Union project. I would like to thank the other 26 governments in Europe and the political groups in this Parliament who worked very closely with the Irish Government over the past 15 months so that the concerns expressed by the Irish people in the Lisbon Treaty I were comprehensively addressed.

This was a victory for the Irish people, not necessarily for the government or political parties. The Irish people overwhelmingly said that Ireland's place lies at the heart of the European Union.

(GA) The political parties that were in favour of the treaty worked together this time round to a greater extent than during the last referendum.

Civic groups such as *Ireland for Europe* and *We Belong* played a central role in showing the public that it was not just the political system that wanted the people of Ireland to vote yes in the referendum. Farming groups were strongly in favour of the treaty and they were very active in this campaign.

This is a major change from the last referendum, and it was clear to be seen.

The legally binding guarantees for Ireland in the policy areas of taxation, neutrality and socio-ethical issues clarified key concerns of the Irish people. I hope that the Treaty will now be ratified shortly, and I am pleased to hear the news from you, Mr President, about your country.

But I would have to say that the remarks made here this afternoon by Mr Farage from the UKIP party were insulting to the Irish people and we will not accept that. The Irish people are an intelligent, discerning electorate and they knew the difference between the last Treaty and this Treaty, that the protocols have legally binding agreement. Mr Farage, you and your colleagues will be pleased to know that your intervention in the Treaty meant about 3 or 4% extra for the 'yes' side. That is the respect that the Irish people have for you and your group.

**Ulrike Lunacek (Verts/ALE).** – (DE) Mr President, ladies and gentlemen, I, too, was very pleased and relieved on Saturday that the Irish people voted 'yes' with a two-thirds majority and thus, clearly no longer believe the erroneous statements and horror stories about a minimum wage of EUR 1.84, for example, and that they said 'yes' to this common Europe.

At last, there is a chance to work together in our foreign policy to achieve greater conflict prevention, greater protection of human rights and more democracy in all parts of the world, in other words, to have a stronger sense of the global responsibility that the European Union has. However, for this to actually enter into force – and some people have already said this – we need the support of all of the European Heads of State or Government in order to persuade President Klaus, too, to sign the treaty. And I mean all of them. I was outraged this morning to hear that one Head of Government, namely the Austrian Chancellor, Werner

Faymann, had declared in an interview that, if President Klaus does not sign the treaty, he sees an opportunity for Austria, too, to hold another referendum. That demonstrates a lack of responsibility with regard to European policy. In this regard, I would ask the President-in-Office of the Council to make it clear to the Austrian Head of Government that we need to assume a common European responsibility. I would also ask the social democratic Members to make that clear.

We need everyone who is in favour of this common Europe to make it clear that President Klaus, too, must sign the treaty and that we do not need anything to undermine the process leading to the realisation of the Treaty of Lisbon. So let us have no 'Spompanadln' as we say in Austrian, in other words, let us not rashly pick up on something simply because it might be popular with the people. I consider that to be very irresponsible in terms of European policy and I hope that the Austrian Head of Government will retract his statement in this regard.

**Jan Zahradil (ECR).** – (CS) Ladies and gentlemen, it is not my intention to meddle in the internal affairs of Ireland and I acknowledge the right of Irish politicians to allow as many votes on this treaty as they see fit and, of course, I also respect the result of this referendum, just as I respected the result of last year's referendum, which produced an opposite result. I do not know which result has greater value or greater validity, and perhaps my Irish colleagues could advise me on this, but nonetheless, one thing that I can weigh up is how it looks from the outside and how the whole atmosphere surrounding ratification of the Lisbon Treaty looks from the outside and unfortunately, I have to say that the image is appalling. I lived the first 26 years of my life under a regime which did not allow free elections, where it was not possible to have free elections, and where there could be only one possible election result. I am very much afraid that the only possible or conceivable result regarding Lisbon Treaty ratification was and is 'yes' in the minds of many people in this chamber and elsewhere in the EU and they will not accept or allow any other result.

I also wonder why there is so much uproar and so much political pressure over the Lisbon Treaty since the EU would not fall apart or collapse without it, after all, but would carry on operating on the basis of existing agreements. In this case, I would say that we are witnessing a full-blown example of *realpolitik* or power politics which has little to do with a more democratic Europe or a better-functioning or more transparent EU and a lot to do with the new redrawn power relations in the EU. I say this without bitterness because I have been in politics long enough to know what *realpolitik* is, but let us at least not lie to ourselves.

Who will benefit from the Lisbon Treaty? It will be the European Commission, so I am not surprised that the Commission is a major backer. It will be the European Parliament, so I am not surprised that many in this chamber back the treaty. It will also be several of the powerful states in the EU and federalists in all of the groupings, be it the European People's Party, the Party of European Socialists or the Party of European Liberals. My biggest fear, however, is that an approach such as this, embodying as it does the principle of 'the end justifies the means', will turn against us all and that we will witness a counter-reaction in the years ahead and that the pressure to approve the Lisbon Treaty will provoke a backlash in the form of rising support for the real anti-Europeans, for extremists, xenophobes and anti-European forces, and that this will be a Pyrrhic victory.

**Zoltán Balczó (NI).** – (HU) I would like to ask my fellow Member a brief question, which is as follows: Do you think the fact that the Irish Government can call a referendum as many times as it wants is part of the democratic process? What is your view then on the news that the Austrian Head of Government is thinking of calling a referendum now on this issue for the first time? Do you also accept this as a sign of democracy or would you call it an abuse of power, as the speaker before you described it? Please could you answer this?

**Jan Zahradil (ECR).** – (CS) I did not come here to weigh up the actions of the Irish Government, the Austrian Government or any other government. I have not done that, I am not doing that and I will not do that under any circumstances.

**Bairbre de Brún (GUE/NGL).** – (GA) Mr President, the people of Ireland have spoken. I accept that. Those who say that this vote was a 'Yes' to Europe claim that last year's vote was a 'No' to Europe. It was not. Ireland's support for Europe was not in question last year or this year.

The European Commission decided to spend a large amount of resources on a propaganda campaign about the advantages of the European Union directly before the referendum. This added to the belief that the vote was one of 'Yes' or 'No' to Europe rather than 'Yes' or 'No' to the Lisbon Treaty. I find this regrettable.

Every person in this room must now face the clear, tough challenge ahead, that is, to recognise that many of the concerns that came to light during the referendum campaign still need to be dealt with. People are

particularly worried about salaries, about workers' rights and about public services, as well as about non-militarisation and the voice of the smaller states.

This time round, the people of Ireland were told that if they voted 'No' for a second time, Ireland would be left alone, isolated in the face of the economic crisis.

Those who supported the Treaty as a treaty for jobs and for investment should now provide the jobs and the recovery.

The promises which were made should not be forgotten as soon as the result requested by the Irish Government and by EU leaders was achieved.

**Morten Messerschmidt (EFD).** – (DA) Mr President, if you can tell one thing from the referendum that has taken place in Ireland, it is that, if you have a sufficiently substantial lack of balance between the 'yes' and the 'no' camps, if there is a sufficiently substantial lack of balance in the media coverage of an issue and if you ask the question enough times, it is absolutely possible to get a 'yes' result. If one of these preconditions is lacking, though, you will not get Europeans to give up more sovereignty to these institutions that we currently find ourselves in. That is the reality that we all have to base our positions on.

Another element of the reality – which, at least for those who support the treaty, must be a very uncomfortable element – is the method by which this treaty is becoming reality, and it is the only feasible method by which that is possible, namely in a climate of fear. A climate of fear of a new situation arising in the United Kingdom that would lead to the question being put to the British people. It must be uncomfortable to only be able to realise your visions in a climate of fear that the people of yet another country might be asked their view – that democracy might be allowed to speak again.

We heard the President tell Parliament earlier that the 'no' side will be respected. In all honesty, though, it is very difficult to see any respect for the 'no' side. We have heard that the symbols would be removed from the treaty – yet this whole Parliament is plastered in flags. We have heard that the anthem would be taken out of the treaty – yet the new Parliament was celebrated by playing Beethoven's 9th symphony. There is not much confidence being engendered for the guarantees that were given to the Irish electorate or to us, the sceptics. We would like to have confidence, but it is in very short supply.

**Proinsias De Rossa (S&D).** – Mr President, I would appeal to those who do not like the outcome of the Irish referendum to stop questioning the democratic procedures in Ireland. Ireland is a democratic state. It is an independent democratic state. The Parliament of the Irish Republic made a decision to hold a referendum; that referendum has been held. It was supported by 95% of the elected representatives in the Irish Parliament. So, please, you can have your criticisms of the European Union, but you have no right to question the democracy of my State.

**President.** – Under the 'blue card' rule you must ask a question, not make a statement. The wording is very strict, and it is very important that this rule is respected.

**Morten Messerschmidt (EFD).** – (DA) Mr President, democracy, for me, means posing a question and then getting an answer. Democracy does not mean continuing to ask a question until you get the answer you had anticipated beforehand. If the Members of this Parliament, and if the members of the Commission and the Council are not, in fact, so afraid of the populace, why is it that there was only one country where attempts to prevent the holding of a referendum did not succeed? The governments and the institutions of the EU succeeded in preventing the holding of referendums in the other 26 Member States. That is not democracy.

**Francisco Sosa Wagner (NI).** – (ES) Mr President, this Parliament is the palace of the imagination, the palace of dreams.

With their very strong vote, the people of Ireland are giving us the spirit and the strength to continue to prosper and to build a strong and, above all, federal Europe.

It is only by doing this that we will deserve the title of legitimate heirs of the fathers of Europe, through whose efforts we are all here today.

**Othmar Karas (PPE).** – (DE) Mr President, ladies and gentlemen, the majority is happy and relieved. I expect the minority to accept the outcome.

The majority in 27 nations and in the European Parliament has repeatedly said 'yes' to the further development of the European Union. We can see a democratic majority and a blocking minority. This 'yes' of the democratic majority was the 'yes' of common sense, a 'yes' to a more democratic, more transparent European Union that is closer to its citizens, the 'yes' of positive pro-European thinkers and actors, a 'yes' to the strengthening of the European Union's position in the world and an important step in the right direction.

We still have a long way to go, because we need a common foreign and security policy in order to be a global player. We need to continue to further democracy, for example, by allowing the possibility of a European referendum, a uniform European right to vote and many other things. We have work to do now and we must not waste any time. I expect the Commission to expedite the reform of the dossier and to begin talks with the Member States regarding the commissioners. I expect the Council to provide clarity with regard to its position on this outcome. I also expect us, in Parliament, to improve our communications and dialogue with citizens and to provide them with better information.

We have clearly seen that the better the information, communication and dialogue, the larger the majority. Politicians who do not believe themselves capable of this are in the wrong place, as are politicians who hide behind referendums because they do not want to approach the citizens themselves and take any responsibility. The more the debate was focused on Europe, the larger the majority was. We say 'no' to the nationalisation of European policy and 'no' to national referendums on European matters, except with regard to the accession of one's own country.

**Hannes Swoboda (S&D).** – (DE) Mr President, Mr Zahradil asked who will benefit from this. He thinks it is we parliamentarians. That may be the case, and it is not such a bad thing if, in a parliamentary democracy, the parliaments – it is, of course, not only about the European Parliament, but the national parliaments as well – benefit to some degree. However, it is, in fact, the citizens who will benefit if we are able to represent their interests in a stronger and better way.

Mr Schulz has already pointed out that we live in a changing world, a world in which China is strong, India is growing in strength, Brazil is growing in strength and the United States of America is still as strong as ever.

If we look at Washington today, we see that even the new administration is asking what Europe has to say about various issues, from Afghanistan to other matters. Do we have a clear statement and a clear language in this regard? If not, we will not be taken seriously.

Russia is always trying to play the EU Member States off against one another because that is, of course, more satisfying for our partners. To anyone who today is still fighting this treaty in the erroneous belief that it is a treaty that strengthens the European Union, I would say: those who fight this treaty are, in actual fact, strengthening our so-called partners or, if you like, our opponents.

It has already been said that, yes, we still have a few institutional issues to resolve, in particular in connection with the External Action Service. However, let us not attempt to conduct further institutional debates now. Our citizens want a clear and substantive answer. They want us to speak forcefully on matters to do with climate protection, security issues, financial regulation. In every single case, we can show that Lisbon brings improvement. However, our arguments must have substance so that people do not feel that the European Union is only concerned about itself, but can see that it is concerned about the interests of its citizens.

**Franz Obermayr (NI).** – (DE) Mr President, I also had a question for Mr Karas that I will perhaps still raise. I will direct my question to Mr Swoboda – since Mrs Lunacek has already criticised our Chancellor, Mr Faymann, and his party colleagues. What is his position, as a social democrat, with regard to the suggestion by his national party leader and Federal Chancellor to hold a referendum in Austria?

**Hannes Swoboda (S&D).** – (DE) Mr President, I do not think that we should be conducting an internal Austrian debate here, but one thing is perfectly clear and that is that there will be no referendum on the Treaty of Lisbon in Austria either. That is absolutely clear. The Treaty of Lisbon has been ratified and must enter into force as soon as possible. That is my, and our, opinion.

**President.** – Thank you for answering the question, but, colleagues, I will read you the Rule because we must know about it.

'The President may give the floor to Members who indicate, by raising a blue card, their wish to put to another Member, during that Member's speech' – not later – 'a question of no longer than half a minute's duration' – a question only – 'where the speaker agrees and where the President is satisfied that this will not lead to a disruption of the debate.'

If blue cards are raised too often, then I will not give you the floor because it will lead to disruption of our debate. You must be aware of that.

Raise your card in time and only for questions that take half a minute; answers must not exceed one minute. These are our rules, and we must keep to them very strictly.

**Alexander Graf Lambsdorff (ALDE).** – (DE) Mr President, one thing has not yet been properly appreciated here today and that is the fact that the positive referendum in Ireland was hardly the first positive referendum relating to the constitutional process that Mr Verhofstadt mentioned. We had positive referendums in Luxembourg and in Spain. This one was therefore by no means the first.

It is always amusing to listen to Mr Farage. Today, however, it was not amusing. The eurosceptics are indeed poor losers. The shock of a two-thirds majority really cuts to the quick. Today, for once, it was not entertaining to listen to you. It was also interesting to see how Mr Kirkhope turned in his seat, because the Tories are so close to this peculiar party in their views on European policy. I very much hope that at some point, that will change.

We have seen that there is democratic support in Ireland for the European integration process. Is there enough democracy in Europe? Is the democracy in Europe perfect? By no means, but it was a good day for democracy in Europe.

Now some people are complaining that Ireland was pressurised. Mr de Rossa said quite clearly that it was a sovereign decision by Ireland to hold another referendum. Let us remember how the European Union tried to boycott Austria when Jörg Haider came into power. That simply did not work. We cannot pressurise our Member States. They have the sovereign right to decide on these matters.

Others are complaining that Ireland only said 'yes' because of the crisis. Ireland experienced European solidarity during the crisis. That is a positive thing! We also expect European solidarity if homes stay cold in Bulgaria or Hungary because Russia and Ukraine are arguing about gas again. European solidarity is a good thing. When this is the result, I think it is a very good thing.

The treaty opens up new opportunities. There are a number of policy areas involved here – budgetary policy, policy in the judicial sphere, in relation to internal affairs – but the most important one for me is foreign policy. Even though Mr Swoboda said that we should not have any institutional debates, we need to have a serious debate on the European External Action Service. We must speak with one voice. This Parliament – and I would make this clear to the Commission, but also to the Council – wants a strong High Representative and an efficient European External Action Service. We want an EEAS with a broad basis, we want it to be close to the Commission and we want it to have access to all services, including the services of the Council Secretariat. That will be the litmus test – including in the Commission hearings. It will also be a litmus test for the future of European foreign policy in the 21st century, to ensure we are able to speak with one voice.

#### IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

*Vice-President*

**Hélène Flautre (Verts/ALE).** – (FR) Mr President, something very simple is going to happen for our European Parliament with the ratification of the Treaty of Lisbon; we are going to have another 18 MEPs from 12 Member States of the European Union.

We have been prudent because, in March of this year, the European Parliament asked all the Member States to anticipate this result by stating, as the method of appointment, that the elections on 7 June would be the democratic basis for sending these additional eighteen MEPs.

Some Member States did so, like Spain and your country, Madam President-in-Office of the Council. Other countries, which nonetheless state that they are very content, as am I, with the result of the Irish referendum and are keen to see the Treaty of Lisbon implemented, have still not done their duty, as far as their own will is concerned, by stating their method of appointment.

Can we count on you, Madam President-in-Office of the Council, to ask each Member State at the European Council on 29 and 30 October to state the method of appointment of these additional MEPs under the Treaty of Lisbon?

The second thing that really shocks me is that everyone is talking about the grand ambitions of the Treaty of Lisbon, but it imposes an obligation on us in connection with one very simple thing: equality between

men and women. This is a binding objective of the Charter of Fundamental Rights under the Treaty of Lisbon. I understand that, for the additional two posts which remain to be filled, the High Representative and Vice-President of the Commission and the President of the Council, only men's names are being circulated.

Your country, Sweden is a fairly exemplary country on this question. I expect you to take this extremely seriously. It is not possible for us to only have men in the four major positions of responsibility in Europe. It is not worthy of the Treaty of Lisbon, it is not worthy of Europe. I am counting on you to ensure that equality between men and women is respected at this level also.

**Peter van Dalen (ECR).** – (NL) Mr President, as Dutch football legend Johan Cruyff once said, all advantages have their disadvantages. The advantage of the Treaty of Lisbon is that it gives Member States rather more say and national parliaments more influence. The disadvantage is that it shifts the centre of power further towards Europe. Mr President, this is a disadvantage that must not be underestimated in this Parliament in particular. After all, over the last 30 years, we have seen power in Europe increasing in inverse proportion to the turnout of our citizens in the European Parliament elections. The transfer of more power to Brussels has gone hand in hand with a lower turnout in the European elections. If Lisbon enters into force, Europe must draw the following lesson: let the Union act pragmatically and let it repeatedly prove its added value. Only then can we gain the support of the European electorate.

**Joe Higgins (GUE/NGL).** – Mr President, I oppose the Lisbon Treaty from a Left and Socialist perspective and reject the intervention of xenophobes and right-wing forces. What happened in Ireland in the referendum was not a victory for democracy. The Irish people were threatened by a major coalition – the political establishment, big business, most of the capitalist press and the EU Commission – that if they voted 'no', they would be economically isolated, they would be punished by the European Union and there would be a flight of capital and investment, and they were told that if they voted 'yes', there would be jobs, investment and recovery. All falsehoods.

The Irish Government's duplicity was shown by the fact that it asked the management of Aer Lingus to postpone until today, after the referendum, the announcement of 700 savage job cuts in Aer Lingus. The EU Commission intervened continually: interfered in the process. The three Presidents are not here, but I want their representatives to ask them for a reaction to the following scandal. Mr Tajani, EU Commissioner for Transport, spent a full day travelling around Ireland on a Ryanair jet with the Chief Executive of that multinational, campaigning for a 'yes' vote. He is the regulator of transport, supposed to protect consumers and workers. He is hopelessly compromised by going around with the chief executive of one of the biggest corporations supplying transport. What is your answer to that?

Finally, there is speculation that Mr Tony Blair will be the new President of the EU Council. Let us be clear. Mr Tony Blair is a war criminal. Under no circumstances can he be –

*(The President urged the speaker to conclude as he had exceeded his speaking time)*

I was interrupted unnecessarily, Mr President. I think you are in the chair, not the honourable Member here.

The point I wanted to finish with was that Mr Blair must not be appointed as the President of the EU.

*(The President cut off the speaker)*

**President.** – I can see a blue card. I would like to point out to the Member raising the card that every time you raise a blue card, you prevent a Member whose name is on the list of speakers from speaking. At the Bureau meeting, I am going to try to change this provision, because we cannot permit a situation where Members whose names are on the list of speakers are prevented from speaking because other Members interrupt with questions – at the moment, a legitimate practice.

**Nessa Childers (S&D).** – Mr President, I should like to ask Mr Higgins what would have enabled him to support the Treaty.

**Joe Higgins (GUE/NGL).** – Mr President, the Lisbon Treaty provides for an intensification of the neoliberal economic agenda that has caused economic disaster throughout Europe with 21 million unemployed, an intensification of militarisation and the armaments industry, and more pressure for privatisation. There is nothing in the Treaty in that sense that a committed socialist could support.

We will support genuine initiatives that will stand for workers' rights within Europe, but when the Lisbon Treaty and the Charter of Fundamental Rights itself in fact institutionalise the judgments of the European

Court of Justice whereby they find in favour of the exploitation of migrant workers by contractors supplying businesses across borders, how can we support that?

**Timo Soini (EFD).** – (FI) Mr President, I spent my childhood and my youth living next door to a communist dictatorship, the Soviet Union, and fear was ever-present. Finland, a small country, was right there. Nevertheless, we coped; we were independent. Now I am flabbergasted that only one end result is allowed in the European Union. Opinions can be expressed, there can even be disagreement, even eurosceptics are allowed, but the end result must be the same.

If you win by foul means, you have already lost. To use a football reference, let us remember Diego Maradona's handball incident. Who remembers the match between Argentina and England and what the result was at the end? It was won by foul means, was it not? Look where Maradona is now, he who won by foul means.

Finally, I want to say to Sweden, the country to hold the presidency, that you continue to respect the decision of the Swedish people, who voted against the euro. You did not reconsider the matter after a year, or two or even five years. In this case, however, it was just a year later. This is EU democracy and it will one day reap its just deserts.

**Liisa Jaakonsaari (S&D).** – (FI) Mr President, I too have lived in a small country, and still do. I would like to ask Mr Soini whether he does not agree that this is a case where Ireland showed its great strength as a small country, as it brought virtually the whole of Europe to its knees. This time, after a lengthy debate, Ireland, a small country just like Finland, sought protection in the European Union, and it wants to help strengthen the EU. Are the European Union and the Treaty of Lisbon not all about the protection of small countries?

**Timo Soini (EFD).** – (FI) Mr President, this is a bad agreement for small countries. It will weaken Ireland's voice, Denmark's voice and Finland's voice in the Council of Ministers. The big countries will gain in strength.

I love Ireland; I have been there 20 times. I became a Catholic in Ireland. It is not about that. I am just sorry to see such a massive landslide. First there were 53% against and 47% in favour. This time the result was 67% in favour and 33% against. What happened and why? I maintain that it was fear. I wish Ireland and the Irish every success and may God bless them.

*(Liisa Jaakonsaari commented without using the microphone)*

**Csanád Szegedi (NI).** – (HU) Ladies and gentlemen, first of all, I would like to thank the people of Ireland, especially every one of the 600 000 brave Irish people who rejected the dictatorial Treaty of Lisbon and joined the battle for democracy in Europe. Anyone who is pleased with the outcome of this repeated referendum will also be pleased with the death of democracy and the dictatorship of globalism. European politicians should not be supporting the dictatorship of globalism, but be dealing with the real issues: how to eradicate unemployment, halt mass immigration, and have the discriminatory and inhumane Beneš Decrees and the Slovak language law repealed. I also call on every colleague and fellow Member to support the aspirations for autonomy of the largest disenfranchised minority in Europe, the Hungarians living outside Hungary's borders. Jobbik's representatives can only support a European Union founded on national traditions. Thank you very much.

**Marian-Jean Marinescu (PPE).** – (RO) We are delighted that the referendum held in Ireland has confirmed a resounding victory for the supporters of the Treaty of Lisbon. We must congratulate, while also thanking, those who campaigned for the 'yes' vote in Ireland.

This vote represents the decision of Ireland's citizens to continue the process of developing the European Union. They have made it possible for us to envisage in the future a time when the European Union will speak with a strong voice in any discussions with major global powers. This voice will be speaking on behalf of the 27 or more Member States.

The subject of a new basic treaty was first discussed in 2002. Last Friday marked the end of the process for adopting the new treaty. My reason for saying that it marked the end of the process is because I believe that Europe's citizens have expressed their opinion, either directly or indirectly. Poland announced that it is going to ratify the Treaty immediately. There is still just one person left who believes that ratification of this Treaty must be blocked, even when the parliament of the country he is leader of has ratified it. I hope that the president will take into account the wishes of the citizens of all 27 Member States, including the Czech Republic, and sign the ratification of the Treaty.

Ladies and gentlemen, the future implementation of the Treaty will entail new responsibilities for the European Parliament. Parliament needs to make the relevant preparations to be able to fulfil these responsibilities as quickly as possible, without causing any delay in the legislative process. We have one definite example of this today with the removal from the agenda of the two reports on the Solidarity Fund in connection with the earthquake in Italy. Even the problem today with the blue cards is another example of this.

I hope that the administrative services will focus at least the same attention on this aspect as they have given to the Statute for Members.

**President.** – I would like to explain once again to you that, firstly, the Rules of Procedure say that the President ‘may give the floor’. Therefore, ‘may give the floor’ means that he may decide either to give the floor or not to give the floor to a Member. This President prefers to give the floor to Members who are on the list rather than give the floor to Members who take speaking time and thus prevent Members from speaking who are on the list according to the speaking time allotted to each political group. Secondly, what the Rules of Procedure say is that the blue card should be raised during the speech of the Member to whom the question is to be put, and not afterwards.

**Ramón Jáuregui Atondo (S&D).** – (ES) Mr President, first of all I would like to say that I am alarmed by this debate, because what ought to be a day of celebration for Europe is turning into a debate in which we have come to the point of questioning the way that the President of Parliament welcomed the results.

There have been more than ten speeches that have openly criticised not just Europe – which could be legitimate – but the democratic result of the referendum in Ireland.

I believe that the time has come to say in this House that here, where the sovereignty of European citizens has its home, nine out of ten citizens represented here are in favour of Europe, and that the underlying beliefs of the major democratic parties of Europe are in favour of Europe. Ladies and gentlemen, I should also like to point out that the Treaty of Lisbon is a prerequisite for making more Europe, for making Europe more united and stronger, but that unfortunately, it is not sufficient in itself.

I would like to tell you all that if, 60 years ago, the founding fathers probably thought that Europe was the need to construct a common area of peace after the tragedy of the war, following the attempt by some to impose political ideas or hegemonies on others in Europe, today Europe has a different justification. Today we have the leadership of the world before us, and either we are there, or we are not. The debate has echoes of Shakespeare: to be or not to be for Europe.

Just a few days ago, I had the opportunity to speak with people who were in Pittsburgh, and their perspective was that the world is not looking at Europe, but at Asia. Europe must be united and strong in order to be a real presence at the tables of the world’s leadership. If we are not there, then we will count for nothing, and will carry no influence. That is why Lisbon is a road, but it is a road that we still have to travel.

**Andrew Duff (ALDE).** – Mr President, frankly we should thank Mr Farage for his contribution to the Irish campaign. His singular style of post-colonial jingoism certainly served to recruit several of the Irish republicans to the pro-Treaty cause.

Stranger still, though, is the complete absence from that campaign of the British Tory Party, who were skulking behind the petticoats of Declan Ganley and President Klaus. The fact is that the Conservative Party stands all on its own as a prospective party of government that is still opposing this great qualitative step forward in European integration.

Consider the absurdity of the Eurosceptics, because opposing Lisbon means sticking with the current Treaty of Nice and the present rather clumsy and opaque – and too often ineffective – Union that fails to respond to public demand and to global challenges. Britain deserves much better than the Conservative Party, and Europe certainly needs more.

**Reinhard Bütikofer (Verts/ALE).** – (DE) Mr President, like many who have already spoken today, I am pleased about the Irish ‘yes’ vote and I would like to congratulate all those who fought for this, particularly the Irish Greens in the *Comhaontas Glas*. However, if it is true that it is a day of celebration, then it is, in any case, a hard-won day of celebration. It would be wrong of us now to simply return, full of self satisfaction, to the usual routine institutional processes as if nothing much had really happened.

The President of Parliament referred, in his first statement on the subject, to the fact that we should also listen clearly to the ‘no’ votes. To this I would add that we should also listen to the voices that are barely audible,



the ones who, during the European elections in June, thought it unnecessary to take part in the election and play their part in supporting this process. What I mean by that is that we must take account of the fact that a committed way forward can only be successful if we make a more serious effort than we have done so far to involve the citizens.

We have certainly lost time. We have lost years. Europe has fallen behind in international terms. We only need to look at the G20 meetings to see that. However, Europe will only become more dynamic if it has a stronger involvement on the part of its citizens. I do not think that the people of the Czech Republic should be pressurised, due to the disruptive stance of their President, by means of an announcement that, if there is any doubt, they will not get a commissioner.

However, there is something that is even more important and that is that it would be a serious mistake to decide on Tony Blair, or any other possible candidate for the office of President of the Council, behind closed doors. Instead, this needs to be discussed openly with the people of Europe. I propose that we have a hearing in Parliament for all the candidates for this office.

*(The President cut off the speaker)*

**Ashley Fox (ECR).** – Mr President, I was elected in June to represent the South West of England and Gibraltar and during the election campaign, I was saddened by the large number of people I met who no longer support Britain's membership of the EU. It saddened me because I believe that the EU has been a force for good in the world. It has promoted peace and reconciliation amongst the peoples of Europe. I hope it will continue to do so. The single market promotes trade and prosperity; world-leading companies such as Airbus in my constituency have shown what we can achieve when we pool our industrial resources.

When I was a student, I lived in France for 12 months and I came home a Francophile. I want Britain to enjoy warm and friendly relationships with all our European neighbours. My concern is that the current march towards political union without the support of the peoples of Europe threatens to undermine the good work that the EU has done. I respect the fact that the Irish people have now voted in favour of the Lisbon Treaty, though I think it disgraceful that they were pressurised into holding a second vote by countries which had not even held one referendum. The conduct of Gordon Brown is particularly reprehensible. His legacy to Britain will be not only to leave us bankrupt but also to deny the British people a vote on this latest transfer of power from Westminster to Brussels. Breaking his promise to hold a referendum threatens to undermine British support for the EU and I deeply regret that. I cannot understand why those in favour of political union seem determined to build this structure on the worst possible foundations. Do they not understand that a political union built without popular support is likely to end in failure?

**Jiří Maštálka (GUE/NGL).** – (CS) Ladies and gentlemen, I see many expressions of satisfaction and even joy in this chamber over the result of the repeat Irish referendum. Notwithstanding that the ratification process for the Lisbon Treaty has yet to be completed, I would like to suggest that we put our satisfaction and joy on hold until the citizens of Europe have confirmed, for example, in future elections to the European Parliament, that the Lisbon Treaty was first and foremost to their benefit, that it has improved social conditions, reduced dangerous armed conflicts and made a major contribution to a modern democratic Europe. I admit that the result of the repeat Irish referendum was no surprise to me. We all witnessed the pronounced interest of the European organisations, which verged on the coercion of Ireland, and which was backed up with corresponding levels of funding.

I was a committed federalist even in the period when the Czechs and Slovaks shared the same state. I am, and I will remain, a federalist in the best sense of the word. However, it bothers me – and I am not alone in this – that EU citizens were not allowed to decide on such an important document in a referendum covering all of the states. I consider it an error to push through a document which creates the possibility of a stronger role for financial institutions with no regard for social Europe. In my opinion, the repeat referendum in Ireland sets a dangerous precedent for the whole European community. Time will be the judge and I believe that it will show the result of the second Irish referendum to be a Pyrrhic victory. I would like to request that the constitutional arrangements of the Czech Republic be respected and that no pressure be brought to bear on the Czech authorities and particularly on the President in deciding ...

*(The President cut off the speaker)*

**President.** – I am sorry, ladies and gentlemen, but as well as the lifts being out of order, the button that the President has to cut off a speaker who has exceeded his speaking time and is stealing time from fellow Members who are on the list to speak is also out of order. Please stop speaking when I ask you to do so,

otherwise, since we in the chair do not have a button for cutting off the microphone, half of those Members who are on the list of speakers in this extremely important debate will not be able to speak, which seems to me a miserably uncooperative state of affairs.

**Fiorello Provera (EFD).** – (IT) Mr President, I will try to stay within my speaking time. The *Lega Nord*, the party I represent, voted for the Treaty in the Italian Parliament and I personally was the rapporteur. With regard to the referendum, we were very respectful of Ireland's opposition to the Treaty, and we are equally respectful of its approval to the tune of 67%, a sizeable number. The will of the people expressed through a referendum is direct and unequivocal.

I welcomed this morning's speech by the President of Parliament when he said that we should also listen to the reasons of those who voted 'no' and, above all, ask ourselves why a large number did not even vote. I think that this is an intelligent and perceptive consideration since European democracy is not built on decisions made on high, but on political awareness and the growth of political awareness among the peoples of Europe.

I believe that the peoples wish to see greater democracy ...

*(The President cut off the speaker)*

**Andreas Mölzer (NI).** – (DE) Mr President, in all of the debates we have had over the past few years on the Treaty of Lisbon, even its supporters have always said that this treaty is not as good as it could be, that it has a lot of shortcomings, and that it is, in fact, a not particularly successful compromise.

Now these supporters are happy because this treaty is close to being implemented, and that is fair enough. However, when we now hear these supporters say that the majority has given its opinion in a democratic way and the minority will simply have to accept that, they are indeed right, but I would have expected to hear that statement after the first referendum in Ireland, too. After all, one thing is clear: we do not know whether this treaty will be beneficial for the European Union or whether – as I believe – it will be disastrous. I believe that it will result in a centralised superstate.

One thing is clear, however: this Europe will only be a good Europe if it is a democratic one. A democracy in which voting takes place until the establishment obtains the result it wants is not a democracy. I hope therefore that we will not now attempt to put pressure on the Czech President in order to finish the job as quickly as possible.

*(The President cut off the speaker)*

**Elmar Brok (PPE).** – (DE) Mr President, President-in-Office of the Council, Vice-President of the Commission, I am very sorry that those who, during the first referendum, spread lies during the Irish campaign now have to admit that the parliaments of 26 countries have ratified the treaty, that Ireland has ratified the treaty in a referendum and that so far, all decisions by the constitutional courts regarding the Treaty of Lisbon have been positive. They cannot get away from this fact.

Secondly, compared to the Treaty of Nice, the Treaty of Lisbon is a treaty of the parliaments and the citizens and therefore, a treaty for more democracy.

Thirdly, I would like to thank the Irish Members, the Irish people and also their opposition leader, Enda Kenny, who should be included in the list mentioned.

Finally, I would like to say that I am convinced that the ratification process will continue, as all parliaments have ratified it. I cannot believe that the Czech President would rather adhere to the letter-borne requests of the opposition leader of a country that has already ratified the treaty than the views of his own parliament and his own constitutional court. It would be like a French opposition leader writing to the British Queen and asking her not to sign a law passed by the House of Commons.

One last thing: Mrs Malmström, I would ask you to take seriously the views that we expressed yesterday in the committees regarding the European External Action Service. The papers that I have so far ...

*(The President cut off the speaker)*

**Libor Rouček (S&D).** – (CS) Ladies and gentlemen, I would first like to congratulate the Irish, the Irish people that is, on the successful implementation of the Lisbon Treaty referendum. The clear Irish 'yes' is good news for Ireland and good news for the whole of Europe. Following its historic enlargement, the EU needs

a new and strengthened constitutional foundation. Only in this way will Europe, in a period of global economic crisis and global competition from all quarters, be able to overcome the challenges and pitfalls of the 21st century. The Czechs have also said 'yes' to the Lisbon Treaty. Both chambers of the Czech Parliament, by a clear constitutional majority, have backed the Lisbon Treaty.

The Czech public endorse the Lisbon Treaty, just as a clear majority of them endorsed accession to the European Union in the referendum of 2003. The Czechs are well aware that a nation of ten million people, just like Europe as a whole, can achieve freedom, independence, security and economic and social prosperity only through the existence of a democratic, strong and efficient European Union. The Czech Republic is a parliamentary democracy. The authority of its president depends on the will of Parliament. The Czech President is not an absolute monarch, nor is he a supreme representative as in the political system of the former Soviet Union.

I would therefore like to call on Václav Klaus to respect the will of the Czech people and, following clarification of the situation in the Czech Constitutional Court, to sign the Lisbon Treaty without delay. In my opinion, prevarication and obstruction bring no dignity to the role and position of the Czech President.

**Olle Schmidt (ALDE).** – (SV) Mr President, Minister, Commissioner, for the vast majority of pro-Europeans, the Irish result was good news. As many have said, we will now have a more democratic and open EU. The Irish people have now played their part in bringing the EU out of a constitutional crisis. It is now up to the rest of us.

I think there were several points that were in the EU's favour this time. You are not in a strong position if you are alone when storms are raging in the world. I think we can all agree about that. The doubts surrounding the treaty have been eliminated, but I also believe that there was an old, historical argument involved here. Ireland does not want to be associated with British euroscepticism. Dublin is not London!

Some people have said that a referendum cannot be carried out more than once. That is like saying that elections cannot be held more than once. For most of us here, it is a good thing that people – and perhaps even some of the Members here – can change their opinion if the circumstances change. This is why we have democracy and why we vote several times.

Now it is the turn of Poland and the Czech Republic to ratify the treaty. Poland should not be a problem. It may be more difficult with Mr Klaus in Prague – he appears to be stubborn. He was very earnest, if not scathing, in expressing his mistrust of the Treaty of Lisbon here in this Chamber in the spring.

We now know that this is a very sensitive issue in the United Kingdom. If there is a change of government in London next spring – and there is a good chance that there will be – and if the Czech process takes longer or if they want a referendum, there is a risk that the EU will face renewed problems with regard to the ratification of this treaty.

I had intended to address the Swedish Prime Minister, but he is not here. He has a good relationship with David Cameron. I hope that he will utilise this relationship to ensure that we have a better EU debate, not only in Europe, but in the United Kingdom, too. We need a strong...

*(The President cut off the speaker)*

**Mirosław Piotrowski (ECR).** – (PL) Mr President, the double referendum in Ireland on the Lisbon Treaty has created a dangerous precedent. There were signs that if Ireland did not accept the document, it would have to keep voting until the required outcome was achieved. During the campaign, a full range of pressure tactics was employed, from concessions such as guarantees that the EU will not interfere with internal legislation on ethics, religion and economics, through threats like the loss of their Commissioner, to the blackmail that Ireland would be marginalised and thrown out of EU structures.

All of these measures, in the context of fears fuelled by the crisis, led to the notorious result. Using enormous financial means, many EU agitators even promised jobs in exchange for accepting the Treaty, and did not concentrate on the key issues. Political commentators have drawn attention to the undemocratic methods and arrogance of the EU political elite. In view of the double standards employed, I appeal for another, third referendum to be held in Ireland, and for the possibility of a renewed vote on this document in the national parliaments of EU Member States.

**Gerard Batten (EFD).** – Mr President, an earlier speaker accused my colleague, Nigel Farage, of not respecting Irish democracy. Can I assure them that he does. What he has no respect for is the unfair and biased way in

which the referendum campaign was conducted. Indeed, such is his and our party's respect for democracy that we would like to see referenda in the 26 countries that have so far been denied them.

Another speaker said that it was not the first 'yes' vote that there had been and that there had been 'yes' votes in Luxembourg and Spain, but surely those referenda were on the Constitution and not the Lisbon Treaty? We are told that Lisbon is different from the Constitution, so which is it? Have we had the same referenda in six countries, or have we had referenda in four countries on the Constitution and referenda in two countries on Lisbon? If it is the first case, then it is a 3-3 score draw. If it is the second case, it is a 2-2 score draw and a 1-1 score draw. Hardly a ringing endorsement for the Lisbon Treaty.

*(The President cut off the speaker)*

**Martin Ehrenhauser (NI).** – (DE) Mr President, it is a disgrace to democracy that the established politicians are denying their citizens a referendum in their own Member States while demanding two referendums in Ireland. It is also a disgrace that these politicians are demanding that we accept the outcome of the second referendum when they did not, in fact, accept the outcome of the first one.

Irrespective of whether this Constitution Reform Treaty of Lisbon enters into force or not, we need a new basic treaty. This new basic treaty should include the genuine separation of powers, a truly independent court of justice for matters relating to subsidiarity, total transparency and economy and, most importantly, binding referendums. This way, we can still escape the Europe trap, and this is something that we should put all our efforts into doing.

**Mario Mauro (PPE).** – (IT) Mr President, there is no doubt about it: the victory of the 'yes' vote in Ireland's referendum on the Treaty of Lisbon is an extremely positive step for the revitalisation of the European Union and for the crucial political and institutional reforms provided for by the Treaty. I am delighted with the citizens of Ireland, who responsibly voted 'yes' and thus avoided full-blown paralysis of the European project. I hope that President Klaus and President Kaczyński can be convinced of this too, as it is to be hoped that Ireland's ratification via the referendum will contribute towards the efforts to enable the Treaty to come into force on 1 January 2010.

The Irish 'yes' vote shows, however, that a united Europe is the only politically credible project which can bring benefits to the countries and, above all, to the citizens. Today, there is no politician in Ireland, or in any of the other Member States, capable of proposing a development strategy for their country if it left the European Union, or perhaps participated in it in a more restricted way.

We now need to act promptly and with greater courage from the Commission through bold pilot initiatives on various fronts; for example, greater courage to issue Eurobonds, greater courage for the joint management of the immigration issue and greater courage to address energy matters. Above all, however, we must take account of the serious mistakes committed in recent years. The decline of the political project we call the 'European Union' can be attributed to a specific factor: it happened when we insisted that this project should no longer follow the wishes of the people but those of the bureaucrats.

Therefore, when I say 'greater courage', I am referring first and foremost to greater courage on the part of the Commission leadership, so that we can achieve the goals which we have set ourselves.

**Wojciech Michał Olejniczak (S&D).** – (PL) Mr President, the Irish people have said 'Yes' to the European Union. Now the time has come to remove the two greatest hindrances in Europe, which the Irish have in fact already discredited. To the Presidents of Poland and the Czech Republic: enough of this contempt for Europeans! Let us not waste time, when we have so little of it, and when we have so much to do. I want to appeal to Donald Tusk, the Prime Minister of Poland, to adopt the Charter of Fundamental Rights in our country, for obvious reasons.

Until now, we politicians have said that we do not have sufficient instruments and legislation to allow us to act. Now, in this chamber, we have before us a great task. Very soon, we will have a new treaty at our disposal, and we must get the European Union on track for a common and rapid departure from the crisis, for acting on behalf of the citizens and for strengthening the EU's position in the world. We must fight unequal pay, and for better and equal access to education, culture and health care. New legislation will help us to maintain diversity in the EU, but we must bring in greater equality, which EU citizens so much lack today. Our objective should be, in addition, to prove to all those who were against the Lisbon Treaty that we can also work for them, and that their 'No' was and is to us a greater motivation to work.

Ladies and gentlemen, I am 35 years old and I expect greater dynamism in what we do. I expect us to communicate more quickly with the European Commission and the European Council on procedural and personal matters, and also on substantive matters. We are going to be presenting big European projects. I also ask the President of the European Parliament, the Conference of Presidents and Chairs of political groups: at what stage are our preparations? Will we be ready to implement the Treaty of Lisbon and, if so, when?

**Riikka Manner (ALDE).** – (FI) Mr President, ladies and gentlemen, the result of the Irish referendum was clear and was an excellent signal both for Europe and for Ireland. The Irish must be congratulated on this result for a host of different reasons. I myself, however, am especially pleased that the Irish referendum caused the European Union and its future to make the headlines once again. A genuine debate is needed, because attempts at a real vision of the EU's future have been fairly pathetic in recent years.

It should also be remembered that the Treaty of Lisbon is a compromise on the previous EU draft constitution. If the Treaty had been rejected by the Irish this time, we would seriously have had to consider and discuss what direction we, as the European Union, are actually heading in. We would also have had to think about whether we had perhaps moved forwards perhaps a little too quickly in recent years, and with too few restraints.

In my opinion, the problems that have arisen during the ratification process just go to show that the European Union is felt to be something that is somewhat distant and hard to control. To resolve this problem I, for my part, hope that the debate on the future of the EU will not just stop here, but that it will continue to be transparent with the Reform Treaty.

We have to create a united Europe, and we cannot ignore the reasons that led to this Treaty originally being rejected either. I believe that in this sense, the Treaty of Lisbon and its implementation are absolutely the right way to go and a big step towards a more democratic Union, and one that shows greater solidarity. To do this, however, we will need to continue to have an open dialogue.

I am also pleased that the Treaty of Lisbon will help boost cooperation between national parliaments and Brussels. It is now time to switch our attention from Ireland to the Czech Republic. I hope that Europe will no longer need to hold its breath. It is important that the Treaty of Lisbon quickly becomes a reality and that we ...

*(The President cut off the speaker)*

**James Nicholson (ECR).** – Mr President, the decision is made. Much as I regret that the first decision was not respected, we will have to wait and see what outgoings there will be from this decision. And it is now up to others to decide and I hope they are given the space to make that decision. I just hope that the high percentage that voted 'yes' in the Republic of Ireland do not live to regret it in the longer term. I wish to say no more about it.

There is now a very heavy burden and responsibility on the shoulders of those who wish and desire an even deeper centralisation of the decision-making process here in Brussels. I urge them not to get so far in front of the people that the people have no idea where they are heading or what their destiny may ultimately be. I am not anti-European, but I do want a Europe content within itself and able to allow those who disagree the right to put forward an alternative view, and we do not always get that any more in this House.

**Philip Claeys (NI).** – (NL) Any euphoria about the second referendum in Ireland is totally out of place. The victory of the 'yes' camp was a stolen victory, as the original referendum was conducted in a perfectly legal manner and in accordance with the rules. The majority of those who voted 'no' in 2008 understandably felt that official Europe would never heed their verdict if it did not suit the EU. Therefore, many voters stayed at home. EU democracy is a one-way street. There was no fair campaign. The dominance of the 'yes' camp in the media was further reinforced by the European Commission's quire of 16 pages in all the Sunday papers: an illegal use of taxpayers' money about which the last word has yet to be said. The voters were intimidated. The economic crisis was used as a lever to force people to vote 'yes'. Ladies and gentlemen of the European Commission, I can predict that your hocus-pocus propaganda will boomerang on you sooner or later.

**Íñigo Méndez de Vigo (PPE).** – (ES) Mr President, ladies and gentlemen, let us imagine that tonight, when this interminable debate finishes, we go out and we meet 27 fellow Members downstairs and we have to decide unanimously which restaurant we are going to. If we negotiate this obstacle, then imagine that the 27 of us have to choose the same thing to eat, and that the 27 of us also have to decide whether or not to have wine.

Mr President, this metaphor, which comes from someone who is on a diet, provides a good illustration of the current situation of the European Union and what the Treaty of Lisbon brings in: in my view, it is the most important thing, namely eliminating the requirement for unanimity.

If those of us who have spoken here all want the European Union to function properly, to be effective, to produce added value for the people, then the first thing that needs to be done is to replace the requirement for unanimity with a requirement for super-qualified majorities. That is the most significant achievement of the Treaty of Lisbon.

Opposing the Treaty of Lisbon means not wanting Europe to function properly or to have an important role in the world.

Mr President, I do not understand, and it is a source of regret for me, how some fellow Members who have freely entered this Parliament can have more confidence in the Council of Ministers than in the European Parliament. In addition, these are people who will never be in the Council of Ministers. Why do they believe that their interests are better defended by the Council of Ministers than by this Parliament, where they are present and where they can vote?

Mr President, another thing I do not understand is why a certain fellow Member said that what they want is to take their country – and this is a legitimate view – out of the European Union. In that case, ladies and gentlemen, it is necessary to be in favour of the Treaty of Lisbon, because the Treaty of Lisbon establishes, for the first time, an exit clause. Now, in truth, it is necessary to have the courage and the ambition to say to their people that it is necessary to leave the European Union. That is also something that I would like to see.

Mr President, to sum up, I believe that through the result of the Irish referendum we are completing the process.

Mr President, I would like to say to Mr Rouček and Mr Brok – who are concerned by the attitude of the President of the Czech Republic – that I have no doubts. I have no doubts because a person who refused to sign what had been adopted by the Chambers that elected him, a person who refused to sign the Treaty, would be like the Queen of England refusing to sign a law from Westminster. That is not possible. I am also certain that someone as patriotic as Mr Klaus would not want to see his country engulfed in an internal constitutional crisis.

Mr President, I therefore believe that the time has come to join forces, for us to realise that the world is not waiting for us, the Europeans, and that either we Europeans must unite and maintain constructive positions regarding the problems that our citizens are experiencing at the moment, or else Europe, as a power, will disappear from the map.

Mr President, that is what I believe that we must now do, in unity, as Europeans and as Parliament.

**Glenis Willmott (S&D).** – Mr President, first of all, I would like to congratulate colleagues from Ireland on such a fantastic result. In Britain we have the UKIP and the Tories who, as you will all know, have been arguing for a 'no' vote in the Irish referendum. UKIP constantly tells us that we should not interfere in national matters, but they certainly interfered in the vote in Ireland, there is no doubt about it. I would like to say thank you to Nigel Farage. I think he did a fantastic job because I understand that his interference actually helped the 'yes' campaign. That is what is known as unintended consequences, but we are grateful for his intervention.

The Tories, on the other hand, are in total disarray. They have divisions over Europe and it is overshadowing their conference which is taking place this week in Manchester. David Cameron's position on the Lisbon Treaty is quite untenable. He keeps promising that if he wins a general election he is going to have a referendum if the Treaty has not been ratified by 27 Member States. At best, he can be accused of dithering. At worst, I think he can be accused of being less than honest with the British people, because I do not know how he is going to do that.

And just when the major issues of the day need more cooperation, not less, issues such as climate change, how we tackle the financial crisis and how we deal with rising unemployment, just then the Tories have decided that Britain is going to be isolated and at the margins of the EU. They would like us spectating rather than influencing.

And we have heard their plans this week: how they are going to cut public services and to increase pension ages, and how they will help the wealthy by cutting inheritance tax. Once again they are fighting like rats in a sack, as we say in the UK, over Europe. They pretend they have changed but they clearly have not. No, they

are the same old Tories, still helping the privileged few at the expense of the many, still putting dogma before the interests of the British people.

The people of Ireland have clearly voted for a more democratic, effective and dynamic EU and the EU is now a better place to deal with the real challenges of today. The British Tories now need to come clean and tell us if they are intent on putting the future of the British people in the EU at risk, with all the serious consequences that has for jobs and prosperity. So come on, Mr Cameron, come clean and tell us the truth.

#### IN THE CHAIR: MR LAMBRINIDIS

*Vice-President*

**Ryszard Czarnecki (ECR).** – (PL) Mr President, Mrs Malmström, Mrs Wallström, rather than use lofty words – and I have the impression that there is an inflation of lofty words in the European Parliament – it is worth thinking about why the Irish people said ‘Yes’, when last year they said ‘No’.

I think those who are saying it was the crisis which pushed the Irish into the arms of the Lisbon Treaty are greatly simplifying the matter. It seems that the main reason why the Irish, the citizens of the Green Isle, supported the Treaty, is because of what they secured from the European Union in the meantime. Ireland has guaranteed itself and all Member States its own, national Commissioner. Ireland should be thanked for this.

The EU has also guaranteed that it will not meddle with taxes in Ireland, and this thanks to Dublin. May this prove to be the final relinquishment of German and French plans to standardise taxation in the EU.

Finally, Brussels has promised that it will not meddle with the legislation of the Republic of Ireland in areas of morals and social norms, including protection of the unborn child. The Irish Government and the Irish nation should be congratulated for their effective negotiating.

By the way, it is amusing to see the rejoicing of those who are pleased with the result of the referendum in Ireland. In many cases, the very same people opposed the holding of referendums in their own Member States.

**Diane Dodds (NI).** – As I have said on a previous occasion in this House, I stand before you as one keen to see a Europe of cooperating nations. I have consistently opposed the federalism of the Lisbon Treaty and the ceding of powers from nation states. The result of the second referendum in the Irish Republic on the Lisbon Treaty changes nothing for the United Kingdom. A document harmful to British national interests on 2 October 2009 is equally as harmful on 2 October 2010. Ratification in Poland will not change that; ratification in the Czech Republic will not change that; the date of the UK general election will not change that; and therefore I want to use this opportunity in this House to call for the British people to be given a referendum, just as each and every European nation should be, on the full and complete text of the Lisbon Treaty.

**Paulo Rangel (PPE).** – (PT) Mr President, ladies and gentlemen, I would just like to express our delight at the result of the referendum in Ireland, not just on behalf of the Group of the European People's Party (Christian Democrats), as has already been done by many Members, but particularly on behalf of the Portuguese Members of the PPE Group.

I believe that this clearly strengthens the development and growth prospects of the European Union, and that it sets the stage for a new phase. We would like, of course, to congratulate all those who contributed to the Treaty of Lisbon, in particular, the Commission and the Commissioner here today and also, of course, the Portuguese Presidency of the European Union, which played a very important role in this. I would therefore also like to say that we are glad to see that, despite all these difficulties and the fact that we are still eagerly awaiting the position of the Czech Republic, the Portuguese people will be very happy to see the name of its capital associated with a decisive step in the development of the European Union. In this regard, I would also like to say that we will also be able to count on another flag, which will also always be a flag of the Portuguese Members of the PPE Group, which is the flag of national parliaments.

I believe that the Treaty of Lisbon is a decisive step towards involving national parliaments in European democracy. I therefore believe that this aspect, which is the most important aspect of democracy, namely representation and not, as we have sometimes heard in this House, referenda, is what is vital and essential in democracy, which is to say, representation and not direct voting. The Treaty of Lisbon is also a major step

towards increasing the involvement of national representative democracies in the European process. We are therefore very pleased with the Irish people's decision.

**Stéphane Le Foll (S&D).** – (FR) Mr President, ladies and gentlemen, I shall certainly repeat things which have already been said and welcome, in any case, the result of the Irish vote on the Treaty of Lisbon.

I should simply like to draw the attention of the Members remaining in the House to the reasons for the change, because we are satisfied with the 'yes' but, a year ago, it was a 'no'. What has changed? The text? Very little. The context? A lot. That is what matters. We can discuss institutional questions here. What the citizens are waiting for are political answers from Europe.

That, to my mind, is the analysis that we need to make of this double vote. There is not just one vote, there are two. The 'no' to start with and then the 'yes'. The Irish said that they needed Europe in the crisis and this needs to be heavily emphasised, because they are asking Europe to protect them and that is important.

I shall repeat what numerous members have said. I think that we need to proceed quickly now. So we are turning to the Swedish Presidency of the Council and we are turning to the Commission. If we want to reply to the demand by the people of Ireland, we need to give concrete replies.

The economic crisis: is Europe capable of stimulating growth on a European scale? The social crisis: is Europe capable of having an employment policy? For me, these are the subjects at the heart of the debate and I am satisfied with another thing which the Treaty of Lisbon gives us and that is that Parliament will have enhanced powers and, in the political debate, I think that it has an essential role to play and that is to show that there are various options and to debate those options.

However, now, if this is to be a democratic debate and if Europe is to manage to provide replies, we quickly need to designate a Commission and to ensure that the Czechs ratify as quickly as possible so that Europe can get back on the road to growth and hope.

**Simon Busuttil (PPE).** – (MT) I too, welcome the result of the Irish referendum with pleasure. Allow me to make an observation. Those following from home will probably think: 'How is this result going to affect me?' I want to give a few concrete examples of how this result will affect these citizens, quoting a few examples from my field, which is that of justice and home affairs.

The Charter of Human Rights is one in which we should take pride, not merely as citizens of our individual countries, but as citizens of the European Union. Our civil rights, as citizens, are to be strengthened by this Treaty. This includes areas such as personal data protection. Safety and security shall also be reinforced, because the European Union intends to step up the fight against terrorism and criminality, thanks to the Treaty. Our legal rights will be bolstered, such as in court cases involving international adoption, or maintenance issues having international implications. Moreover, our interests in the particularly sensitive area of immigration will be consolidated when addressing the concept of widespread solidarity.

This means that the Treaty will, in a concrete manner, affect the citizens. Why might this be? It is because the government is going to bestow more powers onto this Parliament and this Parliament will see to it that these powers are wielded responsibly yet enthusiastically, and made to work to the citizens' advantage. In all of this, as representatives of the citizens, we must always remain on their side.

**Adrian Severin (S&D).** – Mr President, the overwhelming Irish 'yes' was not due only to a better understanding of the Lisbon Treaty, but also to the understanding of the fact that true respect must be mutual and compassionate. Our Irish fellow citizens also realised that the European train does not wait indefinitely for those who miss their appointment with history.

The Czech case is a different one. The Czech people signalled in an appropriate way its support for a more political and social, more efficient and more democratic Europe. The government also supported the ratification of the Treaty, and Parliament ratified the Treaty. It is therefore not for us to show respect for the Czech people, but for the President of the Czech Republic to show respect for his people and its Parliament.

For us, it is important to draw the right line between what is right and what is abuse and to proceed in such a way as to show, and to prove, that for us the right ends where and when the abuse starts. We cannot accept being prisoners of filibusters. We should acknowledge that the Lisbon Treaty was duly ratified by all Member States and start the establishment of the institutions on that basis. Parliament should be fully involved in this process.



**Carlo Casini (PPE).** – (IT) Mr President, I was also told I had three minutes, but I will try to stay within two minutes. I would like to join many of my fellow Members in expressing my satisfaction. I think that it is now time to put into effect, to implement the Treaty of Lisbon as soon as the ratifications take place, something which we hope will happen imminently.

The committee which I chair has been doing everything in its power for some time now but, above all, it is important for Parliament to be aware of its new responsibilities: it must not allow the *de facto* loss of any aspect of its wider legislative functions.

I would, however, like to highlight one issue which I do not think has been raised so far: there were many reasons why the Irish people previously rejected the Treaty, but one was the fear, among some voters, that the European legal system could violate, in Ireland, certain fundamental values concerning the right to life and the notion of family.

These fears were allayed through declarations adopted by the European Councils of December 2008 and June 2009. I think this is important not just for Ireland, but for the whole of Europe. It was clarified, in fact, that the *acquis communautaire* does not concern the area relating to the right to life and the family. This clarification does not apply solely to Ireland, but to all the Member States. In reality, there was no need to clarify this because in various judgments involving France, the United Kingdom and Poland, the European Court of Human Rights had already ruled that in the areas of life, the value of life, respect for life and the family, it must be left up to the Member States to decide according to their history, tradition and culture.

However, Ireland's attention to detail had the merit of formally clarifying this point which, as I was saying, now applies to the entire European Union. I believe that this is a good thing, which makes holding the double referendum worthwhile. Naturally, we know full well that European culture consists of the sum of the cultures of all of the countries that make it up, and we all want Europe to be not just an economic area but also, and above all, a community of values. I therefore think it proper that we show Ireland both our satisfaction and our gratitude for everything that it offers Europe in terms of its history and its ideals.

Europe needed Ireland, not only for technical reasons relating to its mechanisms and organisational structure, but also for Ireland's contribution to what we are all seeking: the essence of Europe.

**Edite Estrela (S&D).** – (PT) The 'yes' vote in Ireland is good news for Europe and for me personally, as a Portuguese citizen and a committed pro-European. It represents a victory for common sense and reason against demagoguery and manipulation. The Irish people have clearly stated that they believe in the European project. With the 'yes' vote, the main obstacle to the entry into force of the Treaty of Lisbon has been overcome.

President Klaus now has no excuse and has to respect democracy and the parliament which elected him, and which has already approved the Treaty of Lisbon. The Treaty of Lisbon marks the beginning of a new era. The European Union will make decisions more efficiently and will be more effective in its external relations. It will be more democratic and more transparent, closer to the public and less dependent on governments. With the new Treaty, the European Union will be better equipped to fight climate change and to meet the challenges of globalisation.

**Mairead McGuinness (PPE).** – Mr President, it has been a long debate but not very dramatic. Can you imagine if it had been 'no', this Chamber would be full and heaving with emotion and I suppose the fact that it was 'yes' and we are now very calm here in the European Union speaks volumes. Of course, I welcome the outcome of the referendum in Ireland along with my Fine Gael colleagues here in Parliament. I worked very hard to achieve that 'yes' and I would say that the Irish people rose above national problems and other domestic issues and looked at the European question and the Lisbon Treaty and at the past and our associations with the European Union and overwhelmingly said 'yes' to the European Union, and that is a fantastic result.

On the other hand, Commissioner Wallström, who very kindly came to Ireland on a number of occasions, will have picked up a strong undercurrent, which I believe exists in all Member States, of people who are disconnected from what the European Union is about. I think we are all of us to blame for that. I believe that we do not speak enough about the project, about the European Union, about solidarity, about what it really means; we speak more of what we can get or what we give and what is wrong with a directive or what is bad about a regulation. So in our politics, we need perhaps to rise above some of those issues because when you are at the referendum stage, as we were, it involves explaining to people on the streets and in shops and in schools about what Europe is, how it works, what I do, what the Commission does, and that is a great exercise. It really is a very powerful exercise to talk to people directly about the European Union. People in Ireland know it better now than they did for the last while because we have engaged so well with them.

So I would urge us all here in this House to do more of that at home in our own countries and to avoid knocking the European Union where it is not appropriate. Criticise by all means where it is needed, and to those, like Nigel Farage, who worry about the Irish being bullied, I would say: we are not easily bullied. It did not happen. It will never happen. And can I say, Commissioner, that if I am not here for the end of this debate, it is not out of any disrespect to you or to the President or to the Presidency; it is other commitments, but thank you all for your support throughout the last while.

**Csaba Sándor Tabajdi (S&D).** – (HU) Ladies and gentlemen, as an MEP from Hungary, the first country to ratify the Treaty of Lisbon, I welcome the outcome of the Irish referendum. However, I would very much like us to look beyond the ratification process and talk about how we should implement the Treaty of Lisbon, which is a huge step towards political union and the creation of a community of values. It will greatly extend social rights and will protect them with the legally binding enforcement of the Charter of Fundamental Rights. It will also make linguistic and cultural diversity an EU norm. However, the Treaty of Lisbon also has an extremely important new provision.

For the first time in EU history, the rights of persons belonging to minorities are mentioned. National and ethnic minorities, as well as immigrant minorities, account for 15% of the EU's population. We can now finally embark on creating an EU structure for protecting minorities. Thank you for your attention.

**Lena Barbara Kolarska-Bobińska (PPE).** – (PL) Mr President, adoption of the Lisbon Treaty ends the historic process of the major enlargement of the European Union by 10 new Member States. This process began in the 1990s and is ending with agreement on institutional changes which adapt the EU to the new reality.

Adoption of the Treaty means a new phase and an opportunity for the EU to make a step forward. The institutions which we will be able to establish are only an opportunity, and it is up to us how we make use of that chance. It is also a good moment to demonstrate to those citizens who are sceptical about the European project that the EU is alive, is changing and, above all, that it responds to people's problems. It would, therefore, seem most important to propose a new policy, one which responds to the challenges which are before us. There is, however, a fear that, instead of concentrating on this, we will be dominated by discussion on formal and personal matters: who should be chosen for which position? We must not now allow national egoism, which may intensify at a time of crisis, to undermine the chance which the EU currently has. Above all, we need to convince the citizens that the EU is not only the elite, with jobs and an excessive bureaucracy, but that it also means new and more effective ways of solving their problems.

**Alan Kelly (S&D).** – Mr President, I stand here today as a proud Irish MEP. It took the blood, sweat and tears of public representatives, athletes, business groups, farmers and trade unionists to secure a historic 'yes' vote. I am also proud that last Friday, I was in my home area of Tipperary, watching a landslide victory come through, which showed something that I have always believed in, that Ireland is a huge supporter of Europe, and we fully intend to play our role in the future.

Now I know that the leprechauns in UKIP, who attended the House last year following the previous referendum, have disappeared. Many of you will be glad to know that I firmly believe that the Irish people have banished them forever from here. The Lisbon Treaty verdict was a victory for truth over the damned lies and myths perpetrated in some cases by extremists on the 'no' side who tried to take advantage of people's genuine concerns. Those extremists met their match last Friday.

However, it is a lesson we have to learn. All of us who support progressive politics and a progressive Europe need collectively to provide citizens with a greater incentive to engage with our European institutions. We can never take them for granted.

**Damien Abad (PPE).** – (FR) Mr President, ladies and gentlemen, the Irish people have clearly chosen to place themselves at the heart of Europe by approving the Treaty of Lisbon by a very large majority. As the youngest of the French MEPs, I welcome this choice, which allows us at long last to turn our attention to our citizens' specific concerns.

I should like, however, to make two comments. The first is that no one should overlook the fact that it is basically the crisis that turned the Irish into Europhiles and that this Irish 'yes' therefore translates a real need for Europe, for a political Europe that protects and proposes, the need for a Europe which is capable of responding to the crisis and which ensures that its citizens have the security which they demand.

Secondly, the failure of the first referendum in Ireland should serve as an example and a lesson to us. We cannot, every time we want to move Europe forward, find ourselves at the mercy of procedures which are

inappropriate in the Europe of the 27. With the current system, it is sometimes ultimately more in the interest of a Member State to say no to a treaty than to say yes. This bonus in saying no should encourage us to put a real procedure in place at Community level which prevents debates from being hijacked nationally.

Today, the European dynamic is again under way and we MEPs shall finally get to address issues as sensitive as the crisis in the dairy sector or even last winter's gas crisis. May I draw the House's attention just for a moment to what will be the sole concern in the Community budget for 2010, namely financing for the second phase of the European recovery plan to the tune of EUR 2 billion. I am one of those who think that we should ensure that this plan is not financed solely through agricultural appropriations, because that would be the wrong signal to our farmers in the context of this crisis and would also represent a risk to the future of our food security and our lands.

To close, I should like once again to thank our Irish friends and to send them my warmest and heartiest congratulations on their clearly European choice. I now call on our Polish and Czech friends to take action to ensure that Europe has this toolbox which will allow it to meet the challenges of globalisation over coming decades.

**Juan Fernando López Aguilar (S&D).** – (ES) Mr President, briefly, I have three messages.

Firstly, like many of the previous speakers, I welcome the convincing 'yes' expressed in the Irish referendum.

Secondly, as Chairman of the Committee on Civil Liberties, Justice and Home Affairs, I would emphasise the importance of the probability of the entry into force of the Treaty of Lisbon in reinforcing the legitimacy of the project of European integration, since it has to do with citizenship, rights, freedoms and our capacity to jointly combat organised crime and terrorism and, within the scope of the Schengen Treaty, to be effective in dealing with delicate subjects such as asylum, immigration, the status of foreigners and control of the EU's external borders.

Thirdly, however, I would like to point out, as previous speakers have done, that this is not the end of the story. This is true not only because the Czech Republic still has to ratify the treaty, but because we must learn lessons from the difficulties we have experienced in achieving ratification of the Treaty of Lisbon. It has not been easy; there have been 10 years of debates and this will make us much more demanding, not only with ourselves, but also for future enlargements, in requiring loyalty, cooperation and the assumption of responsibility from all those who sign up to the new rules that will be in operation from the time the Treaty of Lisbon enters into force.

**Anne Delvaux (PPE).** – (FR) Mr President, a few days after the positive referendum in Ireland, I really feel that we can say that we are more European today than we were before. I am really and truly, quietly, delighted about this. Unfortunately, we are still largely dependent on the decision of the Constitutional Court, as well as on the good will of the Czech President.

We must now send out a clear signal in terms of accountability to those who hold in their hands the future of this key treaty for the Union, for our institutions and for the 500 million Europeans that we represent. We can no longer be held hostage by a few people whose sole aim is to work against the general European interest. If it is legitimate that some do not wish to go further down the path of European integration, if it is legitimate to voice one's misgivings, then it is also legitimate to let those who want more European integration to progress.

Generally, the processes for ratifying European treaties too often look like sagas or Pyrrhic victories. Must we constantly be forced to exert such pressure to guarantee the entry into force of a treaty and its institutional reforms?

We must learn from this chaotic ratification process and also, obviously, from this commitment to hold negotiations on the organisation of a second referendum in Ireland, as if it were normal to make a population that has taken a sovereign decision vote again, and as if it were normal for agreement to a treaty to be used as a bargaining chip. The institutional coherence and balance of the European project is at stake.

Ratifying a treaty is a minimum requirement in terms of loyalty and cohesion from the moment one chooses that one's country should join the European Union. We wanted to send out a strong message to the citizens by ensuring that the treaty was ratified for the European elections of June 2009. What do you believe the citizens think today about the Treaty of Lisbon and, moreover, about our internal coherence and our legitimacy?

**Zoran Thaler (S&D).** – (SL) The Irish's unambiguous yes to the Treaty of Lisbon is an important step towards a united Europe and a minor blow for the eurosceptics.

This decision is all the more important because it was made by the people, voting in a referendum, and by a nation which had been given a year to consider whether or not its initial *no* would be of any real benefit to Ireland.

Along with the Czech Republic, the spotlight will now fall on the credibility of the United Kingdom, an EU Member State where the leader of the opposition, Mr David Cameron, has promised to hold a referendum on the Treaty, if he wins the 2010 election. He has made that promise, regardless of the fact that both houses of the UK Parliament ratified the Treaty of Lisbon in mid-2008.

What will become of the credibility of the decisions and international commitments of the United Kingdom, one of our Member States, which has already ratified the Treaty, but is now threatening to suspend its decisions and commitments, two years after adopting them?

**Enikő Győri (PPE).** – (HU) Ladies and gentlemen, when almost 84% of Hungary's citizens voted in spring 2003 in favour of our country joining the European Union, they felt as if they were returning to where they belonged, among the united family of European peoples from which they were excluded by Communist dictatorship spanning more than 40 years. The Hungarians therefore regarded the European Union not only as a structure for economic cooperation based on regulations, but also as a community operating on the basis of values. We are delighted that Ireland has approved the Treaty of Lisbon because this action gives our values their rightful place in the founding treaty, and these values definitely also include recognition of the rights of persons belonging to minorities.

This is why, Mr President, I was first to raise my blue card when Mr Szegedi made his remarks. I would have liked to ask him then whether he has read the Treaty of Lisbon because, if he has read it, he would probably be familiar with the article on minorities which I have just mentioned. Hungary's citizens are confident that, once the Treaty comes into force, the EU will become more sensitive to minority-related issues so that measures similar to the Slovak language law will become unacceptable once and for all. This means that everyone must not only observe the letter of the law, but they must also respect the attitude being conveyed by the European Union. In other words, every European citizen shares the responsibility of ensuring that minorities can freely use their mother tongue without any restrictions and that they feel at home in the land of their birth.

I firmly believe that the Treaty of Lisbon will also greatly help us make the EU's institutions understand better that we must protect our values within the EU as well, and that we must take immediate action if they are violated. Fellow Members from the socialist, liberal and non-attached groups, we simply cannot have double standards. In other words, we refer to these values if this is dictated by our interests, but we forget about them if this suits us better. The Group of the European People's Party (Christian Democrats) does not wish to see such a Europe.

**Ivari Padar (S&D).** – (ET) Mr President, I was in Ireland last week, supporting my friends in the Irish Labour Party. I am glad that Ireland gave a strong 'yes' vote, because this is a very important decision for both Ireland and the European Union. As a farmer, I am particularly happy that this time, Irish farmers supported the referendum campaign right from the beginning. That was a very good decision, because when the treaty enters into force, the European Parliament will obtain equal powers with the Council in agricultural matters, including the codecision procedure in the common agricultural policy, which is definitely good news for European farmers.

**Seán Kelly (PPE).** – (GA) Mr President, as a newly-elected Member, I would like to say that I am proud of the positive result voted for by the people of Ireland in the Referendum on the Lisbon Treaty last Friday. I am also proud of the lively debate which is taking place here today.

People have asked why Ireland changed its mind. There were perhaps four key factors. One, I think, was the fact that we gained a commissioner; two, the guarantees; three was that we had a proper debate and people were properly informed this time, not like the last time. Also, the economic crisis was a factor, but the key one was that the 'yes' campaign got mobilised this time and it did not last time. Civil groups and politicians got together and, for the first time that I could recall, political parties – mainstream political parties – put their differences aside and campaigned for the good of Ireland. The Irish people responded.

The 'no' campaign was also well organised and everyone had their say, including the United Kingdom Independence Party, who ensured that this document – *The truth about the Treaty: Stop the EU bulldozer* – was distributed widely in Ireland. Well, the Irish people decided that they much preferred to be on the EU train than the UKIP bulldozer.

Last weekend was a triumph for communication. You have often heard about communication deficit. This was a triumph for communication and if we continue in this way, we will bring Europe closer to the people.

Now it is up to the Czech President to sign the agreement and bring it into being because, if he does not do so, it would be, I think, the greatest act of dictatorship in the history of the world and a complete negation of democracy.

Thank you very much for all your support, and we look forward to being positive Europeans from Ireland long into the future.

**Jo Leinen (S&D).** – (DE) Mr President, after eight years and many debates and negotiations, there is a real chance now that this Reform Treaty will enter into force, thanks also to the hard work of many people in this House who were committed to this project from beginning to end in the Convention and later in the intergovernmental conferences.

I believe that Parliament has played a constructive part in this Reform Treaty. I think that, if the constitutional court in Prague in the Czech Republic gives a positive ruling, there will no longer be any legal grounds for President Klaus to block the EU any further. The other constitutional bodies in the Czech Republic will also find ways to overcome any such illegal blockade.

We are, of course, hearing that there is a new threat of trouble from the United Kingdom. However, if a British Government were to allow a referendum, then it would not be on the Treaty of Lisbon but on whether the British people are in favour of the EU or whether they want to pull out of Europe. That would have to be the subject of the referendum and not a treaty that has been ratified. That would be totally unacceptable. I think we need to learn something from this, and that is that our citizens need more information. I therefore hope that, in the new Commission, we will also get a vice-president for communication and for information and perhaps even a commissioner for European citizenship. That would be the answer to these controversies on European policy.

**Jarosław Leszek Wałęsa (PPE).** – (PL) Mr President, thanks to the Lisbon Treaty, Europe can take up challenges which extend far beyond the internal problems of Member States. Will Europe be ready to do so? It is still hard to say. It is certain that in this matter, much will depend on the citizens of Europe.

However, as well as the Treaty, the EU must also have the will to act and to have a world presence. It must have a feeling of responsibility for the world, for its stability and development. The EU's own security and development also depend on this. We must resist the common metaphor of Europe as a safe, prosperous and democratic country which cherishes human rights, but which is taken up with its own internal affairs and has turned its back on the world.

The Treaty of Lisbon compels us to have a better understanding of the challenges which are before us. Following the Irish 'Yes', a united Europe is now looking at Poland and the Czech Republic. I do not have the slightest doubt that the Lisbon Treaty will soon come into force. While we await the signatures of President Kaczyński and President Klaus, however, let us think about how the discussion progressed during the present reform, and let us draw conclusions from what happened. We should prepare for the future. We should prepare for further reforms, because the wonderful design we are creating – the European Union – is an idea which is not yet finished. Finally, I would like to say one more thing – thank you, Ireland.

**Paolo De Castro (S&D).** – (IT) Mr President, ladies and gentlemen, 2 October was a great day for Europe thanks to the Irish who voted in favour of the Treaty of Lisbon. The entry into force of codecision will be a veritable democratic revolution for the common agricultural policy in particular. Parliament will finally have decision-making powers equal to those of the Council of Agricultural Ministers, thanks to the agreement of the Irish and the favourable votes received in the national parliaments, including the Czech Parliament.

Any delay would create problems for farmers throughout the Member States. In fact, the agricultural sector is going through one of its most delicate and difficult times of recent years, with a fall in the prices of most products, and not just of dairy products, as we have seen these last few days.

As we await the formal entry into force of the Treaty, we expect the Council and the Commission, Mr President, to give careful consideration as from today to the decisions taken by Parliament – which was democratically elected by all European citizens – regarding agricultural matters too, starting with measures to address the crisis in the dairy sector.

**Petru Constantin Luhan (PPE).** – (RO) Mr President, ladies and gentlemen, I am also delighted that the Irish have finally approved the Treaty of Lisbon as I regard this document as being important for European integration.

We need a new treaty to provide the European Union with modern instruments and improved working methods enabling us to tackle the challenges of the modern world effectively. This Treaty is, first of all, a step forward in terms of making the decision-making process at EU level more democratic, allowing those of us in the European Parliament to be among the first to enjoy the positive exchanges of opinion provided for under this Treaty.

The extension of the codecision procedure will put the European Parliament on an equal footing with the Council in terms of legislative powers for 95% of Community legislation. For example, in the Committee on Civil Liberties, Justice and Home Affairs, which I am a member of, we will extend the codecision procedure from 40 to 80 areas of expertise, thereby increasing the democratic legitimacy of EU legislation.

I think that the new legal basis will help accelerate the economic development process and adapt Member States' legal systems. I also firmly believe that this measure will then allow us to achieve more easily one of the European Union's main objectives, which is to create economic, social and territorial cohesion.

I await with great interest the completion of the ratification process and I am eager for us to get its implementation under way.

**José Manuel Fernandes (PPE).** – (PT) Ladies and gentlemen, I welcome the resounding 'yes' expressed by the Irish people last Sunday in the referendum on the Treaty of Lisbon. Let us hope that the arduous process of ratifying this Treaty has finally come to an end.

I am sure that the Treaty will also be ratified by the Czech Republic. It would, I believe, be incomprehensible and unacceptable were the future of Europe to be held back, were it to be blocked by a personal opinion that totally disregards and stands at odds with the majority of the relevant parliament. We all want the institutional impasse we have faced for almost 10 years to finally come to an end.

I therefore thank the Irish people, since the will they have shown gives us hope for a stronger, more prosperous Europe that is more unified and enlarged, while giving all European institutions the duty and obligation to act in such a way as not to betray this will. Moreover, this will is shared by the vast majority of European citizens.

I hope that we are all worthy of a Europe that is increasingly prominent, is more cohesive and which promotes democratic values, social and fundamental rights and economic growth across the world, while also promoting environmental protection.

**Mário David (PPE).** – (PT) Mr President, Minister, Commissioner, ladies and gentlemen, I would just like to say a few words to applaud the historic and far-reaching result of the referendum in Ireland and to highlight the decisive role played by Fine Gael and its leader, the next Prime Minister of Ireland, Enda Kenny, in leading this process. During this process, it was very clear that the European Union needs to be brought closer to its citizens. It is those citizens, and indeed all of us, who are the principal beneficiaries of all the actions of the Union. It is vital that everyone is aware of the impact and of the benefits that Europe has in our everyday lives.

Europe is our home. What is good for Europe is good for each Member State and is good for their citizens. This is certainly true of the Treaty of Lisbon. This Treaty makes it much clearer that people can be both proud and loyal national citizens, and committed supporters of the European project. Having reached the end of an excessively long debate on its organisation and functioning, the European Union will be able to focus much more, and with new, more effective instruments, on the real problems faced by Europeans: competitiveness, growth and employment.

I will conclude, Mr President, Minister, with a suggestion for future generations. In view of the lack of information concerning the values, powers, objectives and *modus operandi* of the European Union, Parliament should propose, at the end of compulsory schooling in each Member State, a new compulsory system of

European studies. Young Europeans will effectively learn about our principles, who we are, what we do and where we want to go, in an objective, genuine and real way.

By learning it at a young age, they will understand, throughout their life, the potential and enormous usefulness of the European identity created by this unique project to voluntarily share sovereignty on a continental scale.

**David Casa (PPE).** – (MT) Yes, this is indeed an historic moment, not only because the Irish have accepted the Treaty with a strong vote in favour, but because today Poland has declared it will ratify the Treaty.

This treaty has come a very long way. I have only been here for five years, yet there are delegates here who have been working towards this historic moment for a long time. Amongst them is a colleague of mine, Méndez de Vigo. This momentous occasion will now place greater responsibilities on our shoulders, as politicians, and this also goes for the President of the Czech Republic. His personal opinion does count; however, one cannot hold a whole country, as well as the whole of the European Union, hostage because of a personal political opinion.

As politicians, we have to shoulder huge responsibilities. We have to provide answers and we have to answer only to the citizens of the European Union, because ultimately we are representing them. Europe is facing tough challenges on issues such as the financial crisis, climate change, immigration problems, and the creation of more jobs in Europe. For this reason, the opinion of the President of the Czech Republic cannot hold Europe back from working to achieve the standards we have set. I agree with the previous speaker who said that the Commission needs to be appointed. We have a President and therefore I do not see why we should wait for the ruling of the Constitutional Court of the Czech Republic before a Commission is established. A great deal of work needs to be done and the Commission needs to get down to business immediately in order to guarantee that this work is carried out.

**Iuliu Winkler (PPE).** – (HU) I add my sentiments to those of the numerous fellow Members before me who welcomed the decision made by the Irish electorate to vote in favour of the Treaty of Lisbon. We can now look forward optimistically to finalising ratification. However, this is nothing more than a first step along a path where, in my view, we have three objectives to fulfil. We must deepen the new Member States' integration, we must dismantle those barriers which have introduced a two-speed Europe, and we must continue the process of the EU's expansion towards the Balkans.

The Treaty of Lisbon is based on European solidarity, and I hope that this solidarity will work in practice and not simply remain a declaration of intent expressed at the European institutions' various forums. I think that the economic crisis also shows that solidarity is the only means of responding to the challenges we face, and that a strong EU will enable all of us to be important players on the global stage.

Our journey thus far has been long and arduous. We cannot allow ourselves to weaken the foundations of European integration. I firmly believe that reality will prove to the Eurosceptics that together we are stronger, not to mention that we cannot gain anything by going back to the geopolitical situation of the early 20th century.

**Diogo Feio (PPE).** – (PT) Mr President, Minister, Commissioner, with last Friday's result, I hope that Europe can move on from a crisis concerning the Treaties and that it will therefore be possible to have a stable institutional body that is suited to an organisation with 27 Member States, and which is different from that based on the Treaty of Nice.

Mr President, a treaty is not really a work of art, a legal work, which only exists to be admired. It has to be useful and it has to be effective. That is why, as important as it is from a political perspective to hold a discussion on, for example, who is going to be President of the Council, it is more important for the ratification process to end for the Treaty to enter into force, not least because, with this result in Ireland, it is clear that Europe cannot be built against the will of the people. Whether by representation or by referenda, this coming together is real.

It is also important to point out that a 'no' vote is as democratic as a 'yes' vote. Some people appear to be confused on this point. I hope that, with ratification in Ireland, the Czech Republic and Poland, a situation of *de facto* solidarity can be established among Member States. I also hope that we move towards a situation in which this large step is accompanied by the pattern of Schuman's Europe: a Europe built by small steps, day by day and, crucially, by the promotion of European ideals.

**Csaba Sógor (PPE).** – (HU) Mr President, the successful outcome of the Irish referendum is a triumph for the whole European concept. What can this be attributed to? One reason is that the Irish were given a guarantee. In other words, the majority took into consideration the wishes of the minority. Real democracy is not only about the opinion of the majority winning the vote, but about taking into account the wishes of the minority as well. This is what would also be needed to protect Europe's minorities.

The second reason for the successful outcome is that those in favour of the Treaty ran a better campaign than the last time when the referendum was rejected. The European Union is a union which says 'yes' rather than 'no'. Last but not least, the economic crisis also had a role to play in the electoral success. The same fate that met Iceland, which is not part of the EU, would have awaited Ireland. A crisis highlights that together we are stronger, and that cooperation and solidarity are better than having tense relations between us.

**Ioan Mircea Pașcu (S&D).** – Mr President, the new Irish vote, this time approving the Lisbon Treaty, is indeed very good news. However, there are at least two aspects that require caution. The first is that the Treaty still needs the signature of President Klaus, whom we have only embittered with our reaction to his open scepticism and anti-Europeanism when he spoke in this Chamber last spring. I only wish that we were smarter than that.

The second aspect where caution is required is the high expectation we place on the restart of integration, including enlargement, once the Lisbon Treaty is in place. The truth is that if we slow down, it is not because of the absence of the Lisbon Treaty, which is only an alibi for it, but because of the negative effects of the current crisis, encouraging renationalisation of certain Community policies and the centrifugal tendencies within the Union. Those have to be dealt with separately and properly if we want the Lisbon Treaty to be what we expect it to be.

**Íñigo Méndez de Vigo (PPE).** – (ES) Mr President, I believe that one of the conclusions of this debate is that when things are explained, when there is discussion with people, when there is communication, when lies are denied, then greater participation and greater backing for the European project are achieved.

Therefore, I venture, along the lines of what many speakers have said, to make a positive, constructive contribution, and to ask the European Commission to consider whether, in the make-up of the new Commission, the duties of the Commissioner for Human Rights should not be included within a wider portfolio such as the Commissioner for Citizenship, to include communication, which is vitally necessary in order to be able to communicate well, to explain well, and to be able to begin a genuine dialogue on our European project.

**John Bufton (EFD).** – Mr President, the result of the referendum in Ireland at the weekend on the Lisbon Treaty is living proof that this Parliament is not democratic, honest or accountable. But who in here really cares? Well, I do. The fact that the Irish were made to vote twice proves that the EU has now become a dictatorship. If the vote does not go the way of the EU dictators, then they simply vote again and again until the right result is achieved.

This is not fair and is, in my view, morally wrong. The Lisbon fanatics in this Parliament will now go full steam ahead to create a new European superstate of 500 million people. The injustice is that people in my country, the United Kingdom, were promised a referendum but denied one. The irony is that under the Lisbon Treaty there will be a full-time President. It is quite likely to be Tony Blair. The new President of the EU will be the Head of State.

You cannot have two Heads of State and, since the EU takes precedence over national bodies, the EU President – perhaps Tony Blair – will take precedence over our Queen. The people of my country will not accept an unelected failure or anybody else taking precedence over our Queen. God save our Queen!

**Corneliu Vadim Tudor (NI).** – (RO) As you are well aware, Romania is currently going through an unprecedented political crisis, on top of the economic and social crisis. Preparations are under way at the moment for a major electoral fraud. I am referring to the Romanian presidential elections which are due to take place on 22 November. All the elections in Romania have been rigged, but the scale of the fraud which is currently being planned is incredible.

I am not accusing anyone in particular, but mechanisms have been created and honed for committing this type of fraud which are absolutely outrageous. They include false opinion polls, electoral tourism, additional lists, votes cancelled for actual voters and valid votes cast for dead people, huge sums of money and amounts of consumer goods used to bribe poor people, persuading parents by bribing schoolchildren, computer



fraud and many other illegal acts. Please help save Romania. I am making an SOS appeal on behalf of the Romanian people.

The institutions of the European Council, including primarily the European Parliament, have a moral duty to help a Member State remain civilised. Do not allow the Balkan mafia to wreck the European Union's noble project. I am sounding this alarm bell because the European Union's institutions are the Romanian people's last hope.

**Zoltán Balczó (NI).** – (HU) The supporters of the Treaty of Lisbon are celebrating not just a victory, but a victory for democracy itself on the pretext of the current 'yes' vote in an imposed referendum. However, the actual result is 3-1 in favour of the Treaty's opponents. Let us not forget that the people in both France and the Netherlands said 'no' to the Constitutional Treaty containing completely identical provisions. The creative, but cynical idea was then devised that, if the people of Europe do not accept this constitution, let us call it the Reform Treaty and political leaders will vote for it in the various parliaments. Unfortunately, the Hungarian Parliament was the first to do this.

I recognise that many people think that the Treaty of Lisbon is the path to happiness for Europe's peoples, but this still does not give them any legal basis at all to say that this is what Europe's peoples wanted.

**Cristian Dan Preda (PPE).** – (RO) I simply wanted the floor to remind Mr Vadim Tudor that the topic of debate at the moment is the referendum in Ireland and that the completely false statements he has made have nothing to do with this subject. At the same time, I would like to welcome the victory won by the pro-Europe camp in Ireland.

**Cecilia Malmström, President-in-Office of the Council.** – Mr President, I see that the debate from the Irish referendum still lives in this plenary and there is a lot to say about democracy. Is it democratic to let the Irish people vote once again? Well yes, it is. It is very democratic. If you listen to the people, you ask them: Why did you vote 'no'? You find out the reasons. You clarify these things by giving legal guarantees to the Irish people on taxation, on neutrality, on certain ethical issues and also making a guarantee that all Member States, including Ireland, will have a commissioner when the new Treaty comes into force. With this clarification you have a new referendum. The people answered 'yes' with a two-thirds majority and with a higher turnout than last time. This is democratic, and I think we should rejoice and congratulate the Irish people for this.

I also see that there is a clear domestic debate from the UK in here; it would be tempting to go into that, but I will not do so. I just want to say that, independently of who is in Downing Street next year, Britain needs Europe and Europe does need Britain.

I also sense a certain frustration in here about the timetable now. I can understand that and I share it, but I want to assure the House that we move as swiftly as we can. We have guarantees or promises that the Polish President will sign within a few days. The timetable in Prague is still a little bit unclear. I will go there tonight, if I catch the plane, and will meet with lots of people tomorrow in order to get a clearer picture of the different scenarios, the different timetables that we can expect. We need a few days to grasp and to assess the situation in the Constitutional Court. The Treaty is in the Constitutional Court and, until it has left there, the President cannot sign. I am quite optimistic: I think this will be ready within a short time, but we need to wait a few days for this clarification.

Meanwhile, the Presidency is working, of course. There are lots of working groups going on in order to prepare for the full implementation of the Treaty. There are discussions going on with the European Parliament, with the Commission, in order to put everything in place that we need to do so that the Treaty can enter into force very swiftly.

I received a question from Madame Flautre about the extra MEPs; that is an issue that will have to be dealt with as soon as the Treaty enters into force, and I want to assure her, if she is listening now, that we are doing whatever we can to ensure that the decision can be made as soon as possible. I want to thank Parliament for having decided to give these MEPs observer status while we wait for the formalities once the Treaty is adopted. She also named many men who are being mentioned for the top jobs, but those are men named in the media, in the press; there are no official candidates from the Council yet. There will be. But all those names mentioned are named in the media. I would very much welcome if one of those top jobs could go to a woman. I cannot guarantee you that we will succeed with that because a Presidency has to listen to all the capitals and find candidates who can achieve a consensus among the 27 Member States, but I would very much welcome the candidacy of a woman; it would make Europe much more representative than today.

I also feel, Mr President, a very strong sensation in this House that Europe should move on to be a stronger, bigger player in the world and to show resolve when it comes to the economy, the fight against unemployment, tackling the challenges of globalisation and the climate issue. We need to do that. The Lisbon Treaty is an important tool for us to do so; but we also need to move on independently of what Treaty we have, to show concrete results and to deliver. Only when we do that, when we deliver what the citizens expect of us – and this goes for the Council, the Commission and the European Parliament – will we gain legitimacy and the confidence of our citizens. I can assure you that the Presidency is doing everything it can to move the processes on on all these issues, with the help of the European Parliament. Thank you very much for an interesting debate, Mr President.

### IN THE CHAIR: MR ROUČEK

*Vice-President*

**Margot Wallström**, *Vice-President of the Commission*. – Mr President, it has been an interesting debate, which I am sure, to some extent, repeats the discussions that have been held in Ireland and elsewhere.

Could I just start with some facts. It is the Member States' governments who decide on the method for ratification. There is no way that the EU institutions can force a Member State to choose either a referendum or a parliamentary ratification. I think it is very important to say this. It is interesting that those who speak very strongly in favour of independent nation states are also the ones who would be willing to impose a referendum on all other Member States, which I find a bit strange.

Now Ireland decided to carry out a second referendum. Let us be very honest; this always carries a political risk, but it was the Irish Government which decided that they were willing to do so. And why did they do that?

Incidentally, it is not unusual to repeat referenda: that has been done previously on domestic issues, and in certain Member States you can come back several times on a domestic issue too, so let us be intellectually honest about this whole procedure.

I think we have heard a very good analysis from the Irish MEPs themselves, from Mr Kelly, from Mary MacDonald, from Mr De Rossa: they offered an explanation on why there was a change among the Irish population, on why they moved towards a 'yes' vote, and I think we have had good answers.

I think some MEPs have a very strange way of looking at democracy as very static and absolute. They maybe prefer to forget that this is a discussion about a reform. It is a process that started in Laeken many years ago and has involved different democratic bodies and discussions over the years to try to find a common way of taking decisions in a more modern, more democratic and efficient way. Member States and their leaders have, of course, invested a lot of time and energy in this procedure and this is why it is not static: it cannot be compared with a football match. I am sorry, you cannot count scores in the same way as in a football match, because we also have to listen to each other.

And this is what was done. The concerns of the Irish people were listened to and they did it themselves in Ireland. Why do we have to explain? The Irish themselves, their national parliament, debated in a subcommittee the reasons why there was a 'no' vote – because this came as a surprise to many there. So they looked at the reasons.

I was there myself. I was at the fashion fair in Dublin, I was at the fish market in Cork, I was at the public meeting in Donegal, and what many people said first of all was: Well, we have not actually read the full text of the Treaty, it is a very complex legal text and it is difficult to understand exactly what this is all about.

Some said they were very afraid that what was on the posters might be true, that the EU will decide on a minimum wage which is EUR 1.48: can that really be true? Or is it true that the EU will impose conscription to a European army and send very young people to Afghanistan in a European army: can this be true? What kind of statements are these? Should I believe in them? So there were a lot of worries and a lot of real concerns and mainly, I would say, a lack of information and a need for their concerns to be taken seriously.

This is what happened. Civil society also engaged, as I think Mr Kelly explained very well. I am not ashamed of the fact that we made a citizens' summary of the Lisbon Treaty which was then published in the big newspapers – uncontested by anybody I may add – so that citizens could themselves read a summary in understandable language of the full Treaty, so that they could judge by themselves what was in there, what was true or not.

I think the legal guarantees helped, because then it was clarified that they did not have to worry about neutrality or abortion or any of the other concerns. So this was clarified and they got legal guarantees and they got a Commissioner – and thank you, Ireland, because it means that there will be a Swedish Commissioner also from now on, also a German one, and one from Greece etc., so I think we also have to thank the Irish for setting that straight.

Of course, we do not debate these things in a political vacuum. The reality will also influence how we think about these issues, and there is nothing wrong with that, but I think we should always, in the analysis that follows after a referendum, think very carefully about any fear factors on both sides, because fear is a very strong emotion and it might be misused. So I think that the debate that will follow in Ireland should also address how to avoid using or misusing any fear factor. But the reality showed that the Irish people believe that they have a place in the centre of Europe, and that they will be helped by belonging fully to Europe and not being questioned about whether this is true or not.

I also hope that the Commission can continue to play this role of providing factual objective information, but the debate will go on because, remember, the upside of a referendum is that you have to engage with citizens. You have to provide information and a debate and a discussion. The downside is that it also divides the population. You are forced to say 'yes' or 'no' and that can stay for a long time in the hearts and minds of the Irish as well. We have a duty, an obligation democratically, to also take the concerns of the 'no' side seriously, to continue the debate and make sure that the EU issues are integrated into the normal political debate, including by civil society in Ireland from now on, and in the rest of Europe in the same way. This is part of the reason why we did not have a higher voter turnout: that it is not part of the daily discussions about politics in each and every Member State.

That has to be done and I hope that there will be a Commissioner responsible for both citizenship and communication from now on, and hopefully under the new Lisbon Treaty.

**President.** – Thank you, Commissioner, and my thanks to all of you who took part in this very important debate on the outcome of the Irish referendum.

The debate is closed.

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

**Elena Oana Antonescu (PPE), in writing.** – (RO) The Irish vote is a definite vote in favour of Europe. When the Treaty of Lisbon comes into force, this will break the stalemate which Europe has been in for some years.

A great deal has been mentioned about the lack of democracy which Europe is suffering from and about the gulf between the European Union and its citizens. Some members also speak about the inability of European institutions even to cope with the realities of a disparate Europe, made up of 27 Member States, in which many of the countries that have recently joined have a different level of development and type of economy.

The inadequacy of the Community's institutional structure, the need to increase the EU's legitimacy in the eyes of its citizens and to have specific instruments to enable the EU to assume global responsibilities in a difficult economic climate justify the determination of Member States to support the shift towards a more democratic Europe.

When the Treaty comes into force, this will pave the way for reforming the European Union, providing the institutional capability to take action. However, political will is needed to tackle these challenges. Consequently, the successful implementation of the Treaty of Lisbon has a crucial role to play.

**Sebastian Valentin Bodu (PPE), in writing.** – (RO) The European Union is fast approaching the moment of carrying out the most important reform in its history: the implementation of the Treaty of Lisbon. Ireland said 'yes' to the Treaty 16 months after its resounding 'no' which generated equal concern among all the governments in Europe.

The EU is now waiting on the Polish President to ratify the Treaty quickly, as he promised, and for the Constitutional Court in the Czech Republic to do what the Czech President is refusing to do. This will make the EU more flexible and quicker to respond, but this is not all. The Treaty will also rekindle the aspirations of the states wishing to become members of the Community. The Western Balkan states have enthusiastically welcomed Ireland's ratification of the Treaty.

This will give the EU a stronger voice globally, once its institutions have been set up and reformed. The EU will then no longer be only a common market, but also a power in the sphere of international relations. Its strength is provided by the 27 Member States, which could increase in number in the not too distant future. 2010 is the year when we hope the Treaty will come into force. It could also be a year of renewal for the EU, which has managed to reinvent itself continually throughout its history.

**Maria Da Graça Carvalho (PPE), in writing. – (PT)** The result of the referendum in Ireland on the Treaty of Lisbon is a vital step in European integration and in strengthening the role of Europe. The Treaty of Lisbon enables the EU to step up Europe's role in policies on energy, climate change, science and cooperation with developing countries.

The Treaty of Lisbon makes the fight against climate change a specific objective of EU environmental policy, acknowledging that it has a leading role, internationally, in the fight against climate change.

For the first time, a chapter will be included on energy, giving EU policy the objectives of achieving energy security, promoting energy efficiency and the development of renewable energy sources.

The Treaty of Lisbon lays the foundations for creating the European Research Area, strengthening European action in an area that is vital for economic growth and employment.

The Treaty of Lisbon introduces, for the first time, a specific legal basis for humanitarian aid, and states that the reduction and the eradication of poverty in developing countries is the primary objective of the Union's development cooperation policy.

**João Ferreira (GUE/NGL), in writing. – (PT)** The result of the second referendum on the Treaty of Lisbon, held in Ireland, does not change the anti-democratic nature of a process that has disregarded the will of the people from the very beginning. We will not allow the 'no' of the French and Dutch peoples to the Constitutional Treaty to be forgotten, nor the deception that its transformation into the Treaty of Lisbon constituted.

The disregarding of the Irish people's 'no' in the first referendum, and the unacceptable blackmail and interference that followed it, culminating in an enormous campaign that included the shameless use of the resources of the Irish State and of the European Union, will also go down in history. Neither the ratification process, nor the content of this Treaty, legitimise the continuation of policies that are at the root of the serious economic and social crisis we are experiencing in the EU, particularly in Portugal, and which this Treaty will make worse.

For our part, we will continue, with unshakable determination, to fight neoliberalism, federalism and militarism within the European Union. We will continue, with great belief, to fight for another Europe – a Europe of workers and the people – and against the renewed threats to social and labour rights, democracy, sovereignty, peace and cooperation, which we are now facing.

**Bruno Gollnisch (NI), in writing. – (FR)** Mr President, ladies and gentlemen, who are we laughing at? The rather contemptuous satisfaction shown here regarding the 'yes' extracted from the Irish after months of harassment, guilt campaigns, lies and half-truths is a disgrace to democracy and an insult to the will of the people. As far as justice is concerned, confessions obtained by coercion are worthless: it should be the same for these rigged ratifications where there can be only one possible answer, which we are ready to obtain by making citizens vote and vote again ad nauseam, when we do not actually bypass them altogether by taking the parliamentary route. Today, Václav Klaus, President of the Czech Republic, is the only person left to try to resist this liberticidal text that is the Treaty of Lisbon. All of the patriots of Europe, all those who reject the European superstate, all those who think that the people have the right to determine their own future, must today demonstrate their support for him and help him to stand up to the pressure he is being put under and will be put under even more in the near future.

**Livia Járóka (PPE), in writing. – (HU)** I would like to take this opportunity to welcome the outcome of the Irish referendum, which paves the way for the Treaty of Lisbon to come into force, thereby creating a European Union promoting greater democracy and solidarity. I would like to highlight that, on the one hand, the Treaty gives national parliaments greater influence and, on the other, it is based on the European Union's Charter of Fundamental Rights, thus maintaining and consolidating the binding force of this document setting out human and minorities' rights. This is particularly important to Hungary as the ban stipulated by the Charter on discrimination against persons belonging to a national minority is an extremely important gesture from the point of view of both the Hungarians living outside Hungary and the minorities living inside Hungary.

During the current global economic downturn, it is important to recognise that effective and efficient European cooperation can provide a medium-sized country, like Ireland or Hungary, with a way of emerging from the crisis.

**Rareș-Lucian Niculescu (PPE), in writing.** – (RO) When the Treaty of Lisbon comes into force, it will make legislative procedures much simpler. The most significant progress in this respect will be the increase in the number of areas where decisions are adopted by the EU Council by qualified majority (rather than unanimously), as well as the increase in the number of areas where the European Parliament will have the role of colegislator, along with the EU Council. These new features will greatly facilitate the procedure for adopting decisions at EU level, especially in areas such as the Structural Funds and Cohesion Fund, which are extremely important to Romania which needs this money to continue its development. I also welcome the fact that the European Parliament will receive wider powers, for instance, with regard to agricultural funds, an area so severely affected by the economic crisis we are going through, while also being an area where specific measures are needed, capable of producing rapid results, in order to improve farmers' lives and ensure food security for our citizens.

**Joanna Senyszyn (S&D), in writing.** – (PL) President Lech Kaczyński, despite a publicly made promise, has still not signed the Treaty of Lisbon. The delay has now lasted for over one and a half years. This is unjustified, reprehensible, and even illegal.

On 1 April 2008, the President was commissioned by the Polish Parliament to ratify the Treaty of Lisbon. In accordance with the Constitution of the Republic of Poland, the President is obliged to sign. It is not a question of his good will or his inclination – it is an obligation. In not fulfilling this obligation, he is breaking the law. By making his signing of the Treaty dependent on the decision of the citizens of another country, President Kaczyński has placed Poland in the role of a country which is not capable of making a sovereign decision, and has offended the patriotic feelings of Poles. In Ireland, the winners were the supporters of a strong and united European Union. In Poland, the President stands in the way of victory, and he now has almost no support from society.

Could it be that he has procrastinated for personal reasons, for fear of losing an inflexible anti-EU electorate, including that associated with Radio Maryja? If so, it is high time to initiate the procedure for impeachment. In accordance with the Constitution of the Republic of Poland, there are two possible ways. The Tribunal of State, or application of Article 131, paragraph 2, subparagraph 4 of the Constitution of the Republic of Poland – 'a declaration by the National Assembly of the President's permanent incapacity to exercise his duties due to the state of his health'. The Polish people do not want to hinder development of the European Union. On the contrary, they want to initiate beneficial changes in Europe. President Kaczyński does not have the right to interfere with this.

**Czesław Adam Siekierski (PPE), in writing.** – (PL) Despite the fact that the European Union and its institutions function efficiently on a day-to-day basis without the Lisbon Treaty, failure to adopt it would create an image of a Community which is not able to reach and adopt important decisions. The Lisbon Treaty introduces new principles of voting, in which the voting power of a country is clearly dependent on the number of its people. In comparison with the present system of voting under Nice, large countries, including Germany, are better off, whereas medium-sized countries, including Poland, lose out. The share of votes allocated to Poland under Nice was very advantageous. Certain fears concerning the division of competences have been aroused by the establishment of a new institution – the President of the European Council, commonly known as the President of the EU. Let us remember that we already have a President of the European Commission and a President of Parliament, there is also the leader of the country which heads the EU or has what is called the Presidency, and in addition we await the appointment of a High Representative for Foreign Affairs and Security Policy. Apart from introducing the position of High Representative, also known as the EU Minister for Foreign Affairs, the Lisbon Treaty strengthens EU foreign policy by establishing common diplomacy. Furthermore, the possibility of leaving the EU has been set down, the European Citizens' Initiative has been created, and the treaty also speaks of the need to create an EU energy policy, which is very important for the future of Europe. We wait with hope for the final ratifications of the treaty.

**Silvia-Adriana Țicău (S&D), in writing.** – (RO) The Treaty of Lisbon will allow national parliaments to put Europe-related subjects on the agenda for national debate. Virtually every legislative proposal from the European Commission will be examined by national parliaments in order to confirm compliance with the principle of subsidiarity. If one third of the national parliaments inform the Commission that this principle has been breached, the Commission is obliged to revise its proposal. If half of the national parliaments believe that the principle of subsidiarity has been breached, the European Parliament and Council are obliged to

make a statement as to whether this principle has been complied with or breached. After a piece of European legislation has been adopted, national parliaments can request the European Court of Justice to repeal it within two months of its publication. Given the duration of the legislative process at European level, the inclusion of Europe-related subjects on the agenda for national debates will allow Member States to receive on time the pointers and guidelines for development and to devise their own at the same time as the EU. The Treaty of Lisbon reaffirms that the EU's economy is a social market economy and grants the EU new powers in areas such as climate change and energy policy. These powers will be of particular importance, especially against the background of the EU's energy dependency on third countries.

**Rafał Kazimierz Trzaskowski (PPE)**, *in writing*. – An Irish 'yes' to the Lisbon Treaty is good news for Europe. There is no doubt that the Treaty will serve for the benefit of the European Union by simplifying its decision-making process and creating a better field for its effectiveness. Contrary to what its opponents say, the Treaty does not bring any major revolution. Never before, however, has so much depended on the process of implementation. The devil is in the detail. With its innovations, the Treaty can increase, for instance, the EU's visibility on the international scene. Much depends, however, on the final arrangements that will determine the character of the new instruments, like the European External Action Service. It is therefore essential that the European Parliament takes its due role in the process of creating new institutional setting foreseen by the Lisbon Treaty, wherever possible. It will make this process more transparent, increase its legitimacy and finally it will serve, I believe, for its better outcome.

## 17. Situation in Guinea (debate)

**President.** – The next item is the Council statement on the situation in Guinea.

**Cecilia Malmström**, *President-in-Office of the Council*. – Mr President, we move from one item to the next. This is a very serious and important subject which the honourable Members have raised and chosen to put on the agenda.

On Monday, 28 September, more than 100 people were killed in Conakry, Guinea, when members of the Guinean security forces shot into crowds of demonstrators. Guinean citizens had gathered in a stadium in the capital to demonstrate against the presumed intention of the Guinean military interim leader, Captain Moussa Dadis Camara, to run for President. The final death toll is still unknown, as the soldiers also collected the bodies rather than allow them to be counted at public morgues. At this stage, we do not know the real dimension of these tragic events. The number of injured people is said to be at least 1 200, and eye witnesses have reported that soldiers raped women on the streets of Conakry.

During the violent repression, several opposition leaders were wounded and temporarily arrested. The number of protestors still under detention is also unknown; the houses of opposition leaders were ransacked and shops looted by uniformed men. In a TV statement the following day, Captain Camara expressed his condolences with the families of those killed and visited some of the injured. He proclaimed two days of national mourning and pledged to investigate the violence. He distanced himself from the killings by saying that he was not in control of the elements of the military responsible for the atrocities.

The European Union immediately and forcefully condemned these brutal and shocking events. A Presidency declaration, a statement by High Representative Solana and a statement by EU Commissioner De Gucht were issued the following day. We will have to insist on the liberation of the arrested prisoners and a thorough investigation of the events.

The violence in Guinea received worldwide condemnation. The UN Security Council was briefed last Wednesday on the situation in the country. The African Union condemned the events and decided to prepare a report on possible measures to be taken. The Economic Community of West African States (ECOWAS) called for a full international inquiry into the matter. Parliament, as you know, condemned the unconstitutional change of power, and in its resolution of 15 January 2009, called for respect for human rights and a rapid return to constitutional order. The EU decided to open consultations under Article 96 of the Cotonou Agreement, and EU development aid – apart from humanitarian aid and support for democratic transition – was frozen.

We have not been alone. Our international partners have acted in line with us. The African Union and ECOWAS decided to suspend Guinea until it established a democratically elected parliament or government. An international contact group on Guinea co-chaired by the African Union and ECOWAS, and with participation by the European Union, was put into place. In March, the military junta agreed with the

opposition to have elections before the end of 2009, which gave reasonable hope for a peaceful and democratic transition. Captain Camara gave his assurances that none of the coup leaders would stand for political office. A national transitional council was to guide the transition process and prepare the necessary modification of the constitution in order to help elections.

What can we do, then, to prevent further violence, and how can we help the people of Guinea in their legitimate desire for democracy, the rule of law, peace and development? Well, there are three main areas of action. First of all, we should maintain and reinforce political pressure on the regime in Conakry, notably in the context of the international group. Captain Camara's decision not to run could allow calm to return. The nomination of the President of Burkina Faso, Mr Blaise Compaoré, as facilitator in the crisis on behalf of ECOWAS and the International Contact Group, is a very positive sign, and the European Union has welcomed this appointment via the Presidency. We hope that his mediation will contribute to a secure, peaceful and lasting solution to the situation in Guinea.

Secondly, the option of targeted sanctions against individuals responsible for violence could be further explored. We will need to coordinate this approach with the African Union and other international and bilateral partners. The upcoming EU-African Ministerial Troika in Addis Ababa and the meeting on Guinea on 12 October in Abuja will be important in this respect.

Thirdly, we should continue to provide humanitarian aid to the civilian population and support the democratic transition process. The latter will nevertheless depend on the credible willingness of the transitional authorities of Guinea to re-engage in a peaceful and constructive dialogue with a clear commitment to refraining from further violence and to respecting the human rights and political freedoms of its citizens. We will spare no efforts to help the people of Guinea in this critical moment and we are determined to support a return to civilian, constitutional and democratic government through free and transparent elections. We encourage all stakeholders in Guinea to refrain from violence and to make a peaceful and democratic transition.

**Filip Kaczmarek, on behalf of the PPE Group.** – (PL) Mr President, Mrs Malmström, the crisis in Guinea is, in my opinion, symptomatic of a wider problem which occurs, unfortunately, in many African countries. That problem is the weakness of democratic institutions and the underdevelopment and sometimes even the lack of mechanisms characteristic of mature civil societies. This is important for Europe not only because we are bound to our values – it is also important for purely pragmatic reasons.

We discuss the effectiveness of development cooperation fairly often. This is not unusual, because we are the largest donor of this aid, and we must be interested in its effective use. However, we do have to face the fact that we will not achieve progress in effectiveness if the countries which make use of this development cooperation are not in a position to give minimum guarantees on the good use of this aid. Yet it so happens that it is hard to build such guarantees without democracy and civil society.

Yesterday, Mr Camara accused France of humiliating Africans by breaking off relations with Guinea. This is not true. France has not humiliated Africans. It is Mr Camara himself who has humiliated his compatriots and Africans. He has humiliated them, because he has allowed killings, he has allowed rapes. The reaction of France and the French Government was justified and proper, and our position should be equally resolute and severe.

It is a paradox, but the situation is fairly simple. We cannot fail to react to the brutal action which has been seen in Guinea. We must demand a halt to the use of violence. With Mrs Malmström, I think the mission of the President of Burkina Faso is a very good thing, and I wish him success. Let us hope that it will be effective. We should also support the African Union, which has announced the imposition of sanctions if civilian rule is not restored.

We know about the commitment of Sweden to the process of building democracy. We know that just this is a real priority of the Presidency in the area of development policy. We know, too, that the Swedish Government has both experience and a record of success in this area. I want, therefore, to hope and believe that this commitment, in a case so difficult and extreme as Guinea, will be effective and will produce good fruit.

**Patrice Tirolien, on behalf of the S&D Group.** – (FR) Mr President, the worrying developments concerning the political situation and security in Guinea require a firm response by the European Union. Indeed, as you know, on 28 September 2009, troops under the Guinean Government carried out the bloody repression of a peaceful demonstration uniting all of the opposition parties, causing 157 deaths and injuring more than a thousand people, some of whom suffered particularly vile instances of rape and mutilation. The Republic

of Guinea is a country that has experienced only two dictatorial regimes since its independence in 1958. It is time for this infernal spiral to come to an end.

The European Union, its Member States and its institutions had already condemned Moussa Dadis Camara's *coup d'état* on 28 December 2008. As is procedure, the Council then applied Article 96 of the Cotonou Agreement to establish a road map with the Guinean authorities, to be used as a framework for democratic transition. This list of measures included, in particular, the organisation of free and transparent elections within a year and the commitment that members of the CNDD, notably Moussa Dadis Camara, would not stand in these elections.

Captain Camara's decision to postpone the organisation of elections until spring 2010 and his refusal to raise the issue of whether he would stand for the Guinean Presidency were a sign of what was to come, with the current escalation. Thus, the demonstration that was bloodily repressed on 28 September was aimed precisely at calling on the junta to honour its commitments. The reaction of the government in office in Conakry shows its true intentions quite clearly: to eliminate all forms of democratic opposition in order to remain in power.

In response, the international community has unanimously condemned these violent actions and the Guinean regime. Outraged by these massacres, our Parliament's Committee on Fisheries recently refused, quite rightly, to vote for the Fisheries Agreement between the European Union and Guinea.

Today, and in light of the latest events, the European Parliament would like to know the decisions the Council intends to take to address this situation. First of all, does the Council intend to push for the creation of an international commission of inquiry on the events of 28 September? How does the Council intend to act to ensure that the CNDD respects its commitments, namely to organise free and transparent elections as soon as possible, without the participation of Moussa Dadis Camara or another member of the CNDD? With regard to Article 96 of the Cotonou Agreement, what measures does the Council intend to take against the Guinean junta? Finally, what concrete commitments has the Council made to support the different initiatives run by ECOWAS, the African Union and the International Contact Group on Guinea?

**Niccolò Rinaldi**, *on behalf of the ALDE Group*. – (IT) Mr President, Mrs Malmström, ladies and gentlemen, firstly, I wish to extend every sympathy to the Conakry victims on behalf of both the Group of the Alliance of Liberals and Democrats for Europe and the 30 African parliamentarians in the ACP-EU Liberal Democrat Network whom we met last week to discuss, among other things, the situation in Guinea, together with the chairman of Guinea's liberal party, a party which, unfortunately, has been directly affected by the violence.

As for what needs to be done, with regard to certain areas already mentioned by the Swedish Presidency, our requests are as follows: firstly, that together with our African Union partners, we demand the release of the prisoners and political leaders still being detained. Secondly, we must demand that free and democratic elections are held, without the participation of members of the National Council for Democracy and Development. Thirdly, I call for targeted sanctions to be adopted without too much pussyfooting around, since we must, in any case, send out a very clear message, in view of the atrocities which have been committed. Fourthly, we too wish to raise the issue of the fisheries agreement: we in the ALDE Group voted against it in the Committee on Fisheries, thereby helping secure the majority necessary to block the agreement, as far as possible. We believe that this is another important decision that the Council must take.

The fifth point is that we must establish targeted programmes to assist the victims, especially the women who were raped and who certainly need special dedicated help. Lastly, there is the question of justice. For us, it is vital to have not only an international commission of inquiry, but also the full involvement of the International Criminal Court. We believe that if there is a lesson to be learnt from the Conakry victims, it is to confirm once again that justice must be done and that people who commit crimes of this nature in Africa or anywhere else cannot get off scot-free.

**Eva Joly**, *on behalf of the Verts/ALE Group*. – (FR) Presidents, Ministers, ladies and gentlemen, we cannot remain silent in the face of the tragic events which took place last week in Guinea. The violence that was used against the opponents and, in particular, women, is utterly appalling and unacceptable.

I wish to express my support for the victims as well as their families, some of whom are still waiting for the return of their loved ones' remains, which were taken away by the junta in order to cover up the traces of a true massacre.



In addition to the current measures being initiated by the Council and the Commission, the parliamentary situation today allows us to react to these violent acts and to send out a strong message to the Guinean Government by rejecting the Report on the Fisheries Partnership Agreement with Guinea, which we will vote on during the next plenary session.

The Committee on Development already unanimously rejected, in September, this fisheries agreement between the European Union and Guinea, expressing doubts over the use of the funds allocated by the European Union. Aside from the fact that it seems inappropriate to allocate funds on the basis of fish catches made by European boats without taking into account either fishery resources or the effects on the local population, the recent events make us fear that these funds will be used for military purposes against the Guinean population.

Ladies and gentlemen, the European Parliament cannot endorse the fisheries agreements with Guinea while the victims' wounds are still fresh. Doing so would send out the wrong message to the Guinean Government. It would be a scandal which I cannot bring myself to endorse.

**Marie-Christine Vergiat**, *on behalf of the GUE/NGL Group*. – (FR) Mr President, ladies and gentlemen, like many other new MEPs here, I was struck by the attention given to human rights in the debates held in this House, and particularly in those of our President Buzek. I subscribe to this completely because, if I am here, if I headed a list during the European elections in France, it is above all because I am a campaigner for associations and, specifically, a human rights campaigner.

As such, I cannot be indifferent to the events in Guinea, as these were human rights campaigners, and more generally representatives of civil society, who were arrested, raped, in the case of women, and massacred on 28 September: more than 150 people were killed and more than 1 250 people were injured – as you said, Minister – in a single day. The repression continued in the days that followed and is still continuing, despite the fact that these people – as has also been said – came peacefully to remind Mr Camara of his own commitments. There is no doubt, according to the witness statements flooding in, that, contrary to the declarations made by the captain, these violent acts were carried out by forces close to the government.

The situation there is confused, but having regrouped within the Guinean National Council of Civil Society Organisations, civil society organisations are appealing to the international community for help. In the last few months, this National Council has set an example in these countries of Africa by organising a major process for the Guinean people on the basis of the commitments made by Mr Camara.

The news reaching us from Guinea is alarming. We cannot just make do with speeches here, in the European Parliament. This debate is taking place at our request, at the request of the Group of the European United Left – Nordic Green Left, but we must go further. We call for the explicit condemnation of the repression of the demonstration.

You have talked to us about targeted sanctions, Minister. Could you tell us more about this? On the matter of calling an immediate halt to persecution, of releasing all those arrested and of establishing an international commission of inquiry on these events, I believed, Minister, that we were moving in the right direction. However, could you give us some more information about this too?

You also told us that all aid had been frozen, except for humanitarian and food aid. To us, that seems a minimum, but in practical terms, how can we support the transition to democracy?

Mr President, we want a resolution to be voted on in the next Strasbourg part-session so that the European Parliament does not just limit itself to speeches, but acts by taking a decision, as it was able to do last January. I will say it once again: this is a matter of urgency. The organisations on the ground are warning us of the risk of ethnic conflict. We must not wait for a new Rwanda before we react; human rights must be defended in Africa just as they must be defended everywhere else in the world.

**Licia Ronzulli (PPE)**. – (IT) Mr President, ladies and gentlemen, Mrs Malmström described the situation in Guinea perfectly. For several weeks, Guinea has been the scene of violent clashes during which free citizens demonstrating in the streets in the name of their political beliefs have been subjected to unprecedented violence. The Guinean Government is persecuting and killing anyone whose political beliefs differ from those of their leaders, thereby depriving the people of any kind of freedom which, as we well know, is obviously an inviolable right for every human being.

The umpteenth massacre is taking place and is in danger of turning into genocide if we do not urgently adopt immediate, tangible measures. Last week, the ACP-EU Joint Parliamentary Assembly, of which I am

Vice-Chairman, decided to adopt a resolution condemning the use of force by the Guinean authorities and demanding that the local government immediately complies with the rule of law and upholds fundamental rights.

Following the deaths of 157 people in street clashes, and the attempts of Moussa Dadis Camara to cover this up, members of the opposition turned to the international community in the hope of receiving help and greater protection. On 5 October, however, Captain Camara opposed the presence of a foreign peacekeeping force in the country, rejecting any kind of foreign interference in internal affairs.

I therefore feel that in addition to expressing our condemnation, we need to respond by taking immediate, concrete action, as my fellow Member Mr Rinaldi just said. In the face of violations and denials of the right to life – with women and children paying the price once again – we cannot fail to act and demand a return to the rule of law. Therefore, by calling upon you, my fellow Members and representatives of the institutions, I hope that we can reach unanimous agreement – and I stress unanimous – to adopt immediate measures enabling the people of Guinea to re-establish fundamental and inalienable rights, such as democracy and freedom, in their country. Naturally, I also wish to personally express my support for all the families affected by these tragic events.

**Isabella Lövin (Verts/ALE).** – (SV) Mr President, Mrs Malmström, ladies and gentlemen, I am a member of the Committee on Fisheries and I visited Guinea myself last December, so I have followed this matter very closely.

First of all, I find it remarkable that the European Union is maintaining its fisheries agreement with Guinea, as the agreement was entered into with the previous regime two weeks before the coup. We have, in fact, stuck to an agreement that we entered into with a lawful regime, but now there is a military dictatorship. We have stuck to this all year.

Yesterday, the US Secretary of State, Hillary Clinton, openly urged Moussa Dadis Camara and his regime to step down. I can only agree with this minimum demand and would also like to point out that it would be a disgrace for the European Parliament if, in two weeks' time, we were to vote in favour of a fisheries agreement with Guinea that would provide this regime with more than EUR 1 million at the end of November. The fisheries agreement relates to tuna fishing for 25 European boats. I believe that these boats will quite clearly have to look for other waters to fish in, because the EU cannot do business with dictatorships that slaughter their own people openly on the streets.

The argument put to the Committee on Development and the Committee on Fisheries by the Commission that the money from the fisheries agreement will benefit the people is completely wrong. It reflects the Commission's evaluation of the previous agreement. We have no idea where the money from these fisheries agreements will end up. They related to the previous regime. I hardly think it likely that the present regime will use the money better.

I wonder, therefore, what the Council is intending to do about the fisheries agreement. Does the EU intend to join with the US and demand that the regime steps down?

**Cristian Dan Preda (PPE).** – (RO) I also would like to say that I regard the acts of violence committed in Guinea as absolutely appalling. I see that two hours ago, the French Foreign Minister stated that Dadis Camara is assumed to have been involved in the decision to carry out the massacre, which is an extremely serious state of affairs.

The source of the tensions, quite apart from the acts of violence which are appalling, undoubtedly lies in the fact that Dadis Camara wishes to become Guinea's leader permanently and is reluctant to keep his promise not to have any involvement whatsoever in the country's political life. I believe, too, that the international pressure exerted in connection with this must be very clear. On the other hand, I welcome that the President of Burkina Faso, Blaise Compaoré, who has a great deal of experience in conducting negotiations and mediation in African conflicts, has been appointed as a mediator in this case. I believe that he must be supported by our diplomatic efforts.

**Chris Davies (ALDE).** – Mr President, I must correct Mrs Joly when she said that the Committee on Fisheries voted unanimously to reject this proposed partnership agreement with Guinea. In fact, it voted by just one vote to do so. Quite astonishingly, the PPE Group voted solidly to retain the agreement. This is an agreement which puts some hundreds of thousands of euros into the hands of this regime in order that we can take

tuna from the coast. Like many of these agreements, it is a shabby deal at the best of times and, in the present circumstances, it is utterly unacceptable.

The Minister mentioned possible sanctions to be taken against Guinea. Will she now add this to her list and give us an undertaking that she will fight to try and ensure that this partnership agreement is suspended?

**Krisztina Morvai (NI).** – Mr President, as a human rights lawyer with almost a quarter of a century of experience internationally and at home in Hungary, I take every opportunity to emphasise the need for the European Union to defend human rights, preferably across the world. But it is extremely important to do it in a credible way and, in order to do so, we have to defend human rights within our borders as well, within the European Union system.

As I have mentioned to you several times during the last three months, Mrs Kinga Göncz, a member of the Committee on Civil Liberties, Justice and Home Affairs in this Parliament, used to be a member of a government which we call in Hungary the 'eye-shooter' government, who were shooting at people on the streets of Budapest on 23 October 2006. Ever since then, there has been a human rights crisis in Hungary, and this European Union does not do anything about it. We have a Vice-Chair of the Committee on Civil Liberties who was a member of the government at that time. Until we look seriously into this matter, nobody will think that anything we do in the human rights fields is credible.

**Cecilia Malmström, President-in-Office of the Council.** – Mr President, again my thanks to the European Parliament for putting this on the agenda. It is a very serious subject and, as I hope you understood from my introduction, we share your concerns about the horrible breach of human rights that has happened in Conakry. There are concerns and worries about people still being detained, and we have asked for a complete investigation of what has happened and the release of the prisoners.

I think we can say that the European Union has been extremely clear. The events have been condemned by Mr Solana, Mr De Gucht, the Presidency and now, as I know, also by a declaration of the ACP Group in the European Parliament. It is very good that the European Union is unanimous, concrete and concise in its condemnation of these horrible events. We are also acting in very close cooperation with other actors in this, so that the international community can condemn and act in a very coherent way. That is the only way we can really exercise pressure.

We have the international contact group. There has been the appointment of the mediator, the President of Burkina Faso, which is very good, and he is a member of the contact group. Together with the contact group, of which the EU and the US are members, we have – in answer to your question, Mrs Lövin – called for Captain Camara's resignation. The whole world community has asked for that to happen.

We are also open to answering other questions and to discuss sanctions. We think it will have more effect if we do it together with the international community. There are different options on how you can target individuals and so on in this, and we need, in the coming days, to further discuss with international actors how we can coordinate those sanctions in order for them to have the maximum effect: with the African Union, with the contact group, with the US, etc.

We have also, as I said, opened consultations under Article 96 of the Cotonou Agreement, and we have frozen all EU development aid, apart from the humanitarian aid and the assistance to the democratic transition.

On fisheries – whether that can be part of it or not – I hear very clearly what you say. I can only encourage you to continue the discussions with the Commission. It is the Commission which is responsible for EU fishery policy. We are also discussing this with the Commission, and I am sorry they are not here right now. But you can be assured that we will keep on working with the international community to continue with the pressure and to push for a full investigation and, hopefully, also one day for free and fair elections in Guinea. My thanks to you and to the Members for this debate.

**President.** – Thank you very much, Mrs Malmström. You have had so much patience spending the whole afternoon and part of the evening here. One can see that not so long ago, you were a Member of this House and so you like this environment very much!

The debate is closed.

## 18. One-minute speeches on matters of political importance

**President.** – The next item is the one-minute speeches on matters of political importance.

**Elena Băsescu (PPE).** – (RO) We welcome the signing of the Nabucco project agreement on 13 July in Ankara. However, gas is not the only energy resource available to European states. We must adopt the same approach with regard to supplying Europe with crude oil by promoting a southern corridor.

A project has been tabled before us which may assume the same strategic importance as Nabucco. I am talking about the pan-European Constanța – Trieste oil pipeline. This pipeline will transport the oil resources in the Caspian Sea via the Georgian terminal at Supsa, continuing along a pipeline via the port of Constanța right to Trieste.

We can only guarantee energy security for our states and citizens through the diversification of the supply sources and routes for oil and gas. With this in mind, Romania has embarked on developing a port terminal in Constanța, capable of receiving liquefied natural gas which it will then distribute to other consumers in Europe.

**Marc Tarabella (S&D).** – (FR) Mr President I will use the one minute of speaking time that we have been allotted to draw attention to the positive consequences – as everyone in this House knows – of the Irish people's positive vote on the constitutional treaty. This vote will mean that, particularly in a committee like that on agriculture, as well as in this Parliament, in plenary, we will have codecision. Parliament will therefore be on an equal footing with the Council which, in democratic terms, obviously represents huge progress.

I would like to use this opportunity to point out that, since an overwhelming majority of our Irish friends said 'yes' today to the constitutional treaty and the Polish President – according to what the President of our Parliament said just now – is also about to sign the treaty, all that is needed is a 'yes' from the Czech President. I would therefore like all our fellow Members from different political groups to be able, within the context of our respective competences, to try to convey to their Czech counterparts the message that this treaty really must be signed, all the more so since the Czech Parliament has already said 'yes'. All that is left for the President to do is to sign this parchment and thus take the democratic way forward in his country, so as to advance our democracy in Europe.

**Luigi de Magistris (ALDE).** – (IT) Mr President, I would like to talk about the tragedy in Messina – which the President of the European Parliament has recalled today – and its dozens of casualties. So another tragedy has been reported in Italy: the Italian Prime Minister has even claimed that it was a foreseeable tragedy. It may have been foreseeable, but nothing was done to prevent it. Nothing was done because the area is ruled by concrete, by the concrete mafia, by the forest mafia, with their forest fires.

However, what the European Parliament should focus on above all is the way in which public money and also the aid allocated by the European Union can be invested in a different form of regional development, to ensure that construction work is carried out properly and the severe environmental damage that has been done can be rectified. More often than not, these public funds end up being pocketed by criminal societies, corrupt politicians and the Mafia.

This legislative term must therefore focus on what happens to public funds, which should really be used to restore nature, to protect natural resources, to generate eco-friendly economic development and to create jobs. There must be no more horrific tragedies like the one in Messina.

**Ryszard Czarnecki (ECR).** – (PL) Mr President, I would like to speak in defence of the Polish minority in Lithuania, which recently has been subjected to discrimination. There is a painful paradox here, in that Poles in Lithuania, who in some regions constitute the majority of citizens, were in a better situation before the accession of Lithuania to the European Union than now, when Lithuania is a member of the EU.

The self-government of the Salcininkai region has been given until 14 October to remove Polish street name signs, which is against European standards and the European Charter of Local Self-Government. In March 2008, freedom of activity of the Polish school system was restricted, on the strength of Lithuanian law. In the space of one and a half years, four schools, with a total of 45 classes, were closed, and a further 107 classes are threatened with closure. Changes are being forced on Polish surnames, so that they look like Lithuanian ones. Finally, many Poles have still not been returned property which was seized by the communists, by the Soviet Union, after 1939 or after 1944.

I appeal to the European Parliament to defend Poles in Lithuania, in accordance with European standards of human rights and the rights of minorities.

**João Ferreira (GUE/NGL).** – (PT) Mr President, optimistic proclamations are being made concerning the announcement of the beginning of the end of the crisis. Unfortunately, these declarations are contradicted by reality on a daily basis. The situation in northern Portugal is an illustration of this. In the District of Braga alone, at least 10 companies have closed in recent weeks, leaving more than 300 workers unemployed. Many others are at risk of closing.

The situation is particularly serious in the textile and clothing sector: one of the sectors of the European Union to be worst affected by the increasing liberalisation of world trade. In this tragic situation, there is an urgent need for solutions that are different from the political guidelines that caused it.

It is vital to implement safeguard measures, in particular, in sectors to be indicated by the Member States, in order to be able to sustain and promote jobs and the continued operation of these companies, as well as to move forward with the creation – an issue that has already been the subject of a resolution by this Parliament – of a Community programme to support the textile sector, with adequate resources specifically targeted at the least favoured regions that are dependent on this sector.

**Paul Nuttall (EFD).** – Mr President, I would like to draw your attention to the underhand and undemocratic way in which the incandescent light bulb has been banned across the European Union. The initial directive handed implementing measures to the European Commission which, in effect, meant that the regulation was allowed to pass without the consent of this farce of an Assembly or of my real parliament at Westminster. The ban was a stitch-up by the political elite and was done on a nod and a wink.

The people have been bypassed, but then the European Union is very good at bypassing the people. Just take a look at what has happened with the Lisbon Treaty. It was allowed to happen, unfortunately with the collusion of the British Conservative Party, who are the Jekyll and Hyde of British politics when it comes to the European issue. They say one thing in Britain and they come out here and they do completely the opposite in committee.

To conclude, on the eve of World War I, the British Foreign Secretary, Sir Edward Grey, feared that the lights would go out all over Europe. Well done to the European Union, because, with your obsession with the unscientific cult of man-made climate change, what you are doing is proving Sir Edward's unfortunate prophecy to be correct.

**Krisztina Morvai (NI).** – Mr President, there was a lot of talk today about the Lisbon Treaty and how it strengthens solidarity among Europeans. On behalf of the Hungarian people, I would like to call for your solidarity now because, according to reliable information from human-rights-sensitive, high-ranking members of the Hungarian police, on the third anniversary of so-called Bloody Monday in 2006 (23 October), the Hungarian police will again use massive violence against the Hungarian people during our demonstrations or commemorations.

I would like to call on Members of the European Parliament to come to our aid and to come to Budapest on that day as human rights observers. I would like your constituencies to ask you to do that, too. Please do your research on the Internet about the human rights abuses and mass police brutalities in Hungary and make sure that it can never happen again. Please come and exercise the solidarity that has so often been mentioned today.

**György Schöpflin (PPE).** – (HU) I would like to mention the Slovak language law, which has raised grave concerns ever since its approval. The past few weeks have shown that these concerns were justified because, although the penalties prescribed in this law have not yet been applied, government employees have been ordered to speak only Slovak. This means that during working hours, postal workers, fire fighters and police officers whose mother tongue is Hungarian are not allowed to use their own language.

Therefore, if I speak Hungarian to a policeman in Slovakia, he is obliged to answer me in Slovak, even if Hungarian is his mother tongue, and regardless of the fact that I do not understand his reply. Incidentally, the situation is the same if I try to speak in English. I would like to suggest a new advertising message for the Slovak hospitality sector: we love having foreign tourists in Slovakia, provided that they learn Slovak before they set foot in our country. Welcome to Absurdistan!

**Monika Flašíková Beňová (S&D).** – (SK) I anticipated or expected more of these attacks on the Slovak Republic, since the institution of one-minute speeches provides an ideal opportunity for colleagues from Hungary or colleagues of Hungarian nationality to attack the Slovak Republic.

I have to say that this worries me greatly, because I expect the European Parliament actually to solve the problems confronting the European Union. We have extended the hand of friendship several times to fellow MEPs from Fidesz and other parties in plenary sessions here in the European Parliament, wanting to discuss unresolved problems or issues with them. This is what we did in the case of the language law and I must say that I am very disappointed, Mr President, that none of our fellow MEPs from Hungary or of Hungarian ethnicity responded to the offer and my colleagues from the SMK (which is a party from the Slovak Republic) even preferred to walk out of such a session when we raised the topic.

I have also accessed the website of the Parliament of the Slovak Republic, where it is possible to read through this law in full, and the law does not in any way threaten the right of ethnic minorities to use their own languages.

**Ramon Tremosa i Balcells (ALDE).** – Mr President, the Spanish Government has decided that the Barcelona to Perpignan high-speed train line should run just under the Sagrada Família Cathedral, putting at risk a monument that was designated a UNESCO World Heritage site in 1984 and was visited by three million tourists last year. The construction of a new tunnel extremely close to the foundation of the Sagrada Família Cathedral may lead to irreparable damage to that building.

The Spanish Government says that there is no problem, but this year the tunnelling machines of a new metro line in Barcelona have experienced multiple incidents in similar land conditions. One tunnelling machine has been blocked near the Llobregat River for some months without anyone knowing how to solve the situation. I wish to report the risk of the collapse of the Sagrada Família to the European institutions. To preserve this European masterpiece of general interest, please examine the matter, stop the work being carried out by the Spanish Government and change the route of the tunnel.

**Oldřich Vlasák (ECR).** – (CS) Mr President, ladies and gentlemen, I would like to draw your attention to the problem of hold-ups regarding the invitation to the Autonomous Train Drivers' Unions of Europe (ALE) to join the railways section of the Committee for Social Dialogue. Since 2005, this body has brought together more than 100 000 members from 16 European member organisations of train drivers and has sought to be recognised as a fully-fledged social partner in the section of social dialogue dealing with railways. Despite lengthy negotiations with the European Transport Workers' Federation, which is currently the sole representative of employee interests on this committee, it has not yet been possible to find a compromise that would give ALE the possibility of directly defending its members' interests. In my opinion, this is a very unfortunate state of affairs. Social dialogue, as approved by the European Parliament, should, in my view, allow pluralism. I firmly believe that no organisation, not even one that represents 80% of employees in the European rail sector, has the right to a monopoly and I therefore call on all parties, including the European Commission, to clear the way for further negotiations.

**Georgios Toussas (GUE/NGL), in writing.** – (EL) Mr President, the directives of the European Union and the laws in the Member States on the eight-hour day and reactionary restructurings in general are creating mediaeval working conditions, provoking anger among and demonstrations by the workers. The European Commission is flooded daily with protests by angry farmers and indignant workers.

For example, the working times for airline cabin crews and pilots, as provided for in Regulation (EC) No 1899/2006, exceed 14 hours' work a day, thereby endangering the lives of workers and passengers, as proven by numerous scientific studies.

The European Union refuses to take account of the scientific studies, because it is obeying the orders of the monopoly business groups which refuse to sacrifice even a single euro of their profits for the health of workers and in-flight safety.

We are calling for airline pilots' and cabin crews' working times to be reduced and for workers' just demands to be satisfied. Moreover, the European Commission has a commitment both towards the European Parliament and towards the workers.

**Martin Ehrenhauser (NI).** – (DE) Mr President, the whole ratification process for the Constitution Reform Treaty of Lisbon was a tragedy for democracy and also for the European Union. Perhaps you would allow me, as a new, young MEP, to say that, through referendums for all citizens in the European Union, we had

the opportunity, historically, to unite the very elitist drawing board project of the European Union with the people of Europe. You had the opportunity to use referendums to breathe life and spirit into the emotional wreck of the European Union. However, you did not utilise this opportunity. On the contrary, you quite simply said 'no' to more direct democracy and 'no' to citizen participation.

All I can say to that is that this is not what I call democracy. Democracy requires the separation of powers and a clear line between opposition and government. That is what we stand for and that is what we are fighting for.

**László Tőkés (PPE).** – (HU) Let me begin, Mr President, by saying that what Mrs Beňová said is not true. Five young Hungarians have already spent five years in prison in Serbia following a drunken brawl in the southern town of Temerin. They were handed down sentences ranging from 10 to 15 years. They were sentenced to a total of 61 years and their case was used by nationalists as election propaganda. Not even those who committed war crimes during the Balkan War have been given such stiff sentences. During the same period, around 300 Hungarians were beaten in Serbia without any legal repercussions. This gives a ratio of 300 to 1.

The European Parliament sent a fact-finding delegation to Serbia in January 2005. However, we have been waiting since then for the Subcommittee on Human Rights to discuss the report on the investigation into the brutal beating of Hungarians. I call on Parliament and President Jerzy Buzek to have the young men from Temerin released from prison. The EU must stipulate as a prerequisite for Serbia's accession that it should run its judicial system without discrimination and that, instead of delivering intimidating, prejudiced verdicts, it should catch the real villains, Serbian war criminals.

**Zigmantas Balčytis (S&D).** – Mr President, my country, Lithuania, is very similar to Ireland in many ways and the yes of its people for the Lisbon Treaty has clearly demonstrated the will of all our citizens for a stronger and more effective Europe. It has clearly shown that we are unable to act on our own in times of crisis and to ensure prosperity for our people.

More than ever, the Community must speak with one voice, and solidarity among the Member States is the basis for that. Europe is undergoing difficult times, and the reforms proposed by the Lisbon Treaty will give an impetus for a more effective institutional structure which will undoubtedly lead to more coherent policies in many areas. It is indeed a great achievement, both for Europe and for every one of us.

Once again I congratulate the Irish people for their determination to have a better and more prosperous Union.

**Frédérique Ries (ALDE).** – (FR) Mr President, on Monday – and this will not have escaped anyone's attention – milk producers from the four corners of Europe once again demonstrated in Brussels to state, to proclaim their despair and their distress faced with the collapse of milk prices, which is preventing them from carrying out their work. Even more than that, it is their future that is at stake here.

The call for a new form of regulation is today supported by a large majority of the Member States, the dairy G20, as we will call it from now on. I think that, now more than ever, the time has come to take decisions, and certainly at the next Council – a formal one this time – of the Ministers for Agriculture, which will take place on 19 October in Luxembourg. This is extremely urgent. A crisis of this magnitude must not become the subject of a commission study, as happened two days ago.

Very briefly, I have two questions for President Buzek, which I trust you will pass on to him. I understand that this morning he met Cecilia Malmström, the Swedish Minister for European Affairs, and I would like to know if she was able to confirm to him the Presidency's commitment to find an urgent solution to this crisis, along the lines of the resolution that we voted for in Strasbourg at the last part-session.

Finally, I come to this high-level group, this think tank that was launched the day before yesterday. Before and as from the next entry into force of the Treaty of Lisbon, we know our Parliament will become a joint decision maker, a colegislator. I think that it would make sense for us to be included in the work of this high-level group.

**Laima Liucija Andrikiienė (PPE).** – (LT) In August, Marijus Ivanilovas, a 35-year-old Lithuanian national and director of the printing house of the daily newspaper 'Respublika', i.e. a person with a permanent job and income, was detained in Belarus, not far from Minsk, and has already been held for two months without trial or proof of his guilt in a prison in the Belarusian city of Zhodin. A few days ago, the term for detaining Mr Ivanilovas was extended, as in two months, the regime's authorities were unable to find any proof of his

guilt. It is also important to point out that from childhood, Mr Ivanilovas has suffered from bronchial asthma. To his parents' knowledge, he is held in a cell where there are 26 prisoners, but only 6 beds and people smoke in the cell constantly. Marijus has asthma attacks, but he is not allowed to receive his medicine, nor is he allowed to meet loved ones or even the Lithuanian consul. Mr President, this is happening in a country in our neighbourhood. This is how the citizen of an EU Member State – Lithuania – is being treated! I call on you to take measures within your powers to ensure the immediate release of Marijus Ivanilovas, as there is no proof of his guilt and the charge is unfounded. Mr Ivanilovas must be allowed to return to Lithuania. He needs immediate medical attention.

**Daciana Octavia Sârbu (S&D).** – (RO) Last December, the European Union made an historic commitment to reduce carbon emissions, thereby confirming its leading position in terms of efforts to combat climate change.

We can be proud of the role that the European Parliament has played in adopting legislation which contains not only provisions for reducing the pollution level, but also specific measures to enable us to fulfil these commitments, which will help determine the rise in global temperature.

During the negotiations in Copenhagen this December, we must obtain firm commitments in terms of reducing emissions and the level of financial support granted to developing countries to enable them to alleviate the impact of, and adapt to, climate change. However, climate change legislation cannot be adopted in the United States prior to the Copenhagen conference, although the Obama administration will endeavour to conduct the negotiations, but without a clear mandate.

The European Union's common position must not be wasted. It is vital for us to speak with a single voice and encourage the other countries to follow our example in the task of reducing emissions.

**Sergej Kozlík (ALDE).** – (SK) The Hungarian representatives are misleading European public opinion with many untruths. They claim, for example, that citizens can be fined for using a minority language, that doctors of Hungarian nationality will be able to work only in the official Slovak language, or that religious services can be conducted only in the official language.

We have now heard Hungarian MEPs talking nonsense about policemen not being allowed to respond to tourists in Hungarian or English. None of this is true. On the contrary, the amended law increases the possibilities for using ethnic minority languages compared to the situation previously. The amendment does not interfere with private communications between citizens and does not enable fines to be imposed on individuals. The conformity of the amended law to international standards has been confirmed by the European authorities in the area of minorities – OSCE High Commissioner Knut Vollebæk and EU Commissioner Leonard Orban. In my opinion, the Hungarian community is exploiting this cause in an attempt to conceal growing extremism and the murder of Roma people in Hungary.

**Joanna Senyszyn (S&D).** – (PL) Mr President, I regret to inform you that the rights of people who leave the Catholic Church in Poland are being broken. Against the will of the apostates, their personal details are not removed from parish archives. On the contrary, they continue to be used. This is the instruction concerning the protection of personal data in the activity of the Catholic Church in Poland. The part of the instruction we are talking about is not based on the prevailing Personal Data Protection Act, but – and listen carefully – on the provisions of the Code of Canon Law.

How is it that in Poland, which claims to uphold the rule of law, canon law has precedence over law made by the national Parliament? Why does the Code of Canon Law govern the rights of citizens who are not Catholics? How is it possible that the Inspector General for Personal Data Protection does not have any authority to inspect church archives? There is only one explanation: Poland is a church state. The European Parliament should react to this.

**Cristian Silviu Buşoi (ALDE).** – (RO) The subject of my speech today is linked to the most important event that has taken place recently in the European Union, namely the successful outcome of the referendum organised by Ireland to ratify the Treaty of Lisbon.

I also wish to share the sentiments of my fellow Members who have had the opportunity today to congratulate the Irish people on giving this very clear signal of their decision to opt to continue the process of European integration at a political level. They have not succumbed to the populist declarations which drew attention to some of the adverse consequences because this Treaty will quite obviously make European institutions operate more efficiently and democratically.



I also think that it is the duty of the Czech President to respect the undertakings made when this Treaty was negotiated and not to impede without justification its implementation. We need this Treaty to close the institutional chapter in the EU's development, at least for a while, so that we can become more involved with the EU's policies. The last two states, Poland and the Czech Republic, must ratify the Treaty as soon as possible so that the appointments can be made to the new posts provided for by the Treaty, both in the Commission and at Council level.

**Edit Bauer (PPE).** – (HU) A great deal was said about the Slovak language law during the last parliamentary sitting, as is the case today. This is no coincidence. This law limits the extent to which minorities can use their own language, contrary to the various statements made, although it is true that minority languages can also be used in a very small area of public life. However, it is not true that we are avoiding debate on this matter because, if someone tries to agree in five minutes on this subject in front of 10 journalists, they will probably fail. I would like to draw attention to the fact that as this law has been poorly drafted in bad faith, it is creating fresh legal uncertainty because in two days, the Slovak Ministry of Culture has provided three different explanations for some of the articles in the law.

It has instilled fear in people. We are already aware of several instances where employers are ordering their employees to speak Slovak. I deeply regret the need to raise this matter in this chamber. I hope that the Treaty of Lisbon will provide us with the chance to deal properly with human rights and minority rights.

**Josefa Andrés Barea (S&D).** – (ES) Mr President, piracy is a problem of concern to this Parliament, the Member States and, naturally, Spain, because we currently have a Spanish fishing boat that has been seized in the waters of the Indian Ocean, with 36 crew members on board.

The first thing that I would like to do is to express my sympathy for the crew and their families, and naturally, give my support to the Spanish Government in securing its speedy release.

We are not, however, talking about a problem affecting Spain's tuna fleet specifically, but one that affects three countries – France, Italy and Spain – that are fishing in international waters, outside Somalia's exclusive area. In view of that, an international reply and joint European preventive and response measures will be required. That means more resources devoted to an improved Operation Atlanta, which already exists and which has been successful in terms of a reduction in the number of vessels seized in 2009 as compared with 2008.

Finally, I would like to touch upon the support that we should offer for an international summit on piracy in Somalia, because we must improve international relations in order to iron out these problems on the ground, and because we need to improve international dialogue.

**Chris Davies (ALDE).** – Mr President, many in the House have today congratulated the Irish people on their good sense in rejecting the appeals of Nigel Farage and the UK Independence Party and voting overwhelmingly in favour of the Lisbon Treaty.

Members should perhaps also commiserate with the British people, because we have to put up with Mr Farage on a daily basis. He calls a two-to-one majority in Ireland a 'victory for bully boys'. I am afraid his words are all too typical of a man who uses distortions and deceit, and sometimes downright lies, about the European Union. All too often, those words are unchallenged by journalists.

However, hyperbole can turn to insanity. Now he is comparing the campaign in Ireland with the brutality of the latest elections in Zimbabwe. He describes the Treaty that gives every Member State the right to withdraw from the Union as an end of independence. Nevertheless, we should be compassionate. Parliament has a medical service. Mr President, I invite you to ask the men in white coats to offer their services to our colleague. Nonsense about Europe may pour from his lips but at least they can help ensure that he does not choke on it.

**Czesław Adam Siekierski (PPE).** – (PL) I would like here, in the European Parliament, to refer to the statement made by Polish and German bishops on the 70th anniversary of the outbreak of World War II. At this particular time, when the thoughts of many people turn to those traumatic events, it has been pointed out to us that we should take special care of the young generation, so that they will be able to learn the truth about history appropriately and thoroughly and, on that truth, to build a common future.

It is impossible not to recall here the first letter from the Polish bishops to the German bishops in 1965 which encouraged reconciliation and the establishment of partnership relations between our countries.

Today, as then, we care about building trust and friendly relations between our nations. However, although we are on this common road of reconciliation, we are, today, in a different place. Let us create a common Europe together, a Europe of cooperation and friendship, a Europe of values which are based on Christian roots, and which were the basis for the creation of Europe by the founding fathers of the European Community. In the interest, therefore, of the good of our common future, we should take careful note of the warnings and recommendations which are found in the joint statement of the Polish and German bishops.

**Csaba Sándor Tabajdi (S&D).** – (HU) Ladies and gentlemen, a great deal has already been said today about minority issues. I would like to give you a positive example in this area. Serbia has adopted a law on cultural autonomy which is unique throughout the whole of Europe, and which is positive not only for the whole of the European Union, but for the whole of Europe too.

According to this law, 13 minorities, including Slovaks, Romanians, Hungarians and other peoples, can directly elect their own national councils. These national councils are financed out of the budget and can, under this cultural autonomy, handle and control the relevant institutions. The other lesson to be learnt is that the minorities were involved in drafting this law. Therefore, Serbia can set an example for many EU countries, such as France, Slovakia and others, in terms of how to guarantee the rights of minorities in law. This has also helped Serbia take a major step on the road to European integration.

**Iuliu Winkler (PPE).** – Mr President, being a Hungarian MEP coming from Romania, I will not speak today about the Slovak language, even though I am afraid I would have good reason to do so. Instead, I want to speak about our decision today to set up a special committee on the economic crisis.

This decision proves the responsibility of our Parliament in the biggest challenge currently confronting Europe. The special committee will reaffirm the European Union position concerning the new global financial governance, but will also interact with the Member States, aiming at best implementation of Community measures meant to generate sustainable economic growth.

It is vital for the new Member States in the central and eastern part of Europe to receive necessary support for economic recovery. Coordination of recovery efforts should be more efficient, and enhanced coordination is not only the responsibility of the governments but also the responsibility of Brussels.

We are facing a most complicated economic perspective accompanied by the imminence of serious social unrest. That is why the European Union has to put forward the most efficient response to the deteriorating situation in the region and this House must show leadership on this issue.

**Izaskun Bilbao Barandica (ALDE).** – (ES) Mr President, a few days ago, 36 people were kidnapped while they were fishing in waters of the Indian Ocean under the aegis of an agreement approved by the European Commission.

On 15 September, I condemned the risky situation and the helplessness and defencelessness of these workers. I put forward certain concrete measures, but nothing was done.

Unfortunately, we are therefore now in the position of speaking about those who have been kidnapped and are being held by the pirates.

I therefore ask the European Commission to be forceful and to recommend to the Member States that soldiers be posted on fishing vessels, and I ask it to address this recommendation to the Spanish Government, because it has been an effective measure. France is taking this action and we can see the results.

This Parliament has acknowledged, in a resolution, that the fisheries sector is defenceless because priority has been given to the merchant navy. The European Commission official also acknowledged this on the eve of the seizure and we therefore ask that this protection be extended to fishing vessels.

I also call upon the President to express and pass on our sympathy and support to those who have been kidnapped, and their families, and for him to invite the skipper of the vessel, once he has been freed, to Parliament.

**Ádám Kósa (PPE).** – (HU) There has been much talk earlier about minorities. I would also like to draw attention to the 50 million people with disabilities who live within the European Union. I regard them as the biggest minority. The financial crisis is hitting them hardest. I want to emphasise that these people are always the first to lose their jobs, see a fall in their incomes, have few opportunities for a livelihood and

experience a drop in their standard of living, not to mention the ever-dwindling support given to the social organisations representing them.

The biggest lesson from the current crisis is that it is worthwhile investing in people, including on an individual basis, even instead of other types of investment. Political and economic decision makers have a responsibility to take heed of people with disabilities. I ask you therefore to do everything you can for them so that they receive fairer treatment from you. I am stressing this point because 50 million people can have a huge amount of clout within the European Union, and it is in our interest to ensure equal opportunities in society.

**Nessa Childers (S&D).** – Mr President, of course I am delighted that the Lisbon Treaty has passed in my country. However, it has been seen this afternoon that the debate on the Reform Treaty has been poised between a reality and a distraction, and we must not stand still in its wake. The reality is that the world has changed fundamentally over recent decades, as a much greater proportion of it is now competing with us in a global market.

Quite simply, Europe must behave more coherently if it is to prosper. The Treaty now obliges the European institutions to be more democratic and more responsive to individual European people. The Charter of Fundamental Rights insists on this. We do not have the luxury of acting only in the interests of our own nations; we need to strengthen the Union which every one of us represents. As we did in our referendum, we need to continue to communicate who and what we are.

**Iosif Matula (PPE).** – (RO) During the current economic crisis the European funds are key instruments for the less developed regions in Member States in terms of helping them achieve convergence objectives.

A long and not exactly simple process is involved between the time these objectives are specified and the funds actually being taken up by the beneficiaries, which is also hampered by a series of bureaucratic EU regulations. At a time when we MEPs are highlighting the effects of the economic crisis and are adopting measures to speed up the process and simplify the regulations for accessing these funds, Member States are only benefiting slowly from these measures and not to the full extent.

On this point, I wish to mention a specific example from Romania. Projects financed by the European Social Fund, aimed at improving workers' conditions and increasing the number of employees in certain companies, are still encountering problems during their implementation.

I would like to call for the measures aimed at simplifying the procedures for accessing the funds to be speeded up in order to facilitate job creation in Europe's regions.

**Alan Kelly (S&D).** – Mr President, it is with extreme urgency that I call on Parliament to see that the EUR 14.8 million promised to the workers in the mid-west of Ireland in areas like Limerick, Kerry and Tipperary who worked for Dell Computers and its suppliers is allocated as soon as possible. This money was promised by the Commission President under the Globalisation Adjustment Fund in a recent visit to Limerick. There is no going back on it and, whatever the issues relating to protocol and how this Fund is administered may be, these need to be overcome immediately. Parliament should not delay this money, which would give the region a much-needed economic stimulus. It was estimated at one stage that Dell and its suppliers employed one in every five people throughout the mid-west of Ireland, so this area has been hard hit.

That is why I urge the Commission to review the rules on State aid support. These were drawn up in 2006 before the massive shock that the loss of Dell and the other industries created. I urge the Commission to include the mid-west of Ireland as an area of serious unemployment in the review of State aid rules next year, so that it can qualify for the now much-needed EU funding.

**Csaba Sógor (PPE).** – (HU) Mr President, the role of the European Parliament – and I quote its President – is to mediate between disputing parties and countries, if necessary. Parliament should not only get involved in fire fighting, but should contribute to preventing the fire as well.

Parliament should adopt, for instance, a minority framework law that guarantees minorities' rights. Minorities are entitled to feel safe. Such a framework law will help ensure that minorities are not at the mercy of governments, extremist organisations and such actions as the Slovak language law which punishes minorities for using their mother tongue. It is unacceptable that within the European Union, minority organisations are banned, bilingual place name signs are painted over and extremist organisations stage provocative anti-minority demonstrations.

Part of the European Parliament's role is to implement legislation which protects human rights, prevents discrimination and guarantees that minorities can live as fully valued human beings in the land of their birth.

**Ricardo Cortés Lastra (S&D).** – (ES) Mr President, in the face of the hijacking of the Spanish fishing vessel *Alakrana* by pirates in the Indian Ocean, I want to point to the firm resolve of the Spanish Government, with the support of the European Union, to free the 36 crew members – 16 of them Spaniards – to bring them back safe and sound, and to bring the hijackers to justice.

Thanks to Atalanta, the European operation, which was begun in December 2008 at the initiative of France and Spain, joined by other European Union countries, we now have a significant deployment of forces in the area. The expansion of the protection area does not, however, extend as far as the location where the fishermen are fishing, and that is why we are issuing a call to the ship operators, asking them not to go outside the security area, and we are urging the European Union and its Member States to grant an extension to the south of the coverage of Atalanta and more resources to guarantee the free movement of the 20 000 vessels crossing an ocean whose surface is three times greater than that of the Mediterranean.

Although the deployment has guaranteed access for the merchant ships that carried 227 000 tonnes for the United Nations Food Programme to Somalia, now we must make an effort to cover the work of the dozens of European fishing vessels fishing in the area.

Lastly, we urge the Member States to mobilise their information and intelligence services in order to look for and arrest the intermediaries that give tip-offs to the pirates and get paid for rescues, operating from European soil.

**Seán Kelly (PPE).** – Mr President, there has been much talk in the last two hours and the last couple of weeks in Ireland about a communications deficit and the need to bring Europe closer to the people.

I have a suggestion to make: I think that we should discuss this at some future time in this Parliament, particularly to get the views of MEPs on how the Commission and the MEPs themselves can be involved in this whole area, because national governments have proven reluctant in the past to give credit to the European Union for what it does and, as a result, the people are not aware of it.

We now, with our increased powers and increased opportunities, should take that opportunity to discuss this issue here in Parliament and come up with ways and proposals on how we can actually help to clear that deficit and bring Europe closer to its people. It would be an exercise well worth doing.

**Silvia-Adriana Țicău (S&D).** – (RO) In June 2009, the European Council called on the European Commission to draw up and present a strategy for the Danube region by the end of 2010.

The European Commission and Member States should adopt a common European strategy which will combine current Danube initiatives and boost the importance of this river as part of the European Union's policies. The Danube region strategy should focus on common objectives and projects in the areas of transport, energy, the environment and cultural cooperation.

Last year, the European Parliament's Committee on Transport and Tourism organised a delegation to the Danube region to find out about and promote the potential offered by this river as part of EU policies. One of the main conclusions reached by this delegation was to create in the European Parliament an intergroup to promote the River Danube. The creation of this intergroup helps the European Parliament reaffirm its commitment to be involved in and actively support both the drafting of a strategy for the Danube region and its implementation.

**Teresa Riera Madurell (S&D).** – (ES) Mr President, I would like to call the attention of this House to the fact that 27 September was the thirtieth World Tourism Day, held under the slogan 'Tourism – Celebrating Diversity', at a time when we are all hoping for the rapid entry into force of the Treaty of Lisbon, which incorporates tourism as a new sphere of action for the European Union.

One of the sector's challenges is to improve the range of tourism experiences on offer for the whole world without discrimination.

As pointed out by the Montreal Declaration, access to tourist leisure for the whole world necessarily means being involved in the struggle against inequality and the exclusion of the culturally different, those of limited means or abilities, or those who live in developing countries.

Parliament has translated this ambition into a pilot project on social tourism which the Commission will develop this year. Another reason for its actions is that social tourism helps the employment rate by combating seasonality – one of the sector's major problems – and creates greater equality, more jobs and jobs which last for longer.

Ladies and gentlemen, that is our objective.

**María Paloma Muñiz De Urquiza (S&D).** – (ES) Mr President, just a few hours ago, Cristo Ancor Cabello was killed in Herat in Afghanistan. He was a Spanish soldier belonging to the International Security Assistance Force, the force deployed under a mandate from the United Nations in which soldiers of many different nationalities carry out a very difficult task, deserving of our gratitude, to improve the living conditions and the security of the Afghan civilian population.

Mr President, I ask you to pass on the condolences of the European Parliament to his family, as well as our support and sympathy to his fellow soldiers, among whom there are five wounded.

Mr President, I would also like to add that the Spanish Government is maintaining its firm undertaking to ensure the security of all troops on peace missions deployed abroad, not just in Afghanistan, but also in other locations around the world.

**Vasîlica Viorica Dăncilă (S&D).** – (RO) The last two rounds of enlargement of the European Union have brought numerous benefits to old and new Member States alike, while also posing a number of challenges.

Two years after its accession to the European Union, Romania is one of the countries with the lowest success rates in terms of accessing European funds. The procedure for accessing European money is fairly complicated and impenetrable. The Structural and Cohesion Funds provide financial leverage which may facilitate economic recovery, particularly during the current crisis.

Against this background, I feel that we need simple rules for accessing the Structural Funds so that European money can reach beneficiaries as quickly as possible. Particular attention must be focused on removing all those difficulties that hamper access to Community funds and discourage people from obtaining EU financial support.

We must encourage efforts at European level aimed at simplifying the procedures for accessing the funds earmarked for Romania in order to accelerate their allocation and rapid absorption.

**President.** – That concludes the item.

*(The sitting was suspended at 20.40 and resumed at 21.00)*

#### IN THE CHAIR: MRS KOCH-MEHRIN

*Vice-President*

### 19. Composition of Parliament: see Minutes

### 20. Appointments to the Special Committee on the Financial, Economic and Social Crisis (tabling deadlines): see Minutes

### 21. Prevention and settlement of conflicts of jurisdiction in criminal proceedings (debate)

**President.** – The next item is the report (A7-0011/2009) by Renate Weber, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the initiative of the Czech Republic, the Republic of Poland, the Republic of Slovenia, the Slovak Republic and of the Kingdom of Sweden for adoption of a Council framework decision 2009/.../JHA on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings (08535/2009 - C7-0205/2009 - 2009/0802(CNS)).

**Antonio Tajani, Vice-President of the Commission.** – (FR) Madam President, as this is the first time that I have spoken before this new Parliament, I would like to congratulate you on being elected to the Vice-Presidency.

As far as the Weber report is concerned, I speak on behalf of Vice-President Barrot and I would like first of all to thank the rapporteur and the members of the Committee on Civil Liberties, Justice and Home Affairs for the excellent quality of their work. The Commission welcomes the report and supports some of the proposed amendments. The Commission is, by and large, in favour of the proposal presented by five Member States, although the text is not as ambitious as it would have wished. More specifically, the Commission deplores the fact that the scope of the framework decision has been limited to cases where the same person is subject to parallel criminal proceedings for the same offence. The Commission also regrets the fact that the obligation to refer to Eurojust cases where there is a conflict of jurisdiction has been limited and that the list of criteria which must be taken into account to determine the most appropriate jurisdiction has been removed from the operative part of the text. These amendments have weakened the text of the proposal, taking away most of its added value.

From the Commission's point of view, the proposal should be considered only as a first step towards the prevention and settlement of conflicts of jurisdiction in the framework of criminal proceedings and should subsequently be replaced with a more exhaustive proposal. The Commission will also consider this in the light of the changes made in this area by the Treaty of Lisbon, which I hope will enter into force as soon as possible.

**Renate Weber, rapporteur.** – Madam President, the positive result of the Irish referendum on the Lisbon Treaty brings us one step closer to that moment in time when the European Parliament will not only be consulted by the Council, but will have codecision powers on matters which are now under the third pillar.

The question then is: why is the Council so keen to adopt legislation a few months before that date when, moreover, that legislation does not represent a step forward in establishing a genuine European area of freedom, security and justice? The truth is that this proposal does not help prevent any conflicts of jurisdiction, and does not provide for any settlement when such situations arise. This could be done, for example, by reducing multiple jurisdiction and by allocating jurisdiction to Member States, as was done through various regulations on civil law, with the obligation to mutually recognise the decisions that followed from that allocation of jurisdiction. Instead, this Framework Decision is limited to a duty of Member States to inform one another and to enter into direct consultation in order to reach 'consensus on any effective solution aimed at avoiding the adverse consequences arriving from parallel proceedings'.

That is why I was not surprised when, during the exchange of views in the Committee on Civil Liberties, Justice and Home Affairs a few weeks ago, the Commission – although supporting the current proposal – mentioned it would come up with a new proposal at a later stage. That is also why I am not surprised by what the Commissioner has said this evening. I thank the Commission for being so honest about the proposal, but have to say that I consider this proposal and the entire procedure for its adoption a good example of how we should not legislate within the European Union. I strongly believe that what is important is to protect our citizens' rights and not just to tick boxes. By the way, the Council is not present today, although the Presidency was one of the initiators of the proposal. I have to stress that within the European Parliament, we took our work very seriously. We worked in good faith during the last mandate and this one, and would hope to be sending a message on our views on having more effective legislation.

What I welcome about this proposal is that the current text explicitly refers to the principle of *ne bis in idem*. This was due to the exchange of views we had with the Council and the Commission, as the original text proposed did not mention it at all. The report I drafted pays particular attention to three aspects.

Firstly, I believe that the protection of persons formally charged must receive the highest attention and consistent procedural safeguards have to be provided for. These should include the right of the formally charged person to receive enough information for him or her to have a basis upon which to challenge any solution which does not appear to be reasonable. Secondly, with regard to the details concerning the person formally charged, which national authorities exchange through the notifications, I support the idea that it is important to ensure an adequate level of data protection and that it should be specified in this Framework Decision what kind of personal data is exchanged.

Last but not least, I strongly believe that the involvement of Eurojust in the decision on the choice of jurisdiction is of the utmost importance. In my opinion, Eurojust should be involved from the earliest stage because of its coordinating role and because of its more and more relevant tasks. I am among those who consider that we created this Agency not only to show that we are concerned with combating transborder crime, but because we need strong instruments. Eurojust has already proved in the years since its establishment that it deserves our trust. That is why I am surprised by the reluctance shown by the Council and by some colleagues in the European Parliament. Having said that, I would like to call on the European Commission

to present at the earliest opportunity a proposal completing this Framework Decision on the conflicts of jurisdiction. I will finish by thanking the shadow rapporteurs for the way they worked on this report.

**Monica Luisa Macovei**, *on behalf of the PPE Group*. – Madam President, I would also like to start by thanking the rapporteur for the very good cooperation we have had in this matter. As the shadow rapporteur for the PPE Group, I would like to present the PPE position on the Framework Decision as it is and, of course, on the amendments.

The PPE position differs from that of the rapporteur on two matters. The first is the degree of involvement of Eurojust in direct communication between the domestic authorities. While the rapporteur asks for mandatory involvement of Eurojust in every case from the initial stage of communication, we believe that the referral to Eurojust should only take place when national authorities fail to reach consensus because, after all, as it is now, this initiative is about direct communication.

We, too, would like to strengthen Eurojust and its part in the judicial cooperation. Our position on this matter only seeks to prevent bureaucracy. If there is a possibility of the two parties reaching consensus, why introduce another body and procedure? We do believe and agree that Eurojust must play a role when the parties fail to reach consensus, but where there is not a problem, we give the national authorities the flexibility to have direct bilateral contacts, which also boosts public trust.

The second matter relates to another proposed amendment which extends the competence of Eurojust beyond that provided in Article 4 of the Eurojust decision. We believe that this matter, if it is to be discussed, should be approached in relation to the Eurojust decision via the main door. This is why we will vote against these amendments.

However, there are no key points, so we will vote for the report as we want to encourage the exchange of information between national authorities. We also support the oral amendment tabled today.

Finally I would like to stress that the PPE is keen to see judicial cooperation enhanced, and supports a European policy which should help citizens have the same guarantees and procedures in all Member States.

**Monika Flašíková Beňová**, *on behalf of the S&D Group*. – (SK) A criminal law policy which secures the fundamental human rights of persons involved in criminal proceedings is one of the priorities of the European Community.

The draft framework decision arose from an initiative of the Czech Presidency and it provides a legal framework for protecting persons involved in criminal proceedings and particularly for strengthening adherence to the principle of *ne bis in idem*. In my opinion, the adoption of this legislative proposal is therefore essential, not only to protect persons involved in criminal proceedings, but also to increase legal certainty for EU Member State citizens.

The mechanism for resolving conflicts of exercise of jurisdiction should provide a way of eliminating situations where a number of Member States mount criminal prosecutions against one and the same person for one and the same crime. It should also rule out the possibility of multiple decisions being issued in respect of one and the same case.

The framework decision imposes an obligation on Member States to inform each other about the existence of parallel criminal proceedings, but it does not establish a comprehensive legal mechanism for resolving them. I see shortcomings mainly in the vagueness of the legal text, which, in most cases, does not specify any deadlines for fulfilling the stated obligations. At the same time, the role of Eurojust is unclear and there is also a failure to exploit the potential of this institution for resolving conflicts of exercise of jurisdiction.

It is essential to put the emphasis particularly on upholding the fundamental human rights of persons involved, in other words suspects and defendants, at all stages of criminal proceedings and, at the same time, also to ensure a corresponding level of personal data protection. We must consequently turn our attention to the Commission's legislative initiative entitled 'Transfer of Proceedings in Criminal Matters', which will apparently solve this problem much more comprehensively. It is essential to support this draft, even though there are practical problems in solving conflicts of exercise of jurisdiction in criminal proceedings. The progressive alliance of socialists and democrats therefore supports the draft, although we are insisting on the provision of sufficient protection for persons involved in criminal proceedings and, at the same time, a stronger role for Eurojust and greater efficiency for the mechanism as a whole.

**Louis Bontes (NI).** – (NL) Madam President, the Dutch Party for Freedom (PVV) sees no good in this proposal. The Netherlands, and the Netherlands alone, should be taking decisions on the exercise of jurisdiction. It appears that more and more proposals are being made that ultimately boil down to harmonisation of the criminal law of the Member States. Examples are accreditation of forensic laboratories, harmonisation of the policy on interpreters and the transfer of criminal records. The PVV asks itself where this is all heading. We cannot support a European penal code or a European code of criminal procedure. This looks like salami tactics, where you keep having small slices rammed down your throat until you end up having eaten the whole sausage.

**Agustín Díaz de Mera García Consuegra (PPE).** – (ES) Madam President, I would like to begin by thanking and congratulating my friend, Mrs Weber, on the fine work she has accomplished in this report.

Ladies and gentlemen, as you know, judicial cooperation is to become part of the legislative areas of responsibility of the European Parliament in the very near future.

The Irish people has now given its view through a referendum and, in my view, its decision has been positive and correct.

European citizens hope that the area of freedom, security and justice will be a reality in which their procedural rights are equally respected and guaranteed, regardless of the part of Community territory in which they find themselves.

Our duty is therefore to ensure that these procedural guarantees are abided by in all Member States.

When there is a 'positive' conflict of jurisdiction between different Member States, this must be resolved as swiftly as possible, in order to protect citizens and avoid any risk of infringing the legal principle of *ne bis in idem*.

In order to do this, it is crucial for the judicial bodies involved in the conflict of jurisdictions to cooperate and communicate.

The report also contains a debate on what role Eurojust has and what role it should have when such conflicts of jurisdiction arise.

The rapporteur argues that Eurojust should be informed of any conflict that arises, even where it has been resolved bilaterally between the judicial bodies involved.

In contrast, the shadow rapporteur from my group, Mrs Macovei, believes that, in the interests of reducing bureaucracy, Eurojust should only be informed in those cases where it has not been possible to reach an agreement between the courts involved.

I believe that Mrs Macovei is right.

Moving on to other issues, Mrs Weber also urges the Commission to put forward as soon as possible an additional proposal, complementing the framework decision, to establish rules for the resolution of 'negative' conflicts of jurisdiction.

**Daciana Octavia Sârbu (S&D).** – (RO) I would like to begin by congratulating the rapporteur for the fine job she has done. I also wish to stress that joint actions at European level are vital in order to strengthen freedom, security and justice. I welcome this initiative intended to resolve the conflicts of jurisdiction because Member States are frequently faced with problems relating to mutual recognition of judicial decisions in criminal matters.

There should be no procedural differences between Member States when it comes to protecting accused persons. In fact, we should adopt measures which will ensure that any accused person can enjoy sound procedural guarantees, anywhere in Europe. With regard to exchanging information between countries, consideration must be given to the need to protect personal data and to clearly establish the type of data that can be transferred.

I wish to emphasise the importance of direct consultations between the authorities in European Union countries in order to do away with parallel proceedings and avoid situations where the relevant institutions in a particular state have to subjectively determine sentences for charges brought against citizens, in most cases, due to a lack of information. We should also propose in the future a reinforcement of the role played



by Eurojust in resolving any conflicts and establish closer cooperation between Member States, also for the benefit of EU citizens.

**Cristian Dan Preda (PPE).** – (RO) I would like to begin by congratulating the rapporteur and co-rapporteurs for the fine job they have done. I would like to use my speech to highlight two of the issues mentioned by the shadow rapporteur from my political group, Mrs Macovei.

The first issue concerns public confidence in the justice system, which seems extremely important to me, at a time when our democracies, the democracies of the Member States, cannot be envisaged without this confidence in the justice system. I believe that everything possible must be done to ensure that it is always a feature of our public life.

Secondly, I would like to emphasise the need to reduce the red tape involved in administering the justice system. The exchange of information between authorities is certainly important, but it is equally important that the act of administering justice does not become so bogged down in red tape that the level of protection which any individual freedom should enjoy is reduced.

**Petru Constantin Luhan (PPE).** – (RO) I wish to congratulate the rapporteur and the co-rapporteur for the fine job they have done. I welcome this initiative on a framework decision on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings. I would also like to make one important remark. This proposal for a framework decision is intended to deal only with positive conflicts of jurisdiction. There is no provision intended to deal with negative conflicts of jurisdiction.

I believe that Eurojust should only be involved where the parties fail to reach a common agreement. The basic principle of this directive is to initiate direct communication between the relevant authorities in the Member States. It is also in the interest of the person involved that the procedure is as short as possible to avoid an investigation into the same incident in two countries.

**Antonio Tajani, Vice-President of the Commission.** – (FR) Madam President, it is true, as I have already mentioned, that the proposal is not as ambitious as the Commission would have liked, a point which the rapporteur underlined quite clearly in her speech.

However, the Commission supports it as a first stage in the prevention and settlement of conflicts of jurisdiction in the framework of criminal proceedings. For the time being, it is, of course, impossible to say when the second stage will be introduced. The decision will be taken in due course, according to developments concerning the entry into force of the Treaty of Lisbon, which I, of course, sincerely hope will take place.

The contents of this potential new initiative will depend on the result of the impact study that the Commission will have to carry out. Of course, I will pass on all of your comments to Vice-President Barrot. I would like to thank you once more for holding this debate.

**Renate Weber, rapporteur.** – Madam President, the political groups in this House have made it pretty clear what their position is on this report and on the sensitive issues surrounding it, and particularly Eurojust. Indeed, it seems that the most important and most sensitive issue concerns where we stand on Eurojust.

However, I feel much more confident now about the future of this Framework Decision after hearing Commissioner Tajani speaking, on his own behalf and on behalf of Vice-President Barrot, about providing us with something more powerful that would clearly address not only positive conflicts of jurisdiction but also negative conflicts of jurisdiction.

**President.** – The debate is closed. The vote will take place on Wednesday, 8 October 2009.

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

**John Attard-Montalto (S&D), in writing.** – The Hague Programme addresses the case of conflicts of jurisdiction in criminal matters. This is important when a cross-border criminal activity takes place. Four EU Member States tabled specific proposals with the aim of preventing and settling conflicts of jurisdiction in criminal proceedings. The issue relates to when the same person or persons are subject to criminal proceedings in different Member States in respect of the same facts. This may lead to the infringement of the judicial principle *ne bis in idem* (a person cannot be tried again if he has already been tried). The measures proposed are commendable and consist of:

- a procedure for establishing contacts between the competent authorities of the Member States. This will confirm or otherwise the existence of parallel criminal proceedings;
- rules governing the exchange of information between the authorities of the Member States conducting such criminal proceedings;
- avoiding adverse consequences by reaching consensus between the Member States.

**Vilija Blinkevičiūtė (S&D), in writing.** – (LT) This Framework Decision should not lead to undue bureaucracy in cases where, for the problems addressed, more suitable options are readily available. Thus, in situations where more flexible instruments or arrangements are in place between Member States, those should prevail over this Framework Decision provided that they do not lower the protection afforded to the suspected or accused person. In cases where the suspected or accused person is held in provisional detention or custody, direct consultations shall aim to reach consensus as a matter of urgency. At all consultation stages, protection of the data of the suspected or accused person must comply with the principles established in the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

## 22. Passenger compensation in the event of airline bankruptcy (debate)

**President.** – The next item is the debate on the oral question by Brian Simpson, on behalf of the Committee on Transport and Tourism, to the Commission on passenger compensation in the event of airline bankruptcy (O-0089/2009-B7-0210/2009).

**Brian Simpson, author.** – Madam President, I would like to thank Commissioner Tajani for being with us this evening. This question was submitted by me on behalf of Parliament's Committee on Transport and Tourism, as Members had become very concerned over the summer months by the collapse of SkyEurope airline, and approached me to take this initiative on their behalf.

It is worth noting that we have had 77 airline bankruptcies in the European Union since 2000 and, in the sad but likely event that some more may follow in this tough economic climate, we believe it is imperative that we use this question tonight to at least open up the debate now about how we can best protect consumers and air travellers in the European Union.

In the case of SkyEurope, it was an airline based in Slovakia. We saw passengers being left stranded at destinations, without accommodation or even a flight home. We also had the problem that many of those people were told that compensation, or even refunds, would not be possible as they had not purchased their ticket with a credit card or booked through a travel agent. These were passengers who had booked online through their own accounts, a practice that has been increasing over many years.

It is not an isolated case. We saw similar scenes in my home country, the United Kingdom, last year when Excel Airways went bankrupt, leaving over 200 000 people out of pocket, without compensation and stranded at a whole host of airports throughout Europe, with it costing them even more money to find accommodation and flights home.

Many of these people are not regular business flyers or regular flyers like ourselves, and they do not have the financial means to deal with this sort of upheaval. They are normally from those families who spend their savings on a family holiday, only to see their hard-earned money go down the drain through little fault of their own.

The status quo here is clearly not acceptable. Here in the European Union and the European Parliament, we should be proud of our record on passenger rights. We have seen the introduction of denied boarding compensation – although we know there are still issues to resolve with that. We have seen the introduction of rights to assistance and tougher laws on ticket pricing transparency, as well as tough compensation measures in the package travel directive. In fact, I believe we have covered most of the bases when it comes to consumer protection in aviation, but there is clearly a loophole here that needs to be closed.

If you book a charter with a holiday company you are covered by the package travel directive. If you book with a scheduled airline, you are covered by their system, but if you book online your seat only – the airline flight – then you are not covered. It is an anomaly. It is a loophole which Parliament, with the assistance of the Commission, is seeking to close.

In this question we have also floated the idea of establishing a reserve compensation fund, but this must not be seen as a demand on our part or by the Commission. We merely wish to open up the debate as to what mechanisms might be possible to help us best solve this problem, so the idea of the question is to start the dialogue with the Commission in the hope that we can close this loophole and find a solution to what is a serious problem, particularly for those people who find themselves victims of an airline insolvency.

I look forward to working with the Commission to try and find a solution to this problem with my committee, and to hearing the views of the other Members.

**Antonio Tajani**, *Vice-President of the Commission*. – (IT) Madam President, I am grateful to Mr Simpson and to the entire Committee on Transport and Tourism for bringing such a sensitive issue to the attention of Parliament. This question gives me an opportunity to reiterate formally what has been said in recent weeks following the hardships faced by many European citizens, by many passengers, as a result of the bankruptcy of certain airlines.

As this Parliament knows, the protection of passengers in all transport sectors is a genuine priority for me. I said it during the hearing, when Parliament gave me its vote of confidence, and I wish to repeat it this evening. I believe that we must all take action to come up with a specific legal solution, not least to prevent – as Mr Simpson said – passengers who have purchased an ordinary flight ticket from an airline that subsequently goes bankrupt being treated differently from passengers who have bought their ticket as part of a more comprehensive package holiday.

I therefore believe that the first thing to do is to use the resources that we already have at our disposal. In other words, the public must use all the regulations in the most effective way possible, even if they are incomplete and also lead to disparities. With the same aim of optimising the resources available to us, when the airline SkyEurope went bankrupt, for example, the network of European consumer protection centres was called in to advise consumers about their rights and to collect claims. However, we also need to offer better protection to passengers when an airline goes bankrupt. Passengers with bookings that subsequently lapse must be entitled to reimbursement and, in some cases, to repatriation. This is a complicated problem, which means we need to carefully appraise the measures to be adopted.

The Commission has already started work to come up with a practical response to these issues. At our request, a major study has already been conducted on the consequences of bankruptcy in the air transport sector, particularly those for passengers. This detailed study explains in practical terms the consequences of bankruptcies and their impact on the 700 million or more passengers transported every year throughout the European Union.

The study offers various possible scenarios for defining the best solutions to the various problems raised by bankruptcies, particularly in terms of reimbursement and repatriation, as I just mentioned. As far as both reimbursement and repatriation are concerned, it has been possible to formulate various scenarios, ranging from the setting up of guarantee funds to the development of compulsory insurance schemes for passengers or airlines, and, ultimately, to the idea of introducing targeted changes in national bankruptcy laws.

In February this year, I sent the study to Mr Costa, who chaired the Committee on Transport and Tourism at the time. The Commission is now continuing to analyse the various possible options on the basis of this study and is focusing in particular on the impact on consumers and on the air transport sector. During our analysis, we will take into account all aspects of the debate and will take advantage of contributions from all interested parties. Along the same lines, in the coming weeks, the Commission will set in motion a wide-ranging public consultation process on passenger rights in the air transport sector.

Within this context, and without underestimating the differences and the specific features of package holidays, the Commission will also take into account the impact assessment currently being carried out on the review of Directive 90/314 relating precisely to package holidays. This is because one of the main aims of the public consultation process will be to determine the consequences for passengers of airlines going bankrupt and the possible solutions for remedying this. Obviously, as well as the public consultation, a study will be carried out – as I have already mentioned – to analyse the impact of the various possible solutions.

Obviously, Parliament's contribution will be crucial as far as I am concerned and – in view also of the dedication with which the Committee on Transport and Tourism has worked together to come up with this oral question today – I believe that over the coming weeks, we will be able to cooperate usefully in order to identify together the best solution for meeting passengers' needs and for safeguarding their rights effectively should airlines go bankrupt.

**Marian-Jean Marinescu**, *on behalf of the PPE Group*. – (RO) During the current global economic crisis, with fluctuating fuel prices and a tougher competitive environment, airline operators, particularly low-cost airlines, are going through very difficult times. Increasing ticket prices is not an option in the current situation, while the increase in service charges being applied by some low-cost companies may result in an even sharper drop in the number of passengers.

The financial losses sustained by airlines in 2009 will amount to approximately USD 11 billion, a situation which is set to recover only in the next three years. Against this background, the situation has arisen, which no one wants to see, where airlines are going bankrupt. In the event of bankruptcy due to lack of adequate legislation, there is no practical means of recovering the equivalent value of the tickets or getting passengers left stranded abroad flown home. The support offered by European airlines at a cost, although a modest one, to passengers with a company which has gone bankrupt, as highlighted in the case of SkyEurope, is laudable in itself, but only provides a temporary solution to get through a particular crisis. On the other hand, we cannot always consider the economic crisis itself as an excuse for this predicament, as airlines went bankrupt even before this crisis was unleashed.

Tighter controls on the airline carriers' financial situation, especially in the case of low-cost companies, a tighter control on mergers and takeovers, as well as setting up a sizeable guarantee fund, are a few of the solutions which could, in the long term, offer passengers protection in the event of airline bankruptcy.

**Saïd El Khadraoui**, *on behalf of the S&D Group*. – (NL) Madam President, Commissioner, ladies and gentlemen, our group has been pressing for a debate on the problem of the bankruptcies in the aviation sector, as it is true that we are no longer talking about an isolated case. As my colleague, Mr Simpson, the Chairman of our committee, has already mentioned, there have been 77 bankruptcies – mainly smaller companies, it is true – since 2000, which also means that many thousands of people have seen the money spent on their ticket go up in smoke in one way or another, or have just been left to fend for themselves somewhere. There is reason to fear that other bankruptcies may well follow, in these difficult economic times for the aviation sector. Hence, we must do something.

It is true, of course, that Member States must also play a role in monitoring the creditworthiness and financial fitness of the airlines – this is right and proper – but it is for us to develop a protective mechanism at European level to ensure that the stranded passengers are not left out in the cold. Therefore, we call on the Commission to work faster towards presenting a specific proposal; particularly because, as you pointed out, systems are already in place thanks to all manner of other legislation – including for people booking package travel – in the form of a guarantee fund and so on. Thus, in a way, there is a disparity between those booking a flight via a tour operator and those booking their ticket online; and this, I believe, is another thing we need to resolve.

I hear that you are in the process of consulting the interested parties. You intend to present a proposal over the next year. I think that we really do need to try to step up the pace of our action: instead of waiting until the end of next year, we should perhaps seek a solution somewhat sooner. Therefore, let us talk about a specific legislative proposal without delay, so that we can organise a discussion on the practical details of a kind of bankruptcy insurance.

Finally, I should like to say that I am delighted to hear the Commissioner say we can expect a kind of general statement on passenger rights in the aviation sector. We know that the current legislation is not being applied fully, evenly or satisfactorily across the board, which is something that requires our attention, and I am sure that we shall be coming back to this.

**Gesine Meissner**, *on behalf of the ALDE Group*. – (DE) Madam President, thank you, Commissioner, for your response. I am also a member of the Committee on Transport and Tourism and I think it is very important that we have this issue on the agenda now. Indeed, Mr Simpson has already presented it to us.

As it stands, there is a gap in consumer protection where air passengers are concerned. This gap relates to the insolvency of airlines, as has already been discussed. In my opinion, it is extremely important to uphold consumer rights, and that is what we are doing. We are trying to protect consumers as far as possible.

I would like to mention one other aspect from the point of view of our group which has not been a factor in this up to now, but which I think is also an important consideration. Of course, we want consumer rights to be protected, but we also want consumers to have choice. When considering how we can close this gap, it may well be the case that a proposal that you draw up in the Commission will result in over-regulation, which may then hinder innovation when it comes to the options offered in this area.

Consumer law also means, of course, that there should be a choice between various different offers from airlines, for example. Thus, the trend now, for example, is for some very cheap flights to be on offer in place of some flat-rate journeys, something which is also very much welcomed by consumers.

Please do not misunderstand me; I do not want to diminish consumer rights in any way. Protection of these rights, too, is very important to me, and we do need an appropriate instrument to do this. However, we should consider the perspectives that we need to take into account to ensure that there indeed remains a large degree of choice when it comes to air travel and that new options can come onto the market, but that consumers are nevertheless protected and are not left with any sort of financial problems if an airline were to actually go bankrupt or has to file for bankruptcy.

In this regard, I am pleased to hear you say that you are working on a solution. The direction was, of course, clear in that there may also be an aid fund. I am looking forward to the discussion in committee, which may perhaps even take place this year.

**Eva Lichtenberger**, *on behalf of the Verts/ALE Group.* – (DE) Madam President, Commissioner, ladies and gentlemen, the financial preconditions for market access for airlines have, of course, already been discussed in the Committee on Transport and Tourism. The issue of guarantee funds was brought up then, but it was clearly not considered sufficiently important or significant by the majority at that time.

Now we are seeing cases which indeed give us cause for consideration and for regulation, because we need regulation in this area. Firstly, we need to continually ensure that the passenger rights that we are adopting here for the protection of consumers are complied with.

The issue of denied boarding and the many cases of this that we have unfortunately seen show that any existing loopholes are utilised immediately. That requires our attention and it requires regulation. We will probably have to resort to the solution of a guarantee fund or some sort of insurance in order to adequately protect passengers from such business practices. We only need to look closely at the last case: even on the final day, there were still announcements stating that everything was alright and many people believed that.

For this sort of solution, however, it must be guaranteed that all parties involved pay their fair share and that it does not result in a few airlines, including low cost airlines, sitting back in comfort and letting others bear the risk. A fair market will not only protect passengers from unfair practices, it will protect the competitors, too.

**Ryszard Czarnecki**, *on behalf of the ECR Group.* – (PL) Madam President, over the last nine years, nearly 80 airlines have gone bankrupt in the European Union. We have heard here today how cut-price airline SkyEurope went bankrupt during the last holidays, leaving thousands of clients out of pocket. The situation is repeating itself. Of course, it is not the owners of private aircraft who suffer, but people who are often less well-off, who save for many months to buy a ticket to fly abroad. I think that, in this situation, the European Parliament, and I speak as a member of the Committee on Transport and Tourism, must insist very strongly that the European Commission adopt principles for the legal protection of passengers and clients, and that also means financial protection. Creation of a special reserve for the compensation of passengers and clients of bankrupt airlines may prevent situations such as those we have seen in the last decade, when many thousands of people, at the very least, have lost their money once and for all. This is specific action which the citizens of Member States of the European Union expect of us.

**Jaromír Kohlíček**, *on behalf of the GUE/NGL Group.* – (CS) I would like to thank Brian Simpson for his excellent introduction to this issue. A number of airlines have recently gone bankrupt in rapid succession. The problem has not been restricted to low-cost carriers, although these have accounted for most of the failures. If we fail to discuss the hundreds of passengers stranded in destinations from which it is difficult to get back home, nothing fundamental will happen. Various sectors of the industry have problems from time to time and a solution is generally found in the end. In this case, there are thousands of people involved, often with small children and without the appropriate funds. It is therefore necessary to give a clear signal that we know the solution. It is a matter of capital adequacy and insurance for return journeys. I believe that the Commission and the EU Member States are capable of finding a rapid solution to passengers' problems. The problems of the airline companies will require a different solution, of course. The crisis in the sector requires appropriate instruments and I believe that these will be used.

**Juozas Imbrasas**, *on behalf of the EFD Group.* – (LT) Companies are going bankrupt in the economic recession and airline companies are no exception. In Lithuania, the Lithuanian airline 'FlyLAL' also filed for bankruptcy this year. It is one of tens of European airlines which went into bankruptcy this year. Although legislation

adopted by the European Parliament provides sufficient guarantees and compensation for passengers, if, due to the fault of the airline, they are unable to take off on time on the planned route or have problems with luggage, this can only be guaranteed if the airline is not experiencing financial difficulties. Once a company has filed for bankruptcy, passengers who have purchased tickets usually lose all their money. Therefore, as national government institutions observe and licence the activities of airlines and give authorisation for flights, the Commission has recommended that where an airline goes bankrupt, governments could and should immediately return money to the airline's passengers for tickets they have purchased, then later recoup this by subrogation from the bankrupt company. We should also debate the proposal presented by Mr Simpson on a reserve compensation fund. This urgent problem can be debated and the best solution found by complementing the regulation adopted by the European Parliament and the Council on general rules covering the supply of air transport services. Thus, we would contribute to the security of passengers who use airlines' services.

**Artur Zasada (PPE).** – (PL) Madam President, Commissioner, the fact that the obligations of airlines to their passengers do not terminate even if the airline goes bankrupt is obvious, and should be taken as a starting point in this much needed discussion which Mr Simpson has initiated.

Therefore, it was with amazement that I listened to the explanations of the SkyEurope spokesman. Ronald Schranz expressed regret at the inconvenience which had arisen for passengers. I stress the word 'inconvenience'. He also stated that clients of the bankrupt enterprise who were waiting at foreign airports would have to look themselves for alternative ways to get home. According to the spokesman, the matter concerned several thousand people, but he was not able to give their precise number. For the SkyEurope representative, this was only a statistic. He forgot, however, that included in that number were many thousands of personal dramas, of passengers who could not get home, to their family or to work. This example shows that it is necessary to regulate this matter as soon as possible. SkyEurope was a listed company, and so we had more information about it. In the case of other cut-price airlines, this is not always so. It may be that the recent Bratislava nightmare will be repeated at another European airport.

At the moment, a heated discussion is in progress, in which different solutions to this important problem are being proposed. There is talk of a special fund created from a surcharge on air tickets, and also of bankruptcy insurance. These are valuable initiatives, but they are not without effect on the price of tickets. At a time of crisis we need a procedure which, on the one hand, will help passengers and, on the other, will not complicate the already difficult financial situation of airlines.

I should like, therefore, to put a question and a proposal to the Commissioner: could a partial solution not be the idea of 'sky solidarity', which would incorporate the principle of joint responsibility of airlines for passengers? Yes, solidarity, an idea which is, to me, as a Pole, especially dear. It should be an answer and a challenge which can be applied immediately. My proposal is based on the idea that passengers of a bankrupt airline who are stranded at an airport would be able to use the aircraft of another airline flying in the same direction, on condition, of course, that there are vacant seats on board. Any costs involved would be settled between the airlines concerned. I would like to ask the Commissioner for a reply.

**Olga Sehnalová (S&D).** – (CS) Commissioner, ladies and gentlemen, the collapse of the airline company SkyEurope has focused attention on the general problem of poor consumer protection for airline company passengers. This is no virtual problem – I have had the opportunity to meet a number of customers affected by the collapse of this airline company in person. They were, by coincidence, guests from the French twin town of Chateau d'Ain, who had come for a meeting in Kroměříž in the east of the Czech Republic, which is the town I represent. Their return journey was a very frustrating experience, involving an enforced one-day stopover at Prague airport.

I mention this experience in order to emphasise that SkyEurope was not a normal low-cost airline. It offered its passengers similar services to those of a traditional airline and flew to major airports. Its services were used by a wide range of customers. For customers whose primary concern was not the date of the trip but rather the cost of the ticket, SkyEurope was the preferred choice in the Czech Republic. The SkyEurope company was also one of the most important clients for Prague-Ruzyně, the Czech Republic's largest airport. The collapse of SkyEurope, however, affected not only people at airports, but also 280 000 other clients who had bought tickets. According to the information available, air tickets were being sold right up to the moment when bankruptcy was declared.

People who did not purchase tickets with a credit card have practically no chance of recovering their money. Airline companies have no legal obligation to insure against a collapse and so some of them do not take out

such insurance. Passengers must therefore make their claims in bankruptcy proceedings. The chances of getting money back in this way are negligible. It is therefore time to do something about this. I would like to thank the Committee on Transport for taking ownership of this issue and the Commission for promising to deal with it. I am confident that a solution will be put forward that will boost customer confidence in the air transport sector, which has been so dramatically affected by the global economic crisis.

**Oldřich Vlasák (ECR).** – (CS) Madam President, ladies and gentlemen, the large bankruptcies of airline companies this year force us to consider again whether the unified internal market for air transport is functioning properly. Although several major carriers have gone bust and the situation in the sector continues to deteriorate due to rising fuel costs and slower economic growth, there is definitely no reason for panic, in my opinion. Before we launch ourselves down the slippery slope of regulation, we should remember that the EU has seen a major expansion of low-cost carriers in air transport and fiercer competition between all EU airlines thanks to liberalisation measures.

A formerly highly-regulated industry with costly air tickets has been transformed into a dynamic sector with services which, thanks to the affordable prices in the EU, are being used by ever greater numbers of passengers who, in former times, would not have been able to afford them. Let us therefore consider carefully how we can increase protection for consumers – in this case airline customers – without putting at risk an efficient air transport market. The idea of introducing compulsory insurance against bankruptcy for airlines has already been proposed in the European Parliament in the recent past. It is therefore right to consider how this proposal might be put into effect.

**Christine De Veyrac (PPE).** – (FR) Madam President, Vice-President of the Commission, ladies and gentlemen, the oral question we are debating this evening reveals, as many have said, the existence of a real legal vacuum, which leaves passengers with no guarantee should an airline go bankrupt.

Certainly, European legislation protects passengers who have purchased their ticket as part of a package holiday, but it does not protect those who buy their ticket on the Internet. As Mr El Khadraoui said, consumer behaviour has evolved with the development of the Internet, and the legislator must follow this evolution in order to protect our fellow European citizens. A large number of travellers now buy their flight tickets on the Internet. Given that low-cost companies sell their tickets almost exclusively online, it is young people and people on the lowest incomes who are particularly affected by this phenomenon. It is not acceptable that these passengers have no recourse if the airline they bought their ticket from goes bankrupt. All the more so because, in the last few months, the air transport sector has experienced an unprecedented crisis leading to a significant reduction in air travel. We all know that this crisis is worse than that which affected the sector after 11 September and that numerous airlines have gone bankrupt.

It is therefore essential that the European Commission – and I know, Vice-President, that you are aware of this – presents us with genuine solutions, as soon as possible, so that we can protect passengers if the airline they were due to fly with goes bankrupt, regardless of the means by which they booked their ticket.

**Magdalena Álvarez (S&D).** – (ES) Madam President, Commissioner, I am pleased with the question that we are debating today, but I think that it only covers one of the possible cases where a company ceases to operate: that of financial collapse or insolvency.

There are, however, other kinds of situation in which airlines may stop operating or suspend their activities. I am referring to cases in which their licence is suspended for safety reasons, voluntary closure or closure for any reason other than a financial one. These situations bring with them identical problems to those that we are discussing today, where passengers are left helpless, since either the cost of their flights is not reimbursed or, if it is, in some cases this reimbursement involves significant costs.

I think that the regulation on compensation for passengers in the event of delay or cancellation could be one of the instruments to be used, but I do not believe it is enough.

In this context, I would like to ask the Commission to look at the possibility of putting forward legislative measures for other cases – the cases that I mentioned – which go beyond airline collapse and which are not covered by the Community legislation in force. Otherwise, we run the risk, despite all our good intentions, of falling short and only providing legal cover for one specific situation, while leaving out many passengers who may also suffer through the closure of an airline, even though the reason for its closure is not economic or financial.

**Silvia-Adriana Țicău (S&D).** – (RO) If we want to have an efficient internal market, we need to have a Community consumer protection policy. Over the years, the European Union has taken relevant actions in this area, and the measures adopted have ensured an increase in the level of consumer protection in areas such as package holiday services and passengers' rights.

However, a large majority of the complaints received from European consumers relate to the violation of airline passengers' rights. Many of these complaints come from passengers whose flights have been cancelled due to the airlines or tour operators going bankrupt. In these cases, consumers become aware of the problems only when the flight is not operated as scheduled.

Although European Union Council Directive 90/314/EEC on package holidays protects passengers if the tour operator goes into liquidation, it does not protect them for airline tickets sold on an individual basis. In addition, in the event of denied boarding, compensation is excluded in the case of extraordinary circumstances, which also includes airline bankruptcy. According to a recent survey, the number of airline bankruptcies in the European Union between 2000 and 2008 rose to 79. 41% of the airlines which went bankrupt between 2005 and 2008 operated regional flights, while 17% were low-cost airlines.

What kind of action could we take, therefore, to provide better protection to passengers in such circumstances? Possible solutions include a passenger insurance scheme to cover these scenarios, a tighter system of supervision, as well as the drafting of legislative provisions guaranteeing compensation to passengers in such situations.

**Zita Gurmai (S&D).** – Madam President, passengers' compensation in the case of airline bankruptcies is not only a question of money. It is related to even more serious issues such as safety, accessibility of services and competitiveness. In times of crisis, every economic field is in a precarious situation, and airline transport is no exception to that. It is crucial not to let people's confidence in the operators waver, because this would lead to a considerable decrease in demand and thus would weaken even more the financial situation of airlines. This may influence Europe's whole economic situation and competitiveness.

Passengers' compensation is also in relation to the accessibility of services. I believe that every person in Europe must have the choice to travel by air if he or she so wishes. For this, you must admit that we need safe but low-cost airlines that are affordable for everyone. These airlines should have a stable financial background, because safety does not only mean safety in case of an accident but also implies that, if I purchase an air ticket, I should be confident that by the time of the trip, there will actually be an aeroplane to take me to my destination.

All this gives our oral question its importance, and the fact that there have been almost 80 airline bankruptcies in Europe since 2000 gives it urgency. The need for a clear regulation in this field is evident. Therefore, I would kindly ask the Commissioner to seriously consider this matter and come up with a viable solution as soon as possible.

**Joanna Katarzyna Skrzydlewska (PPE).** – (PL) Madam President, Mr Tajani, about a month ago, a budget airline became insolvent, and the airline – SkyEurope – presented a bankruptcy petition. Despite the fact that air industry analysts had been predicting this bankruptcy for a long time, SkyEurope was, nevertheless, still selling tickets for its flights the day before presentation of the bankruptcy petition. As a result, hundreds of the airline's passengers were denied not only the opportunity of making the journeys they had planned but, above all, they were exposed to significant financial losses caused by the airline's collapse. The firm simply informed its clients, in an official statement, that they would have to write off the money they had invested in their tickets.

The example of SkyEurope demonstrates unambiguously that, in our common Europe, we have not yet succeeded in drafting legislation which would protect consumers of air services from the negative consequences of the collapse of an airline. This is a significant problem, which can be seen from the fact that 77 airlines have gone bankrupt around the world since 2000. For example, in 2004, the Polish airline Air Polonia went bankrupt. Therefore, I would like the Commission to present principles for the protection of consumers from the negative consequences of possible airline bankruptcies.

**Antonio Tajani, Vice-President of the Commission.** – (IT) Madam President, Mrs De Veyrac, Mr Vlasák and Mrs Gurmai focused attention on the cause of bankruptcy, in other words, the economic crisis and the difficulties currently faced by the air transport sector, by both low-cost airlines and major airlines.



The European Parliament and the Commission have acted in unison to launch a set of initiatives in response to the crisis. I refer to the freezing of slots, supported by the vast majority of this Parliament, and the Single European Sky initiative, which is a large-scale reform of the air transport system that enables airlines to save on fuel costs because we have reduced the legs between one airport and another.

Precisely in order to provide practical support to all European airlines, be they low-cost or non low-cost airlines, I have called on the 27 transport ministers in the European Union to introduce the Single European Sky reform ahead of schedule, because this is a good way to allow airlines to save fuel and therefore to prevent their balance sheets from being adversely affected. Preventing airlines from going bankrupt would not only protect passengers against loss but would, above all, be extraordinarily important when it comes to protecting jobs. We must not forget that this financial and economic crisis should not be allowed to become a full-blown social crisis.

We know that the air transport sector is beset by problems at international level: we need only think of what happened to Japan Airlines a few weeks ago, when staff cuts were announced. It should be our duty not only to safeguard citizens but also act to ensure that good airlines can remain operational, thus safeguarding jobs.

The European Commission – and please excuse me if I digress – and Parliament have worked to make this possible. I can state that, through our efforts, we have made it possible to create a new completely private airline model: examples include the case of Olympic Airways, the case of Alitalia and the case – which I hope will be resolved – of Austrian Airlines. This means that there are no more state-controlled airlines that have to be bailed out by the public when they get into trouble. Instead, whoever makes the mistakes must pay for them.

I would also like to respond to the question raised by Mrs Alvarez, who raised a topic that is certainly interesting: I think I can agree with her proposal adding, in the work we are carrying out, the suggestion that safeguards should also be given to the passengers of airlines that shut down not due to bankruptcy but because they do not comply with safety requirements. In this particular case, the passenger suffers the same loss as a passenger who bought a ticket from an airline that subsequently went bankrupt. The principle must remain that of safeguarding the travelling public when they suffer a loss, in other words, when they cannot board their flight. Moreover, this is the philosophy that underpins – and will continue to underpin – my efforts as long as I remain a Commissioner, so that passengers can be offered the same safeguards in all transport sectors.

For this reason, at the Transport Council due to be held in Luxembourg tomorrow and the day after tomorrow, we will tackle the question of the rights of sea and river transport passengers. This is a choice made by the Commission, with the support of Parliament, which is aimed at safeguarding European citizens. If we really wish to win public confidence and obtain the sort of positive results that were achieved in Ireland, we must legislate to show citizens that the Community institutions are on their side, that they are not simply gravy trains, but places where work is done to safeguard and protect the rights of European citizens.

**President.** – The debate is closed. The vote on any motions for resolutions will take place during the next part-session.

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

**Edit Herczog (S&D), in writing.** – (HU) As a result of changing travel habits, an ever-increasing number of people are making their own travel arrangements, without availing themselves of the services of travel agencies. Low-cost airlines have been the winners from this trend over the last decade, in terms of both revenue and market share. Fellow Members, the regular bankruptcy of travel agencies used to be a cause for concern in Hungary as well. We would regularly see on television pictures of families stranded abroad. We must not let the next wave of bankruptcies sweep away the low-cost firms, causing millions of euros of damage to the economy as well as to passengers, not to mention the safety risk, if a company does not have a secure financial basis to support its operation.

This is precisely why we must focus on the following objectives. We must think about tightening the rules on setting up companies. In the case of airlines, further capital and structural guarantees must be required. We must think about tightening up the system for financial and operating accounts and about how frequently spot-checks should be carried out. The size of this sector warrants that regular European surveys should analyse the companies' flight policy, complaint-handling mechanism and the simplicity of the refund procedure. We must make it even easier to deal with cross-border complaints relating to similar matters in

the future. If we really want to create a common market in Europe with the consumer's welfare at its heart, we must deal with cross-border complaints and compensation claims more efficiently.

### **23. Report on the application of Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE) (debate)**

**President.** – The next item is the debate on the oral question by Klaus-Heiner Lehne, on behalf of the Committee on Legal Affairs, to the Commission on the report on the application of Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE) (O-0092/2009 - B7-0211/2009)

**Klaus-Heiner Lehne, author.** – (DE) Madam President, ladies and gentlemen, in 2001, the European Council reached a decision on the Statute for a European company. For various reasons, this Statute did not enter into force in this form until 8 October 2004. As is customary with European Union legislation, the Commission was asked, after a certain time, to submit a report on the application and implementation of the Statute in order to draw conclusions about whether there is a need for amendments to this legal act.

The date I mentioned, 8 October 2004, was almost exactly five years ago. The deadline was five years, but there is no report from the European Commission. Since we all obey the law and the Commission, as guardian of the Treaties, is particularly required to obey the law, this gave the Committee on Legal Affairs cause to ask why this report is not available and why it has not even been prepared. We quite simply want to give the Commission the opportunity to justify this to us. In any case, this will make it clear that Parliament, and the Committee on Legal Affairs in particular, is fulfilling in full its obligation to monitor the Commission.

I will not use my five minutes' speaking time, but would be pleased if the Commission would now provide an answer on the basis of this short oral question that I have posed.

**Antonio Tajani, Vice-President of the Commission.** – (IT) Madam President, ladies and gentlemen, first of all, on behalf of Commissioner McCreevy, who I am standing in for this evening in this chamber, I would like to thank the Committee on Legal Affairs and its chairman Mr Lehne for raising these issues. On a personal note – because I was a Member of this House for nearly 15 years – I am delighted that Parliament is exercising its control function, because this is a suitable incentive for encouraging the Commission to work more effectively.

As regards the first two issues that were raised, I am pleased to inform you that work on the preparation of the requested report is already at an advanced stage. The Commission has asked for an external study, which should be ready by the end of this year and will act as a solid factual basis for drawing up the report. The Commission will analyse this study in depth and will listen closely to the opinions of the interested parties. The report could therefore be published during the second half of next year and will be forwarded to the European Parliament and to the Council.

Obviously the exact timescales and contents will be decided by the next Commission. The report will contain an analysis of the four amendment alternatives specifically provided for by Article 69 of the Regulation and, at this stage, the Commission has not yet adopted a position either on this or on any other possible changes to the statute. We must await the results of the external study and further consultations and closely monitor each factor and, if necessary, the results of any negotiations on the Statute for a European Company.

As far as the third question is concerned, the timescales and content of any further actions to be adopted in the future in the light of the results of the analysis carried out must be decided by the new Commission, which I am convinced will be very mindful and interested to hear Parliament's viewpoint before adopting any additional new measures.

**George Sabin Cutaş, on behalf of the S&D Group.** – (RO) The concept of a European company dates way back to the 1950s and was revived after the Treaty of Rome came into force as part of the objective of a common market.

The current Statute for a European company is of symbolic value to a European undertaking. It offers the benefit of a certain free rein in terms of establishing the company and its mobility. Many companies use the Statute for a European company to highlight the company's unique European character, making it, at the same time, a key instrument for companies looking to develop cross-border merger strategies.

In fact, one of the main benefits of a European company is that its registered office can be transferred from the Member State where it was registered to another Member State without having to wind down the company or create a new legal entity. However, the European company is far removed from the initial objectives of an autonomous status governed by a single legislation. As a result, its practical operation is inadequate. The legislation is not applied consistently and relies on the specific provisions of the national legislations, while the European company's mobility is restricted by the provisions which ban the establishment of registered offices or head offices in different Member States.

Indeed, this situation restricts one of the Community's basic freedoms, the free movement of companies. I think that the European Commission's report on the application of the regulation, as mentioned by the Commissioner, will need to include a survey on the possibility of locating a European company's central administration and registered office in different Member States. A review of the regulation will also need to be considered in order to move further towards creating an autonomous status for this type of company.

**Antonio Tajani**, *Vice-President of the Commission*. – (IT) Madam President, I listened carefully to the speeches by Mr Lehne and the other MEP who took part in the discussion. It is true that the Regulation on the Statute for a European Company is supplemented by a Directive on the involvement of employees and that the deadline for its transposition expired on 8 October 2004, the date on which the Regulation on the Statute for a European Company entered into force.

However, only eight Member States adopted the necessary measures by the required deadline and transposition of the directive on employee involvement was completed in all the Member States only at the beginning of 2006. We were therefore obliged to postpone the report to ensure that the Regulation on the Statute for a European Company had actually been in force in all the Member States for long enough to make it possible to draw up an indicative report on its application.

These are the reasons for the delay. For my part, I can only agree with Mr Lehne and hope that we can make up for lost time and provide practical responses to the European Union on the topic of the Statute for a European Company from the second half of next year, through specific guidelines that can really satisfy the requests not only from Parliament but also from the EU-wide economic and employment sector.

**President**. – The debate is closed.

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

**Lidia Joanna Geringer de Oedenberg (S&D)**, *in writing*. – (PL) Efficient functioning of the internal market is dependent not only on the elimination of barriers to trade between states, but also on reorganisation of the structure of production at Community level. To this end, in the 1970s, the European Commission put forward a proposal to create a legal framework for a European company. In 2001, Council Regulation No 2157/2001 on the Statute for a European company was adopted. The idea has not produced the expected results, and to date, not many more than 100 firms have been transformed into a *Societas Europaea*. The idea has evolved, however, towards including small and medium-sized enterprises in the framework of the European company, the fruit of which is the Commission's proposal of March 2008 for a Council Regulation on the Statute for a European private company. In view of the negative experience with the *Societas Europaea*, it is very important that the Commission have permanent oversight of the application of Regulation No 2157/2001. It is for this reason that the regulation itself provides that, five years at the latest after its entry into force, the Commission shall present a report on its application. The regulation came into force in 2004. Therefore, I would like to ask when the Commission will present the appropriate report, and what action will it take on the basis of the analysis made?

#### **24. Agenda for next sitting: see Minutes**

#### **25. Closure of the sitting**

*(The sitting was suspended at 22.20)*