

# MONDAY, 19 OCTOBER 2009

IN THE CHAIR: MR BUZEK

*President*

*(The sitting was opened at 17.05)*

## 1. Resumption of the session

**President.** – I declare resumed the session of the European Parliament adjourned on Thursday, 8 October 2009.

## 2. Statement by the President

**President.** – Ladies and gentlemen, before we begin the session, I would like to say a few words. As you know, 10 days ago, the President of Poland, Lech Kaczyński, signed the Treaty of Lisbon. I am certain we are a step closer to completion of the ratification process. I am also sure that ratification will soon be completed, too, by the Czech Republic.

I would like to inform you that this week, on Tuesday at 15.00, our first Question Hour with the President of the European Commission, José Manuel Barroso, will take place. This debate represents a significant institutional change. It will make the European Parliament's work with the Commission significantly better. I have worked on this matter with the Chairs of the political groups and President Barroso, and am pleased that the new procedure will become a permanent feature of plenary sessions in Strasbourg. I am sure that it will make our debates more lively and open up our discussions even further.

Ladies and gentlemen, on 10 October, we observed the International Day for the Abolition of the Death Penalty. Since 2007, this date has also been European Day against the Death Penalty, when we demonstrate our determination and commitment against this inhumane practice. We also present our position in support of a worldwide moratorium in accordance with the declaration of Parliament made in a resolution in 2007, and the resolution of the United Nations General Assembly.

In a press release on 9 October, I stressed, in my own name and on behalf of the European Parliament, our commitment to creating a Europe without capital punishment, and also for its abolition everywhere in the world. This is our common obligation. Unfortunately, there is still one country in Europe where the death penalty is pronounced and carried out. That country is Belarus. We condemn the carrying out of executions in Iran, and we express particular fears for Iranians who have been sentenced to death following the demonstrations which accompanied the presidential election in June. Above all, we oppose the handing down of death sentences to juveniles, and would like to point out that this year marks the 20th anniversary of adoption of the Convention on the Rights of the Child, which explicitly forbids the execution of minors.

We must continue to oppose capital punishment resolutely, and to speak out about instances of its use everywhere in the world. We are disturbed by recent events in China, where 12 people have been sentenced to death following the ethnic disturbances and violence in Urumchi in Xinjiang Province. Despite the serious crimes which were committed during the disturbances in June, we call upon the Chinese authorities to maintain the standards of honest trial proceedings. We are also disturbed by cases of the pronouncement and carrying out of the death penalty in the United States, especially in the State of Ohio, where, after several unsuccessful attempts, executions by lethal injection have been postponed.

I would like to reiterate our appeal to every country still applying the death penalty to abolish it from its criminal code or establish, pending its abolition, a moratorium on the pronouncement and carrying out of death sentences.

*(Applause)*

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

## 4. Action taken on Parliament's positions and resolutions: see Minutes

5. **Composition of Parliament: see Minutes**
6. **Composition of committees and delegations: see Minutes**
7. **Oral questions and written declarations (submission): see Minutes**
8. **Documents received: see Minutes**
9. **Decisions concerning certain documents: see Minutes**
10. **Petitions: see Minutes**
11. **Transfers of appropriations: see Minutes**
12. **Signature of acts adopted under codecision: see Minutes**
13. **Action taken on unfinished business (Rule 214): see Minutes**
14. **Request for urgent procedure**
15. **Order of business**

**President.** – The final version of the draft agenda as drawn up by the Conference of Presidents at its meeting of Thursday, 15 October 2009, pursuant to Rule 137 of the Rules of Procedure has been distributed.

*Monday:*

**Bruno Gollnisch (NI).** – (FR) Mr President, my speech relates, in fact, to Monday's agenda.

The draft agenda that was issued before we received the document on which we have to vote included, I believe, a debate on three cases of parliamentary immunity. These cases of parliamentary immunity are extremely important because they may have a bearing on the freedom of exercise of a Member who is exposed to the political hostility of the government, or to the political hostility of the courts, or to the political hostility of the courts as exploited by the government, via prosecutors.

I note that these issues have disappeared from the debate and I find that deeply regrettable. There remains only one vote without debate on a report by Mrs Wallis, concerning the immunity of Mr Siwiec. This vote without debate does not permit speeches and thus does not permit the Member concerned to express himself before his peers, before his fellow Members. I find that deeply regrettable.

I will conclude by saying a word about the report by our fellow Member, Mr Speroni, which was adopted by a very large majority – by virtually the whole of this Parliament, I believe – on the attitude of the French authorities, who denied our former fellow Member, Mr Marchiani, the protection of his immunity with regard to phone-tapping, when such immunity is guaranteed to members of national parliaments.

I would like to know what has become of the recommendations from Mr Speroni's report and, in particular, of the complaint that we had to lodge with the Court of Justice of the European Communities.

**President.** – There has not been a request for a debate to be held on parliamentary immunity. Therefore, voting will be held on this matter tomorrow. Had there been a request, we could have considered this matter in a different way. There is no discussion on the agenda because of the absence of any kind of motion on this matter.

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*Tuesday:*

No amendments have been proposed.

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Wednesday:

I have received a request from the Group of the European People's Party (Christian Democrats) for an amendment to the title of the draft resolutions on freedom of information in Italy and other Member States of the European Union. The amended title would be: Freedom of information in the European Union.

**Simon Busuttil**, *on behalf of the PPE Group*. – (MT) Mr President, a common point that emerged from the debate we had last month on this resolution was that we need to discuss the issue of freedom of expression everywhere, both throughout Europe and outside it. However, we cannot, Mr President, declare a crusade against one individual country. The issue on Italy within this resolution is essentially a national political debate, and we, as the European Parliament, must hold back from intervening in a debate such as this one. If we keep the word Italy within the title of this resolution, we would be assuming the role of some sort of higher court, which we are not, and we would, in fact, be undermining all the authority of and respect towards our institution.

We support freedom of expression within Europe and beyond it, and therefore we call upon all those who are truly for freedom of expression everywhere to vote in favour of the change in the resolution's title.

**Manfred Weber**, *on behalf of the PPE Group*. – (DE) Mr President, I should like to support and speak in favour of the motion.

Not every issue in Europe is an issue for Europe. We practise subsidiarity and we in the Group of the European People's Party (Christian Democrats) have confidence in our colleagues in the parliament in Rome and trust in the Roman courts, in the Italian courts, which can rule independently on what is good for Italy and what is not good for Italy. The Italian parliament has just proven that it is independent. We are happy to debate freedom of opinion, but then we should also debate freedom of opinion in the European Union. That must be clear in the motion and its title, which is why we are asking for support for our motion.

**Hannes Swoboda**, *on behalf of the S&D Group*. – (DE) Mr President, this is actually something of a humiliating spectacle. We said clearly beforehand that this started with the Italian case, but we do not want to concentrate on that. We want to say something in general about freedom of opinion in Europe. That is why we chose this title; it is about the case that started in Italy, but it is also about general statements.

We should not try and do everything. For weeks, we have tried again and again to put the starting case to one side. At least be honest: if you say we want to defend Berlusconi, whatever he does, that is an honest position, but now you are acting as if you wanted to be neutral, to be objective. Let us stick to this title. That is reasonable.

(Applause)

(Parliament rejected the proposal)

Thursday:

No amendments have been proposed.

(The order of business was adopted) <sup>(1)</sup>

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**Hannes Swoboda (S&D)**. – (DE) Mr President, one short comment and one request to you, Mr President: on Thursday, we shall be discussing, among other things, the terrible death penalties in Iran, which are totally unacceptable and which are often handed down for so-called crimes which, under our sense of justice, are not even prosecuted.

We should take this opportunity to say clearly – and perhaps you should find an opportunity, like the Council, to say that, because we are against violence, we condemn terrorist violence in general, even if it is directed against the government bodies of Iran. I think that our objective position would be stronger if we said clearly

<sup>(1)</sup> Other amendments to the order of business: see Minutes

that the attack that cost 42 people their lives is not in keeping with our policy. We are against violence, against the death penalty and also against terrorist violence as a matter of principle.

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

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

**Arturs Krišjānis Kariņš (PPE).** – (LV) Mr President, the whole of the European Union is feeling the global economic crisis, but the recession has had its most serious effects in the Baltic States. For these states, the way out of the economic crisis is closely linked to a full transition to the euro. Although, since 2005, all the Baltic currencies have been directly pegged to the euro, because of the official Maastricht criteria they still cannot fully join the euro area. It is therefore the case that the Baltic States are suffering from the European Central Bank's low interest rate policy, which brought the loans and property bubbles to a head, but they are prevented from enjoying the true fruits of currency stability. I call upon you to take a political decision so that the euro can be introduced in the Baltic States on an exceptional basis. The small economies of these states are not a threat to the euro area. The threat is instability in the region, if these countries remain outside the euro area. Thank you for your attention.

**Alexander Mirsky (S&D).** – (LV) Ladies and gentlemen, Mr President, I would like to draw your attention to the very dangerous economic situation in the Republic of Latvia. Currently, there is a plan in the country to close 50% of the hospitals. In some regions, unemployment is at 25%. In Latgale, 50% of workers have been laid off. 30% of police officers, 30% of schoolteachers and 30% of doctors have lost their jobs. The tax reforms, which are designed to increase taxes, will lead to the utter collapse of the economy. In this situation, instead of assistance, Latvia is being offered loans, which demand even more cuts to the very small budget. Things have now gone so far that some Swedish ministers are literally blackmailing the Latvian Government, demanding a reduction in funding. All this has led to a social explosion ...

**Luigi de Magistris (ALDE).** – (IT) Mr President, ladies and gentlemen, I think that Parliament should be very concerned by the latest report from the UN's Food and Agriculture Organisation.

Indeed, while some governments in the European Union, and most recently the Italian Government, continue to make immigration a criminal offence, violate the right to asylum and indiscriminately refuse entry, I believe that we need strong cooperation since it is a disgrace that the level of poverty described by the FAO in Africa, the Middle East and Asia still exists. Cooperation does not mean undertaking pointless projects which merely generate business for the same old companies, but helping these countries to emancipate themselves.

Another disgrace which Parliament needs to address is the privatisation of water, something in which certain governments of the EU engage. Water is a resource that belongs to everyone, an essential resource and not a commodity at the service of the multinationals.

**Karima Delli (Verts/ALE).** – (FR) Mr President, my speech concerns the deterioration in working conditions in Europe.

Today, nearly half of the people working in the world earn less than USD 2 a day. 12.3 million people are still victims of slavery, and more than 200 million children are forced to work. In Europe, the number of working poor is increasing day by day, and each year the International Labour Organisation records 1 60 000 deaths linked to a lack of prevention.

In this context, I would like to emphasise our responsibility towards all those who are deprived of jobs and social rights, who work in unfit conditions, towards those millions of workers who suffer mentally and physically, who are, at times, driven to suicide, or who are victims of cancers or chronic diseases caused by their working conditions. It is time to break with the religion that dictates that we must work harder, and to stop the race to make profits and to compete in the short term. Guaranteeing the right to decent work and strengthening labour law must be the Union's top priority over the next 10 years.

**Janusz Wojciechowski (ECR).** – (PL) Mr President, the Food and Agriculture Organisation released a report recently in which it states that world food production must rise by at least 70% by 2050, or humanity will face the threat of famine. This is confirmation of an obvious truth. It is well known that there are increasing numbers of people in the world, while the amount of arable land available is falling. Meanwhile, European Union agricultural policy, under the guise of caring for market principles and improving the competitiveness

of agriculture, is based on the systematic reduction of agriculture production in almost all of its sectors. In the context of world tendencies, this policy may turn out to be lethal, and may cause hunger in the not too distant future.

I think that in the European Union, there is a need for a fundamental change in the political approach to agriculture and its problems. We must really care for the food security of our continent. Enough of the policy of restricting agriculture, because it is a policy which is short-sighted and devoid of imagination.

**Bairbre de Brún (GUE/NGL).** – (GA) Mr President, about this time three years ago, the British Government gave a commitment that they would bring in an Irish Language Act to protect and develop the Irish language in Northern Ireland. The legislation to protect the rights of Irish speakers is a significant part of the peace and reconciliation process.

As such, the Irish language should have the same statutory protection as native languages in the South of Ireland, in Scotland and in Wales.

Three years on, that legislation is still not in place.

I would appreciate it if you, Mr President, could speak with the power-sharing executive in Belfast about the importance and influence of multilingualism in general.

Eleven years after the signing of the Good Friday Agreement, and three years after the signing of the St Andrews Agreement, it is a matter of urgency for us that an Irish Language Act be put in place to normalise the rights of Irish language speakers in Northern Ireland.

**President.** – Thank you. Please submit a written request on this matter.

**John Bufton (EFD).** – Mr President, Wales is currently a major beneficiary of EU funding under the 2007-2013 Structural Funds programme. The money is largely directed towards developing sustainable economic growth and creating jobs. West Wales and the Valleys receives the highest level of support under the current Structural Funds, and rightly so.

Many regard the UK as a wealthy place to live. Very few people know the reality of the scale of poverty and unemployment in Wales. The Valleys have all but been destroyed by the closure of big industries which, at one point, were the backbone of solid hardworking communities. Today, the mines are closed. The factories that grew up in their place are outsourcing work overseas. The communities that thrived on this employment have not just lost their jobs but also their sense of purpose and belonging.

With more and more countries queuing up to join the EU, I am worried that Wales will see much-needed support go to newer member countries. I urge the Commission and the Council to ensure that Wales receives adequate funding, through a strong transitional settlement, when the current round of Structural Funds ceases in 2013.

**Franz Obermayr (NI).** – (DE) Mr President, the extraordinarily dangerous Temelín nuclear power plant, at which there have already been 127 incidents since 2000, is very close to where I come from in Upper Austria and there is another close to Vienna at Mochovce in the Slovak Republic. Together, they form an unpleasant cocktail of old Soviet design and American engineering. From a legal point of view, the whole issue is problematic, as environmental impact assessments are not carried out in compliance with European legislation in either country. The parties to the proceedings have no possibility of obtaining judicial review of the final decision. That contradicts Article 10 of the Community Directive on environmental impact assessments.

I should like to take this opportunity to call on the Community to firmly oppose this construction project.

**Georgios Papastamkos (PPE).** – (EL) Mr President, given the resumption and intensification of Doha Round negotiations and in the run-up to the WTO ministerial conference to be held in Geneva at the end of November, we call for an in-depth debate with the Commission so that we can jointly decide on the European Union's negotiating position in light of the implementation of the Treaty of Lisbon. We also call on the Commission, as far as the agricultural sector is concerned, to respect its negotiating mandate in full and for any offer on its part not to entail further reform and, more to the point, not to pre-empt the review in 2013. In other words, we do not want a premature reform of the common agricultural policy through the back door or imposed from on high.

**Alajos Mészáros (PPE).** – (HU) Mr President, it is commendable if a politician wishes to gain the maximum benefit for his or her country. We all do this, bearing in mind our voters' interests. However, this benefit cannot be gained to another person's detriment, and cannot, in any way, be the result of blackmail.

Václav Klaus, the Czech President, has astonished us all with his tactics for blocking the Treaty of Lisbon. This man who started his political life as a reformer has come up with demands that bring shame on both him and his country. I feel it is unacceptable to link the signing of the Treaty of Lisbon with the immunity of the Beneš Decrees. The Beneš Decrees passed in 1945 applied the principle of collective punishment, which is alien to the European legal order. In accordance with these laws, millions of innocent civilians had their citizenship revoked and were forcibly deported from the land of their birth simply because their mother tongue was German or Hungarian.

According to our European legal order, we cannot tolerate violation of human rights and personal freedom in any shape or form. However, this is what Václav Klaus is demanding from us.

**Chrysoula Paliadeli (S&D).** – (EL) Mr President, the recent kidnap of Athanasios Lerounis, the president of the non-governmental organisation 'Greek Volunteers', is the last in a series of kidnaps in the chaotic area between Pakistan and Afghanistan which contains Polish, British, Spanish, Chinese and Canadian citizens, most of whom have not escaped death. The residents of this area, also known as Kafirstan, which means land of the infidels, are fighting to uphold their principles, traditions and customs in a hostile environment which is gradually taking over.

Mr Lerounis and his team have been working effectively with the Kalash tribe for about fifteen years and have managed, during that time, to improve living conditions in this isolated community.

We call on the members of the European Parliament to use their power and to help rescue a volunteer who has devoted much of his adult life to understanding a community in central Asia threatened with extinction.

**Harlem Désir (S&D).** – (FR) Mr President, ladies and gentlemen, two Member States – France and the United Kingdom – have announced their intention to send to Afghanistan refugees who came to Europe in an attempt to save their own lives.

I do not believe that we can continue to stand back in the face of this very serious threat to their lives. The British newspaper, *The Guardian*, reported in October that some Afghan refugees expelled from Australia had been killed upon their arrival in their country.

I believe that all of this goes completely against all of our international commitments.

The European Commission itself said in an action plan dated June 2008 that legitimate measures to reduce illegal immigration should not result in refugees being denied access to protection within the European Union, and the United Nations High Commissioner for Refugees has warned the European Union against making any attempt to undermine the Geneva Convention and the other additional forms of protection that are designed to ensure that Afghan refugees are not deported to Afghanistan.

A large number of MEPs, from four different groups, have signed an appeal along these lines. I call on you, Mr President, to talk to the European Commission, the United Kingdom and France, and our House, our Chamber, must take up this issue in order to prevent this crime against the right of asylum from being committed.

**Ramon Tremosa I Balcells (ALDE).** – Mr President, I would like to denounce the restrictions suffered by the Catalan language in the Spanish state. More specifically, I am referring to the Autonomous Government of the Valencian Community which, in 2007, closed the TV repeaters of La Carrasqueta and Mondúver. Some other TV repeaters will be closed in the coming months.

These TV repeaters allow the reception of Catalan television in the Valencia region. The Valencian Autonomous Government is acting against the Audiovisual Media Services Directive, which ensures the free circulation of television contents between European countries. Inside the EU, cultural freedom exists but, inside the Spanish state – for Catalan television – it does not exist. This is the sad paradox I wanted to share with all of you this afternoon.

**Angelika Werthmann (NI).** – (DE) Mr President, ladies and gentlemen, 'equal pay for equal work' is a principle of the 1957 Treaty establishing the European Community. This principle is still topical today because, although more and more women occupy managerial positions, there is still a blatant income divide.

It is incomprehensible that women, merely because they are women rather than men, are paid a lower wage for the same work, especially the same standard of work. The benefit to a modern democratic society when it finally fully implements this principle, which we should rather call a demand, should be clear and obvious to everyone. I therefore think it is important for something to be done to improve current laws and wage transparency. One small example is Austria, where the income divide is about 28%.

**Raül Romeva i Rueda (Verts/ALE).** – (ES) Mr President, I would like to condemn an event that is without precedent in the ten year reign of King Mohammed VI in Morocco: the fact that a Moroccan military court is going to try seven Saharan independence activists for collaborating with the enemy, a charge that could carry the death penalty.

This has not happened since the times of King Hassan II. A civilian has never been put in the dock in a military court. This means that repression is once again intensifying in this former Spanish colony.

While the complicit silence of the European Union is very striking, what is even more serious is the silence of the Spanish Government, which is primarily to blame for the current situation in the Western Sahara due its abandonment of the area.

My question is therefore a very direct one: is this the Moroccan regime with which we want to have a special relationship? Is this the regime with which we want to establish a relationship of friendship and mutual respect? How many more times can we and must we keep quiet in the face of what is happening in the Western Sahara?

Is this the way they intend to resolve the problems that are currently facing the whole of that population? I think that it is precisely now, in the context of these negotiations, that we should give a clear, firm response to this situation.

**Petru Constantin Luhan (PPE).** – (RO) The European Union has 1 636 border points designated as checkpoints for entering EU territory and every year, approximately 900 million border crossings are made. I am actually from a region located at the European Union's external border and I am very much aware of the problems encountered by the customs authorities. This is why I believe that we must address this issue with utmost seriousness and review the Frontex agency's mandate.

Frontex is currently facing a number of problems. For example, Member States must take a more active involvement in cooperating at the European Union's external borders. More attention must also be focused on cooperation with third countries which are, in many cases, the countries of origin or transit countries for illegal immigration. The Stockholm Programme actually helps reinforce the involvement of Frontex so that this agency will play a key role as part of the future integrated mechanism for monitoring the EU's borders.

**Artur Zasada (PPE).** – (PL) Mr President, in view of the increasing amount of freight moving from the north to the south of the continent, and the insufficient number of transport corridors, I should like to underline the significance of the Central European Transport Corridor, CETC Road 65. This encompasses road, inland waterway and rail transport through an area which links the Baltic Sea with the Adriatic and runs from Sweden through Poland, the Czech Republic, Slovakia, Hungary and Croatia.

The corridor would be an axis of regional development for the entire area through which it runs. It would fully accord with the principles of intermodality and would have a balanced influence on the natural environment. It would help increase the tempo of social and economic development in a large part of the European Union by increasing speed and volumes of trade between countries of the Baltic Sea region and countries of the Mediterranean and Adriatic region.

It is my duty as an MEP, but also as a specialist who has been associated with the transport industry for years, to ask for support for the CETC project. It fully deserves to be included in the existing TNT network of Pan-European Transport Corridors.

**Sylvie Guillaume (S&D).** – (FR) Mr President, following the dismantling of the 'jungle' camp in Calais at the end of September, I wish to denounce here the organisation, by France and the United Kingdom, of forced returns to Afghanistan, a country in total chaos.

Like my colleague, Mr Désir, who spoke just now, I too call on the European Commission to put pressure on the Member States so that they stop putting these people's lives in grave danger by forcibly returning them to Afghanistan.

We know that these migrants are unable to apply for asylum in France under the Dublin II Regulation because they are liable to be deported to Greece or Italy, where the detention conditions are unacceptable and the chances of them seeing their asylum applications succeed are slim.

The only effect that dismantling the 'jungle' camp has had is to make the tragedy suffered by these migrants in need of protection even more traumatic. In contrast to the objectives set by the French authorities, these migrants have become more vulnerable as a result of the camp closure, and they are even more likely to be handed over to people traffickers who, for their part, are not in the least bit worried.

Now more than ever, we must remember that the credibility of an asylum system is compromised if it fails to protect the people who need protection.

**Proinsias De Rossa (S&D).** – Mr President, I welcome the endorsement by the United Nations Human Rights Council (HRC) of the recommendations of the Goldstone report and their call for an end to the illegal siege of Gaza, which is causing so much human suffering. I propose that our relevant parliamentary committees should now examine without delay what steps the European Union should be taking to ensure that the Goldstone recommendations are pursued in an effective way.

I was shocked that four Member States of this Union – Italy, the Netherlands, Hungary and Slovakia – voted against the HRC resolution. Human rights and international law are not optional extras to be defended or ignored depending on the relevant political advantages. All our Member States must defend international law and human rights without fear or favour, otherwise our credibility is undermined as a force for justice in the world – and, indeed, as an honest interlocutor for peace in the Middle East.

Finally, could I ask that, in the spirit of the Lisbon Treaty, you insist that no new agreements with Israel are signed by the Commission or the Council in the coming week.

**Tomasz Piotr Poręba (ECR).** – (PL) Mr President, in the second half of September this year, Russia and Belarus held military exercises codenamed 'West' 2009 and 'Lake Lagoda' 2009. It was the largest undertaking of its kind on the western borders of Russia since the end of the Cold War. Assault exercises on a similar scale last took place in 1981, at the height of the Cold War. It is interesting that the 'West' 2009 phase started on 18 September, which was almost to the day the 70th anniversary of the Soviet invasion of Poland. Part of the exercises were held at the mouth of the Bay of Gdańsk, and 'Lake Lagoda' 2009 is universally thought by experts to represent preparations for a potential attack on the Baltic countries and Finland.

Despite openly hostile moves by the Russian Federation, both the European Union and NATO have remained passive. They still have not developed a strategy for defence in the event of an invasion from the east because some of the countries and NATO members consider the question too sensitive politically.

In view of the approaching EU-Russia Summit, and also in view of the facts I have mentioned, I have submitted a question on the matter to the Council of the European Union.

**Gabriel Mato Adrover (PPE).** – (ES) Mr President, agreements should be honoured and rules should bind everyone equally. This statement, which may seem obvious, is not so obvious in reality when we are talking about the Association Agreement between the European Union and Morocco, which contains consistent irregularities, as recognised by the European Anti-Fraud Office.

Spanish tomato producers, particularly in the Canary Islands, are going through a difficult time, and need the agreement to be honoured, but also want to know what the Commission plans to do about the new agreement that is still being negotiated: whether an increase has been offered in the preferential tomato quota and under what terms, whether the entry price system is going to be changed to prevent further breaches in the future, and whether the plant health requirements demanded of European producers are going to be enforced.

Also, while we are talking about agreements, banana producers are also following negotiations, in some cases bilateral negotiations with third countries, with a great deal of concern, because such dealings could have irreparable consequences if they do not go hand in hand with compensatory measures.

In both cases, the Commission cannot abandon its producers and we cannot allow that to happen.

**Françoise Castex (S&D).** – (FR) Mr President, I would like to draw your attention to the arrest of Mohammad Othman, a 33-year-old Palestinian human rights activist and supporter of the non-violent civil society campaign of boycott, divestment and sanctions.



Mohammad Othman was arrested on 22 September by the Israeli authorities. Since then, his detention period has been repeatedly extended by the Israeli army. A military judge is due to rule on his detention on Tuesday 20 October – i.e. tomorrow.

Mr President, on behalf of the European Parliament, I call on you to take action to ensure that this human rights activist, whose only crime is a thought crime, is released.

This week, we are going to award the Sakharov Prize. Sadly, we cannot give the Sakharov Prize to all human rights campaigners, but at least let us offer them our support when their freedom is in jeopardy.

**Róza, Gräfin von Thun Und Hohenstein (PPE).** – (PL) Mr President, I speak today as a member of the Committee on Culture and Education, and also as a member of the Committee on the Internal Market and Consumer Protection. In this role, I appeal for continued, comprehensive consultations and efficient action on the matter of the digitalisation of books and the role of Google. We cannot allow our market, all that we have accomplished in this area in Europe, to be dominated by one firm. We must develop good legal instruments, which will protect the interests of our authors and publishers, and the European Union must do this together with others, especially with the United States, but also with other countries in today's globalised world.

It is a question of our European literature, our culture, and our identity. We must develop these things, and act together to protect them. They are our European authors and our European publishers. The problem of digitalisation is too important to be decided only across the Atlantic. We must establish this legislation together, and we must devote the greatest attention to this matter.

**Cătălin Sorin Ivan (S&D).** – (RO) These days are crucial to the democratic development of the Republic of Moldova. The election of the president by the new parliament, scheduled for 23 October, was postponed due to a lack of competition. Once again, by resorting to subversive tactics through not put forwarding a candidate, the Communist Party is attempting to sabotage the path to democracy.

It is our duty to monitor the entire process closely to ensure that the constitutional provisions are applied and that the Republic of Moldova passes the democratic test of elections.

The strengthening of democracy in this country must be one of the priorities of the European Union in its neighbourhood policy. This can then serve as an example for the entire area to the east of the EU. It is our duty to offer this democratic government a new opportunity by providing it with the moral and technical support that it needs. The most appreciated sign of this support would probably be to come up with a viable solution for giving the citizens of the Republic of Moldova access to the European Union.

**Jelko Kacin (ALDE).** – (SL) After some serious and careful thought, the voters of Ireland have ratified the Treaty of Lisbon with a two-thirds majority. We receive this news with pleasure and pride, as the Treaty will enable further enlargement. The only ones still making their minds up are President Václav Klaus and the Czech Constitutional Court.

I come from the former Yugoslavia and I have memories of us supporting Czechoslovakia, not just when they played ice hockey against the Soviet Union, but on every occasion and in every context. From the time when the forces of the Warsaw Pact invaded Czechoslovakia during the Prague Spring, we always showed solidarity with them. On this occasion, however, I cannot and must not do so, as that would be to the detriment of the European Union, my own country and any future candidate countries.

I must express our concern publicly and say that we will not allow ourselves to be blackmailed. For this reason, I call on the political leaders and the public opinion of both the current and future candidate countries to let the President of the Czech Republic know that he is toying with our destinies and with their destinies. It is high time that this game came to an end.

**Csanád Szegedi (NI).** – (HU) Mr President, ladies and gentlemen, three years ago, on 23 October 2006, tens of thousands of people gathered in Budapest to celebrate in a dignified manner and commemorate the 1956 Hungarian Revolution and fight for freedom which our people waged against the Communist dictatorship. Three years ago, terrorists disguised in police uniforms without any identification insignia used banned weapons to disperse the crowd that was holding a peaceful commemoration. This was presumably under the political order of the party which has succeeded the Communist dictatorship.

It took 50 years after 1956 for Hungarian blood to be shed again on the streets of Budapest. On Friday of this week, 23 October, at 15.00, several thousand people will commemorate the events of 1956 again on

Deák Square. We Jobbik MEPs, along with several fellow Members, such as Andreas Mölzer and Bruno Gollnisch, will monitor at this location the physical safety of those attending the commemoration. However, I would like the European Parliament to send observers and I would ask Mr Buzek in particular to draw the Hungarian police chiefs' attention to observing the European Convention on Human Rights.

**Simon Busuttil (PPE).** – (MT) The past weeks have witnessed a number of violent incidents in the Holy City of Jerusalem, in the Al Aksa area. Both sides are pointing fingers at each other as to who is to blame, who the instigator is, and who is ultimately responsible for these violent acts. As frequently happens in this region, one incident can quickly escalate into a crisis. Let us not forget, in fact, that the most recent Palestinian intifada took place right after the incidents in Al Aksa. In a situation such as this, I believe that we must analyse our duties as the European Parliament. We are duty bound to take a clear stand against all unilateral measures and to ensure we put a stop to all international law violations immediately. Experience has taught us that in situations like these, we should not remain silent.

**Vladimír Maňka (S&D).** – (SK) For three and a half months, Slovakia has been subjected to a brutal campaign of discreditation concerning the amendment to the national language law.

EPP Vice-President, Viktor Orban, said in Romania in July that Hungarian foreign policy must treat this matter as a serious instance of 'casus belli' which translates as 'a cause for war'. One week later, the former Hungarian ombudsman for ethnic minorities, Jenő Kaltenbach, stated that all of the minorities in Hungary had suffered a complete loss of identity, unable to speak their own languages and unaware of their own history. The words of the former ombudsman did not provoke the slightest political or media debate.

Greater Hungarian nationalists are not interested in the rights of minorities in Hungary but only in the rights of Hungarian minorities in other countries. The innocent people living in the south of Slovakia have, in this way, become hostages to these nationalists and their dreams of a politically reunited Hungarian nation.

**Maria da Graça Carvalho (PPE).** – (PT) Regional differences remain a challenge in the context of an enlarged European Union. For this reason, it is essential that cohesion policy supports those regions and Member States that are less developed. That is why we are extremely apprehensive about the recent amendment to the General Regulation on the European Regional Development Fund and the Cohesion Fund proposed by the Portuguese Government to the European Commission.

This amendment establishes exceptions to the general rule on the geographical eligibility of expenditure relating to operations with a spillover effect and those relating to technical assistance, allowing funds destined for the convergence regions of Northern Central Portugal, Alentejo and the Azores, to be actually disbursed in the Lisbon area.

This amendment may constitute a violation of the principle of economic and social cohesion – a principle that is a cornerstone of the European project.

**Mitro Repo (S&D).** – (FI) Mr President, I am concerned about freedom of religion in Turkey. Turkey's possible membership of the EU depends on its fulfilment of all the Copenhagen criteria. Recently, the country has seemed less willing to improve the situation with regard to its human rights and freedom of religion because of internal tensions. There has also been negligence in the investigation of crimes against churches. What is more, the Orthodox Church, for example, is still unable to choose its Patriarch freely and irrespective of nationality, and there are ever more attempts to place restrictions on clerics as regards wearing their priestly garb in public.

Concrete measures are to be expected of Turkey in talks on its membership, measures which would demonstrate that it understands and recognises the value of the European cultural heritage, even on Turkish soil. For that reason, Turkey should immediately allow the Halki Seminary, for example, to continue to function and, furthermore, restore the protection of church property.

**George Sabin Cutaş (S&D).** – (RO) The surveys published by the European Commission indicate that the current account deficits of the large majority of European Union Member States are expected to exceed the 3% of GDP limit during 2009 and 2010. Similarly, in 2010, an average level of public debt of 80% is envisaged for the 27 Member States and of more than 80% for the countries in the euro area.

In the case of Eastern European countries, however, the need to curb the recession clashes with the duty to comply with the Maastricht criteria. In fact, a discrepancy can be seen between the requirements of the Stability and Growth Pact for the countries in the euro area, where deficits and public debt are on the rise, and the extremely stringent standards imposed on those wishing to join the euro area.

It is therefore necessary to adapt the Maastricht criteria to the current climate and economic realities characterised by larger cyclical movements. Adapting the Maastricht criteria and providing quicker access for Eastern European countries to the euro area would strengthen the European Union and continue the integration process.

**Nikolaos Chountis (GUE/NGL).** – (EL) Mr President, I should like to speak about accidents at work in Greece and Europe. The shortcomings and negligence of shareholders, control mechanisms and national and Community authorities in applying health and safety regulations is criminal. The statistics for my country, Greece, are tragic. There were 142 fatal accidents in 2008 and there have been more than 56 since the beginning of 2009.

At a time when lives are being lost, companies, the national authorities and the Commission are addressing the issue in a very relaxed manner and crimes are basically going unpunished; crimes for the sake of profits, such as the crime which France Telecom has been committing since February 2008. Last week, another worker, just 25 years old, committed suicide due to the intolerable working conditions. What does the Commission have to say about that? Had it been a different matter, it would have intervened. That is why I call on the Bureau and my fellow members to observe a minute's silence at some point during the three-day plenary for the victims of France Telecom and other accidents at work.

**Ioannis Kasoulides (PPE).** – Mr President, last month, I informed the plenary of the discovery of the remains of Cypriot soldiers who, during the invasion of 1974, were photographed surrendering to the Turkish army, alive and well. In a new development, the European Court of Human Rights has found Turkey guilty of cruel and inhumane behaviour towards the relatives of missing soldiers of that period by failing to investigate and inform the relatives about their fate. Turkey was ordered to pay compensation in this regard. I call again on this Parliament to urge the Turkish army to provide its records to the UN Committee on Missing Persons for the resolution of this humanitarian issue.

**Rosario Crocetta (S&D).** – (IT) Mr President, ladies and gentlemen, firstly I would like to thank you for asking the Belgian and French authorities to provide me with police protection.

To feel the solidarity of the institutions when you are on the frontline fighting a phenomenon such as the mafia in Italy, which has resulted in many victims over many years, is really important in my view, and I offer my heartfelt thanks. However, for some time, Mr President, mafia organisations have been a global phenomenon: not just through money laundering, but also through their permanent presence in various European countries, and also via immigration.

When, on 16 July this year, I called for the establishment of a committee of inquiry into mafia organisations in Europe, I did so with the aim not only of serving my country, but also the European Community, in the belief that a lack of vigilance when it comes to organised crime associations such as the mafia could have a negative impact on citizens' quality of life and safety and on development mechanisms. And it is strange, I have finished, Mr President ...

*(The President cut off the speaker)*

**President.** – Thank you. I would like to say that I have also asked the authorities in Brussels to increase vigilance around the European Parliament, because we have had an unfortunate incident recently. The Brussels authorities have replied very positively to the European Parliament's request, and talks are also being held on this subject.

**Corina Crețu (S&D).** – (RO) The report published to mark World Food Day indicates that one in six people are suffering from hunger and the number of undernourished people in the world has passed the 1-billion mark, while the number of people blighted by famine has risen by 100 million in just one year.

During this entire period, the World Food Programme has been facing a 50% drop in international donations compared with 2008, which is having a serious impact on the volume of food aid being supplied to poor countries.

The European Union is the leading campaigner against global famine. Its position was strengthened by the commitment made at the G8 summit in L'Aquila to provide EUR 2 billion, which is in addition to the EUR 1 billion Food Facility. This is a large sum, but is still far from what would be required to meet the objective set by the UN, which is to halve the number of people suffering from endemic hunger.

A much broader political effort is required to mobilise the resources of all the major industrialised powers in the world. I believe that a Marshall Plan is an absolute necessity with a much more specific and tangible objective, which is to help the billion of our fellow human beings suffering from hunger rise above the subsistence threshold.

#### IN THE CHAIR: MR LAMBRINIDIS

*Vice-President*

**Ioan Mircea Paşcu (S&D).** – Mr President, the missile defence project of the former US Administration, of which Europe has been made part, was fiercely contested by Russia, which chose to see in it a move directed against it, and by some Europeans who were upset because the Russians were upset.

The Obama Administration is trying to address such a position by shifting defence from the long-range to the short- and medium-range missile threat, thus increasing the direct protection of Europe, and apparently by accepting Russian cooperation through providing a radar facility in the Caucasus.

Still some Europeans contest the project, ignoring its new orientation. Russia has not spoken yet. I only wish that the European position is not moulded only by this fact, but reflects a genuine search to find the best way to protect European soil from this real threat, in cooperation with the US, and with Russia, too, if the latter is willing.

**Philip Bradbourn (ECR).** – Mr President, last year, this House debated the use of whole-body scanners at airports and subsequently the European Commission withdrew its proposal in this regard.

Recently, at Manchester Airport, a new trial was started and legal advice has now been given that to use these machines on minors could be in breach of child safety and protection legislation because of the nature of the image produced. Similar cases of this nature took place in 2005 and 2006 by the Action on Rights for Children group, which resulted in the banning of the use of body scanners on under-18 year olds.

Since the very *raison d'être* for these machines has now been compromised by this legal advice – and I address this directly to Commissioner Barrot – is it not now time that the Commission ruled that the use of these types of scanner in the EU should not be allowed, since my constituents travelling anywhere in the Union should not be subject to this indecent and degrading treatment? I also call for a global ban on such technology in order to protect all EU citizens.

**László Tóké (PPE).** – (HU) Mr President, last year I protested against religious fanaticism and the persecution of Christian minorities, and I am doing the same again this year. Having heard about the most recent anti-Christian acts in India, Bangladesh, Afghanistan, Pakistan and Turkey, allow me to speak out again against the continuing atrocities in the name of religious exclusivism, which are being perpetrated in general by Muslim and Hindu fanatics against our fellow Christians.

However, in India, in the states of Orissa and Gujarat, both practising Christians and Muslims are suffering severe persecution. In Transylvania, Romania, where I come from, religious freedom was proclaimed by the Edict of Torda in 1568. Religious freedom is both an individual and a collective human right. Jesus says: 'I desire mercy and not sacrifice'. According to the teachings of our faith, I call on Jerzy Buzek, the Subcommittee on Human Rights and the European Commission to ...

*(The President cut off the speaker)*

**Nessa Childers (S&D).** – Mr President, the imminent closure of Independent Network News, a Dublin-based news agency providing a first-rate national and international news service to the majority of Ireland's local radio stations, raises serious and legitimate questions about the ownership, plurality and regulation of the media in Ireland. Local radio stations in Ireland are required to ensure that 20% of their news content is national and international. This service has largely been supplied by INN in recent years.

On foot of INN's demise, the Newstalk station owned by Communicorp – which is also a major shareholder in INN – has been awarded the contract to provide a replacement service for the next six months. UTV, whose withdrawal from INN precipitated the service's demise, has also been centrally involved in the efforts to source a replacement service. The National Union of Journalists has raised important questions over the appropriateness of the involvement of these two bodies in this process, in the context of diversity of media ownership in Ireland. These questions must be fully explored.

**Sergej Kozlík (ALDE).** – (SK) I would like to warn you that representatives of Hungary are attempting to provoke Slovakia. On 21 August 20 years ago, a Soviet and Hungarian army invaded the former Czechoslovakia.

On the very same day this year, Hungarian President Sólyom, despite the reservations of three senior representatives of the Slovak Republic, was preparing to take the provocative step of unveiling a statue of a Hungarian king on the ethnically mixed territory of Slovakia. Today, he is protesting that he was denied entry into Slovakia.

On a visit to Slovakia last week, Viktor Orban, head of the leading Hungarian political party Fidesz, called on the Hungarian minority to undertake autonomy-related initiatives. He called for joint planning over the future of Hungarians in the Carpathian basin. This is a revival of the idea of Greater Hungary – a provocation that has no place in a modern Europe. It is playing with fire and the European institutions must not turn a blind eye to it.

**George Becali (NI).** – (RO) I would like to say that there is no specific mention made of sport in the Treaty of Lisbon, and particularly of football, an activity which has a huge social and cultural influence. I would like to tell you that there is no legal basis for an EU policy on sport.

In actual fact, sports are governed by the rules of the relevant sports associations, but I believe, Mr President, that it must be clearly specified in the Treaty that activities and the organisation of sports activities should operate according to the rules of the relevant sports associations, while any activities linked to these sports activities should operate according to civil regulations and laws.

**President.** – The debate is closed.

## **17. Evaluation mechanism to monitor the application of the Schengen acquis - Establishment of an evaluation mechanism to verify the application of the Schengen acquis (debate)**

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

- A7-0035/2009 by Carlos Coelho, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the establishment of an evaluation mechanism to monitor the application of the Schengen acquis (COM(2009)0105 - C6-0111/2009 - 2009/0032(CNS));

- A7-0034/2009 by Carlos Coelho, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the establishment of an evaluation mechanism to verify the application of the Schengen acquis (COM(2009)0102 - C6-0110/2009 - 2009/0033(CNS)).

**Carlos Coelho, rapporteur.** – (PT) Mr President, Mr Barrot, ladies and gentlemen, I am in favour of a mechanism for evaluating Schengen that will improve the system currently in place and make it more efficient, so as to ensure that the Schengen *acquis* can be applied more transparently and coherently.

Nevertheless, I am disappointed with the proposals put forward by the European Commission. In essence, these proposals maintain the rules relating to the first part of the mandate without making any changes and, with regard to the second part of the mandate, or the evaluation of how the Schengen *acquis* is being implemented by the Member States that are already part of the Schengen area, they merely incorporate the recent improvements to the current evaluation mechanism.

Indeed, the only new thing, which I applaud, is the possibility of carrying out unannounced visits. As far as the evaluation process is concerned, these proposals transfer the role currently played by the Council wholly into the hands of the Commission, allowing very limited forms of cooperation with the Member States, and removing the European Parliament from the entire process, without demonstrating what is being gained by these steps.

I am also concerned that we are moving towards the total separation of the evaluation mechanisms for each part of the mandate, which could jeopardise the efficiency and consistency of the system. Countries that wish to join Schengen should not be subject to different rules and systems of evaluation to those that are already in it.

There are also data protection problems. I shall give just three examples: firstly, the item about the security of consular facilities is incomplete, as the facilities of external companies, when outsourcing is involved, are not covered. Secondly, the security requirements proposed for the Schengen Information System (SIS) should also be included in the item about visas. Thirdly, Article 7 of the regulation should include not only the risk analysis but also the audits and reports on the security inspections carried out by the Member States in accordance with the rules introduced by the statutory instruments of the SIS and the Visa Information System (VIS).

Besides the problems I have mentioned here, and the improvements that could be made, there is a fundamental problem in that the role given to the European Parliament is an irrelevant one. According to our Legal Service, the Commission's choice of legal basis is legitimate. However, it would also be possible to apply the codecision procedure for the draft regulation. Political will is the only deciding factor between the two possibilities. After all, if the Treaty of Lisbon comes into force, which is to be expected in the short term, these proposals will have to be made into a single proposal and resubmitted, since the pillar structure will be eliminated.

We should not forget that we are discussing the security of the area of freedom, security and justice, which should involve all Member States and all the European institutions. Hence, codecision is the right procedure to choose. The European Parliament's role should not be merely accessory, but should rather reflect the influence that it wields when it comes to adopting basic legislative instruments.

I would like to conclude by thanking the shadow rapporteurs for supporting this position for the European Parliament and I invite Vice-President Barrot, who has always shown respect for this Parliament, to resubmit these proposals, introducing not only improvements in terms of the content, but also establishing a proper role for the European Parliament as regards the procedure itself.

**Jacques Barrot**, *Vice-President of the Commission*. – (FR) Mr President, I will try to respond to the concerns expressed by Mr Coelho in his report.

The evaluation mechanism is a key measure when it comes to preserving the integrity of the Schengen area and to maintaining mutual confidence between the Member States. That is why the Commission is proposing that the experts from the Member States be fully involved in planning the visits, the in situ visits, and in drafting the evaluation and follow-up reports.

The Commission is, of course, convinced that Parliament should be involved in the Schengen evaluation, which is not the case at present. The citizens must have access to the results of these evaluations. That is why the Commission has offered to submit annual reports to Parliament indicating the conclusions reached following each evaluation and the progress of the corrective measures.

So that is the first response. It is true that Mr Coelho raised the issue of codecision for Parliament. The treaties currently in force do not permit this. However, although there is no codecision as yet, the proposals do communitise the current mechanism. Through these proposals, the mechanism can be made more effective with regard to planning, the in situ visits and the follow-up given to the evaluations.

Moreover, the role of the Commission, as guardian of the treaties, will be enhanced. However, Mr Coelho, this enhanced role is being challenged strongly by the Council. Therefore, under the treaties in force, two parallel proposals were required, since the Schengen *acquis* covers both the first and the third pillars.

The Commission considered that Article 66 of the EC Treaty, which provides for consultation of the European Parliament, was the correct legal basis for the proposal of the first pillar. This legal basis was chosen as the correct one for the current Schengen evaluation mechanism when the Schengen *acquis* was integrated into the European Union framework by the 'breakdown' decision taken in 1999.

Articles 30 and 31 of the treaty were the ones chosen as a legal basis for the proposal of the third pillar. That is why we had to refer to two different articles for the evaluation of the first pillar and for that of the third pillar.

The Commission, on the basis of the treaties in force and of the legal debates that derive from them, must stand by its proposals. It must be said, Mr Coelho, that, given the difficult negotiations at the Council regarding the enhanced role of the Commission, it is conceivable that they will not be concluded in the short term. We can hope, above all today, that this Treaty of Lisbon will be ratified, and then the matter will be reopened and the Commission will decide, when the time comes, what it considers to be the most appropriate legal basis for the proposed mechanism by involving the European Parliament as fully as possible.

Obviously, when that time comes, the Commission will be able to submit amended or new proposals depending on the situation. As you know, I myself am generally very much in favour of this provision, which will enable your Parliament to act as a colegislator in most of the issues relating to justice, freedom and security. Clearly, I can only be in favour of a much more active role for Parliament. However, as things stand, I do not think that we could have done anything other than to propose this amendment on the current legal bases. Nevertheless, as I told you, the discussions at the Council are not easy; this is not because we did not want to involve the Member States, but because the Commission, in its role as guardian of the treaties, feels that it, too, is responsible for managing this entire evaluation mechanism, with the involvement of the Member States and, of course, Parliament.

**Simon Busuttil**, *on behalf of the PPE Group*. – (MT) The creation of the Schengen zone was undoubtedly a huge step forward for several European Union countries. It brought along with it the concept of full liberty of movement for our citizens in a more realistic manner, and it could even be said that when a citizen travels within the Schengen area, he or she might almost feel as though they are travelling within their own country. However we are all aware that for an ambitious project such as this to succeed as it did, a substantial amount of hard work was put into it, and considerable sacrifice was made. Above all, when we chose to open our doors to each other, we had to place our trust in each other on an issue as delicate as this one, that is, the protection of our external borders. When it comes to external borders, trust is placed in a country and trust is gained in return.

Therefore, when it comes to these reports, I agree with my colleague Carlos Coelho, in that they are meant to enhance the evaluation mechanism within the Schengen Area project; a project which is of great importance, and which is built upon mutual trust. Yet we also maintain that this evaluation needs to be carried out in an efficient and transparent manner. Moreover, it must involve Parliament, which must be allowed to exercise its full powers, especially now that we are, or potentially are, a few weeks away from the coming into force of the Lisbon Treaty. I am certain, therefore, that the Commission will understand when we say that, considering that the Lisbon Treaty is close at hand, we expect proposals such as this one to fully respect all the powers that the European Parliament will wield under this Treaty.

**Ioan Enciu**, *on behalf of the S&D Group*. – (RO) The creation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis is an important measure which will put into practice the decisions concerning the area of freedom, security and justice, especially the provisions of the Hague Programme. The draft proposals submitted for debate today are a variation of an evaluation mechanism. They include provisions specific to the targeted area, along with an adequate control methodology.

However, a closer analysis highlights that certain principles of interinstitutional cooperation are being ignored, both at European Union level and between EU Member States. From this point of view, the proposal submitted includes provisions restricting cooperation between Member States with regard to evaluating the results from the application of the Schengen Agreement. At the same time, it increases unacceptably the role of the Commission in this process, while the European Parliament is kept outside the entire evaluation mechanism.

Furthermore, the wording of some articles in the regulation leaves scope for different interpretations of the relationship between the Commission, Parliament and Council with regard to their access to information about the application of the Schengen acquis.

Therefore, Article 14, aimed at sensitive information, emphasises that 'the reports drawn up following on-site visits shall be classified as restricted. The Commission, after consulting the Member State concerned, shall decide which part of the report can be made public.'

I also wish to mention in connection with these provisions that Article 16, which refers to the report submitted to the European Parliament and Council, does not imply that the annual report on the evaluations carried out will contain restricted information as well. We could therefore deduce that it is up to the Commission to assess which information will be included in the annual report and which not. This fact assigns the Commission functions which, in my view, are not justified.

The Treaty of Lisbon will soon come into force and from then on, codecision will become the normal legislative procedure, which also covers the area of freedom, security and justice. The legislative proposals which we are debating at the moment contain provisions which conflict with the principles included in the Treaty. Consequently, these drafts, if they are approved now, will need to be reviewed at the time when the Treaty of Lisbon comes into force.

Fellow Members, freedom, security and justice are areas of paramount importance to Europe's citizens whose interests are represented directly by the European legislative. Restricting the role of an institution like the European Parliament is wrong. I wish to conclude by supporting the proposal made by Mr Coelho, that this draft, in its current form, needs to be rejected and returned to the Commission. I propose to you that we support the draft resolution.

**Sarah Ludford**, *on behalf of the ALDE Group*. – Mr President, our colleague, Mr Coelho, has yet again justified his middle name: Carlos 'Schengen' Coelho. He is our resident expert on the Committee on Civil Liberties, Justice and Home Affairs, and we are very grateful for his work and his expertise. He has done very good forensic reports on these proposals and they highlight what an awful muddle the European Union is in regarding monitoring and evaluation.

It certainly makes no sense to me that fitness to join the Schengen zone should lie exclusively in the hands of the Member States in any case, irrespective of any arcane split between pre- and post-Schengen accession. We are told in the Commission proposal for the regulation that 'as evaluation before putting into effect is fundamental for Member States in order to gain mutual trust, it seems reasonable for this to remain the responsibility of Member States'. But we do not leave it to Member States to evaluate the Balkan countries, for which this evening the Committee on Civil Liberties, Justice and Home Affairs will vote on their fitness for visa waiver, for visa-free travel – it is the Commission which does the assessment and evaluation, so there is no consistency at all in saying that it should be in the hands of the Member States to judge other states.

To be honest, I do not grasp this peculiar split between evaluation of 'putting into effect' measures necessary to join Schengen which, according to the Commission, has to remain intergovernmental, and checking the 'implementation' of the Schengen acquis. Certainly, it appears that the Member States do not do a very good job because we learn from the proposal for a decision that 'in recent years, Member States have not seen the need to carry out evaluations on the spot concerning judicial cooperation in criminal matters and drugs. Data protection has also not always been subject to on-site evaluations.' I think there are many people not only in this House but beyond who would think that issues to do with criminal cooperation, drugs, tackling drug smuggling and protection of privacy are rather important matters to have on-the-spot inspections about. So I entirely support the conclusions of Carlos Coelho that we need to bring all this together, to have a consolidation of the procedures by which this evaluation is done, to consolidate the task between the first and the third pillar – and I hope that soon the phrase 'third pillar' will be consigned to history and I never have to say it again – to have one simple, effective, efficient and transparent evaluation and to ensure that the transparency includes accountability to the European Parliament.

It is most strange that at this juncture, on the eve of what I am now convinced will be the ratification of the Lisbon Treaty – and I did my bit in the UK House of Lords last year, by the way – the Commission should put forward this extremely muddled and senseless set of proposals. I support the rejection and I request the Commission to come back with a better proposal that takes account of the Lisbon Treaty, takes account of codecision, takes account of simplicity and effectiveness in monitoring and is consistent with the Commission's and Parliament's responsibilities in other areas.

It begs the whole question of the way peer review is done in this European Union of the 27 Member States. As I say, that bears looking at, including in the human rights area, because we do not seem to have any clear principles and structures and simply adopt different things in different areas. Much as I love the Member States, I am afraid they often adopt a practice of 'I'll scratch your back and you scratch mine', which means they do not criticise each other, so actually they are not good people to evaluate each other. The Commission, when it works at its best, is the one to do it.

As I have a few seconds left, I would like to challenge Mr Bradbourn from the ECR Group on an issue of free movement. He called for a global ban on so-called 'naked body scanners'. It would have helped if he had been at the vote last year when his colleagues opposed a ban on the use of these body scanners without a fundamental review of human rights. His colleagues voted against that ban. Mr Bradbourn was not even present at the vote, so it is a bit rich for him to go on about it now.

**Tatjana Ždanoka**, *on behalf of the Verts/ALE Group*. – Mr President, I also want to thank our colleague, Carlos Coelho, for his report. We do indeed need a simple and effective, transparent mechanism for the Schengen evaluation.

I agree that the Commission should play a more active role in the evaluation mechanism which Mr Barrot just talked about. Nevertheless, we parliamentarians have a number of concerns. You know that our Green Group has a very strong position concerning personal data protection. The Commission forgot to mention



outsourcing when speaking about the security of consular premises. It has also forgotten about IT security provisions for these.

Besides the annual evaluation programme, Article 7 of the regulation must take into account not only the risk analysis provided by FRONTEX but also the audits and inspections conducted by Member States themselves. Therefore, we demand that data protection concerns be taken into account.

When speaking about the codecision procedure and the proposal of Mr Coelho, our group, the Green/EFA Group, fully supports his position. I shall not remind you about the role of the European Parliament as an elected institution. We have heard already that, under the Lisbon Treaty, the codecision procedure will be the only option. We fully support the rapporteur and we also support his proposal.

**Rui Tavares**, *on behalf of the GUE/NGL Group.* – (PT) The Schengen Area is 20 years old – or nearly 20 years old – and it has been evaluated for 10 years, first by a standing committee, and then by the Evaluation Group. It is, therefore, high time that we improved the evaluation procedures and responded to concerns about the Schengen area.

It is a shame that the Commission, on approaching this anniversary, has failed to do enough work or make much progress in creating a more effective and comprehensive evaluation mechanism which would be able to respond not only to the concerns raised in the early years of the Schengen area, such as efficiency and cohesion among Member States and a certain equivalence of procedures, but also concerns about transparency, control by citizens (democratic control) and, finally, concerns about respect for human rights, which are extremely dear to this House. There are well-founded concerns that greater efficiency has been achieved at the cost of citizens' rights, and it is high time that we bridged this gap.

I would also like to talk briefly about codecision. The European Commission and all the others that defended the Treaty of Lisbon, extolling its democratic virtues, are now facing the test of whether they can make good their promises and allow more parliamentary and democratic control over the Schengen evaluation processes. I cannot, however, support the conclusions of the rapporteur, our fellow Member, Carlos Coelho. I believe that he does European democracy good service in exhorting the Commission to rework its proposals and deliver something that is simpler, more effective, more transparent, more respectful of human rights, and which provides greater parliamentary and democratic control.

**Gerard Batten**, *on behalf of the EFD Group.* – Mr President, it is not very often that I find myself agreeing with something said by the Committee on Civil Liberties, Justice and Home Affairs. They are saying that these proposals on the evaluation mechanisms and on the Schengen acquis are pointless because, after the Lisbon Treaty is fully ratified, they will be changed anyway.

After the Lisbon Treaty comes into force, the first and third of the so-called three pillars of different policy areas will be consolidated into one. The implementation of Lisbon will no doubt see attempts to use it as a tool to apply the Schengen acquis across all the Member States, including those currently exempted, which includes the United Kingdom.

You will notice that I said 'when the Lisbon Treaty is implemented' and not 'if'. It seems that the one Head of State holding out against it, the valiant President Václav Klaus of the Czech Republic, will be browbeaten into giving his consent shortly. Britain's own traitorous Labour Government has reneged on its promise to give the British people a referendum on Lisbon and the one person who could hold out the hope of a referendum, David Cameron, does not have the courage, principle or inclination to do so.

The UK has a completely uncontrolled, unlimited and chaotic immigration and asylum system. As a Member State of the European Union, we no longer control our own borders and under Lisbon, the tidal wave of immigration that we have experienced will become a tsunami. So this report will make no difference whatsoever to anything and the comments made by the committee and the Parliament will be ignored by the Commission.

I have heard the words 'freedom, liberty and justice' bandied around in this debate. What freedom is there when the citizens are not consulted on their new constitution under the Lisbon Treaty because they would reject it? What liberty is there in laws made by undemocratic institutions that cannot be removed by the voter? What justice is there when, under the European arrest warrants, national courts have been stripped of their powers to protect their own citizens from unjust arrest and imprisonment? This Union is an Orwellian creation where words mean the opposite of what is said.

**Hans-Peter Martin (NI).** – (DE) Mr President, we need a democratic revolution. You just heard what the previous speaker said; we often see that when you go too far too fast, you achieve the opposite of what you were actually trying to achieve.

The motto of this group is that if the European Union develops too fast, it will result in precisely what it does not want, namely new nationalism. That is what we are seeing at the moment in my country. I come from what has become a divided country; in the west, in Voralberg and a bit beyond, we are happy about the open borders, while in the east, you can see that we have gone too far too fast with Schengen. What we are getting in return is new revanchism and nationalism in my country and elsewhere.

We must not hide behind technical debates. We need to face up to these challenges. Of course, this must necessarily mean that the European Parliament is granted codecision rights and that you, Commissioner, must wait until we have this codecision or it is at least granted to us by default.

**Agustín Díaz de Mera García Consuegra (PPE).** – (ES) Mr President, I congratulate and support Carlos Coelho, and I would like to point out that this report was adopted unanimously in the Committee on Civil Liberties, Justice and Home Affairs.

The Council's proposal has a bearing on the second part of the mandate given to the Schengen Evaluation Working Group, which is to confirm that the *acquis communautaire* is being correctly applied following the lifting of internal border controls.

The aim of this mandate is to make the Schengen evaluation mechanism more efficient.

Evaluation of the correct application of the Schengen *acquis* has a legal basis in third pillar elements, while other aspects of the *acquis* have their legal basis in first pillar instruments.

In my view, the proposed legal basis is correct, but it does not seem to be very consistent with the more than significant entry into force of the Lisbon Treaty, when the functions and powers currently shared between the two pillars will be consolidated.

The proposal scarcely contains any new elements that differentiate it from the evaluation mechanism that is currently in force, and Carlos has mentioned them *ex novo*. However, it introduces a change that is obviously significant, as the document that is before us would mean transferring the functions currently carried out by the Council to the Commission.

This transfer of powers means *de facto* that Parliament and the Member States themselves are sidelined in the evaluation process, despite the fact that they are the ones with power over the security of their external borders.

Parliament, which represents European citizens, plays an essential, leading role in security matters. Our task is important, and this is recognised in the Treaty of Lisbon.

Consequently, Mr President, what we want is to wait three months, because if we wait three months, there will be no need to reopen the case.

Mr President, another question: I have just seen the Vice-President putting on a pullover, and it is freezing cold here. I must excuse myself because I have to leave, but I am not leaving because I do not want to follow the debate, but because I am starting to get bronchitis, which is no good at all, so I would be grateful if you could do something about it Mr President.

**Monika Flašíková Beňová (S&D).** – (SK) Perhaps it is cold here also because the Commission takes very little account of our Parliament and the opinions of our Parliament. Perhaps our relations will become warmer in the future. I believe that this situation and this discussion are not very pleasant for the Commissioner, for it seems we all share the same opinion, or at least a majority of us share it. All the same, I would like to thank the rapporteur for his report.

The creation of the Schengen area really did bring freedom of movement for our citizens within the Schengen area and, in my opinion, was one of the greatest successes in European history. Much remains to be done, however. The ending of internal border controls requires complete security and also trust between the various parties in relation to their ability to carry out the necessary measures. The creation of a monitoring and evaluation mechanism is therefore very important if we are to win the support of Member State citizens. This agenda is very often exploited by right-wing extremists, who spread claims that the Schengen area

actually allows various criminals to penetrate into the countries that are inside the area, and the citizens of our states quite justifiably ask us how we intend to prevent this happening in the future.

Reinforcing the principle of interinstitutional coordination is also a very important point which the Commission rather suppresses in its proposal, which is clearly detrimental because, as a number of previous speakers have already said, we all believe that the Lisbon Treaty will soon enter into force and therefore it would be good if this context could be incorporated.

We also see no reason why the European Parliament should not receive in the annual report all of the relevant information – unfortunately, the Commission has failed to incorporate this principle of democracy into its opinion. Therefore, like the rapporteur, my preference is for the draft to be returned to the Commission and for us to insist that a joint decision-making process be incorporated into it and that the entire principle be simplified and the entire process made more transparent.

**Cecilia Wikström (ALDE).** – (SV) Mr President, like Mr Coelho and many other fellow Members, I would like to emphasise that the creation of the Schengen area during the 1980s and 1990s was one of the most important reforms of our time. Jean Monnet, one of the EU's most important figures, is purported to have said that the goal of a European Union is not to bring nations together, but to bring people together.

Over the centuries, people's movement has been severely curtailed in Europe. Suspicion of our fellow men has dominated relations between the countries of Europe. Trust between the countries has, at times, been decidedly lacking. Mistrust, rather than trust, has typified relations. Fortunately, this is in the past and we are now seeing new possibilities for Europe. Most of us here in the European Parliament have, for a long time, had the opportunity to avail ourselves of the freedoms that the Schengen area provides. It is easy to forget the unique level of trust between the States that formed the basis of its creation. It is easy to forget the arduous road to get to that point. However, free movement is a prerequisite for people to be able to meet across national boundaries.

Mr President, as Mr Coelho so rightly said, it is, of course, important for there to be an effective and transparent evaluation mechanism for the Schengen acquis so that the area remains, and develops into, an area defined by free movement. However, the basis of Schengen is trust between the States involved in the cooperation, not the mechanism itself. It is important for this mechanism to be both effective and transparent and I therefore see a problem with the Commission's proposal. The problem is that the Council's current role is transferred to the Commission and that the scope for cooperation is severely reduced. However, my most serious objection is that we, the popularly elected representatives in the European Parliament, are excluded from the process.

We are talking about something as technical as an evaluation mechanism, but we must not forget that this concerns the basic foundation of European cooperation: freedom, security and justice. It is therefore important for us all to be involved in taking new decisions in this area. I would therefore urge the Commission to take note of the criticism expressed here in this Chamber. I urge the Commission to come up with a new and better proposal as quickly as possible. The substance of a new proposal must be that any amendments to the evaluation mechanism must be the subject of codecision between the Commission, the Member States and, in particular, the popularly elected representatives in the European Parliament.

**Kyriacos Triantaphyllides (GUE/NGL).** – (EL) Mr President, the Commission proposal aims to strengthen the role of the Schengen Evaluation Working Group by making this mechanism more efficient and transparent so as to safeguard the effective and consistent application of the Schengen acquis. However, it is curious that, free movement within the European Union notwithstanding, it is, at the same time, pushing for the establishment of a system which is far from meeting all the procedures for respecting human rights. The difficulty we have in evaluating the application of the Schengen acquis lies precisely in the difficulty we have in accepting that it makes provision for the exchange of sensitive information, the 'personal files' and repressive mechanisms which have been created with the excuse of the protection of, and free movement in, the European area.

The Commission is right to worry. Abolishing controls on the internal borders depends on adequate compensatory measures in terms of strengthening controls on the external borders and cooperation between the police, customs and courts. It has also meant, and it still means, a constant exchange of information and the use of biometric visas for entry into the European Union. We consider that any evaluation must take account of the advisability of all the relevant measures taken and should not just verify their application. Under no circumstances shall we agree to a proposal which, if approved, will give greater legitimacy to what are mainly repressive measures via mechanisms for their evaluation.

**Nicole Sinclaire (EFD).** – Mr President, I always thought being an MEP was a waste of time, but this really takes the biscuit here this evening. We are here talking about something that does not really matter, because the Lisbon Treaty – which you know you have bullied your way through – is going to come into force within the next month or so and we are going to have to debate this again. So here we are, wasting our time, thank you very, very much.

Let us take a critical look at the Schengen Agreement and what that has actually meant for Europe: it has allowed criminals, people traffickers and drug dealers to travel across thousands of miles unaided; it has allowed camps such as Sangatte and the Jungle to develop on the other side of the English Channel, with people living in deplorable conditions. I hope you are proud of yourself.

You would be aware of the 1951 Convention on Refugees that says that a refugee should claim asylum in the first safe country – but you disregard that. You disregard international law and you purport to be a responsible legal personality, as Lisbon would make you. Come on, pull the other one: this place is a joke! The people of the United Kingdom want to control its own borders; it has had enough of being ruled by you. I leave you with this warning: the British people are a just, tolerant and trusting people, but when you push us too far, we fight back. And when we fight back, we win.

### IN THE CHAIR: MRS DURANT

*Vice-President*

**Philip Claeys (NI).** – (NL) Madam President, a more efficient evaluation mechanism for the application of the 'Schengen acquis' is certainly needed, but I have the impression that we are busy discussing the sex of angels here while the EU's external borders are full of holes. This certainly has more to do with the lack of political will to monitor external borders effectively on the part of the governments of most Member States and the EU itself than it does with the lack of efficient evaluation mechanisms.

We all know that there are some Member States who are unable or unwilling to protect their EU external borders against illegal immigration. We all know that there are some governments who are undermining the whole Schengen system through the mass regularisation of illegal aliens. I would cite the examples of the Zapatero Government in Spain and also the governments of Italy, the Netherlands and, last but not least, Belgium. The Belgian Government is currently preparing to regularise new illegal immigrants on a massive scale and is thereby putting the whole system at risk, since the illegal immigrants thus regularised are able to settle wherever they wish in the European Union.

**Zuzana Roithová (PPE).** – (CS) Ladies and gentlemen, the modernisation of the Schengen Information System is becoming a nightmare. With the further expansion of the EU, there is a growing risk of terrorism and organised crime and higher levels of security must therefore be a priority. It is reprehensible that the changeover to the new database is again being delayed. The system contains data on missing persons, stolen goods and judicial proceedings. The current system has been in operation since 1995 and was developed for up to 18 countries. I applaud the flexibility of the Commission, which has made the Schengen expansion possible, despite the delays with SIS II. The incorporation of the nine new Member States was possible only under exceptional conditions, of course.

The second version of the system is delayed at least until 2011. It is supposed to bring improvements in administration, flexibility, security and data storage capacities, as well as providing other new functionalities. It will enable other states to join, including a link to Great Britain and Ireland. The FRONTEX agency must also have all the powers it needs for combating illegal immigration effectively. Nevertheless, I have reservations over the communitarisation of the Schengen Working Group, because I am concerned that it will lead to Member States abandoning their responsibility to provide controls. On the other hand, I would like to draw your attention to the experience of Czech citizens, as I know of cases where German and Austrian police officers have harassed Czech drivers without reason.

I regret that President Klaus is nonsensically delaying ratification of the Lisbon Treaty, but it is clear that soon after that happens, the Commission will have to submit the legislation again, this time under the codecision procedure of the European Parliament. I am therefore now in favour of rejecting the submitted texts, as proposed by Mr Coelho, and I congratulate him on a fine report.

**Marek Siwiec (S&D).** – (PL) Madam President, the word 'Schengen' has been heard over and over again in this Chamber. Most of us agree that Schengen has been a great success, and that for the people of the new countries, the new Member States of the European Union, this means the significant success of integration.

However, at the same time, Schengen is an enormous obligation, and it is the new countries which have taken it on – the Baltic states, Poland, Slovakia, Romania and Bulgaria. Responsibility for the eastern land border of the European Union rests on the new Member States, and they are meeting this obligation extremely well.

However, I would like to talk about something which has not been mentioned in this Chamber. What is for us a matter of admiration and pride – I mean Schengen and freedom of movement – is a nightmare and a source of huge problems for all those who are covered by the visa policy and the need to obtain what are called ‘Schengen visas’. I am talking about the residents of Ukraine, Moldova and other countries to the east, who want to come to the European Union. Schengen visas have been introduced, but they cost a great deal. For these visas, people in those countries have to pay roughly as much as they earn per month. They are subjected to a humiliating procedure for obtaining these visas, and they have to stand in gigantic queues. This, too, is Schengen. For them, Schengen means humiliation, a wall and a problem.

In order to establish a system to evaluate the function of Schengen policy, I would like at least to mention matters related to visa policy. I would like to evaluate this. Perhaps there was some kind of justification for this, but we do not know how long this policy will be in force, and I would like to evaluate how we introduced such instruments, which separate us from many people who quite naturally want to come to our area, to the Schengen area. Although this is not the subject of the report, I wanted to say these words here during today’s debate.

**Andreas Mölzer (NI).** – (DE) Madam President, as you know, there are now 28 countries, including 25 EU Member States, which have done away with passenger traffic controls at common borders. This degree of freedom of movement obviously depends on broad-based trust between the states concerned.

It is absolutely necessary for the free movement of passenger traffic to be sustainably regulated by effective flanking measures. Of central importance in this context is efficient supervision and control of the external borders, which – as we know – are to be carried out to a uniform standard through the Schengen Information System and by introducing harmonised entry requirements for third country nationals. However, we are still miles away from that. Compliance with accompanying mechanisms is therefore an essential factor for the security of EU citizens.

My country, Austria, is particularly affected, due to its geographical proximity to the eastern European states. You only need think in this context of the latest incidents during the confiscation of a refrigerated lorry in Austria, which was found to contain 64 illegal Kurdish immigrants being smuggled from Turkey, via Hungary and Austria, to Germany. This case shows how important it is to be able to rely on proper and effective control of external borders and how rare that is the case.

In internal affairs, we also have to battle with increasing crime in numerous regions of Europe which, increasingly often, stems from organised, cross-border gangs. This being so, I believe that we should carefully consider temporarily re-introducing controls at internal borders. As you know, this proved to be very effective during the 2008 UEFA Championship.

As the introduction of an evaluation mechanism to monitor the application of the Schengen acquis is a core concern of the Member States and, more to the point, of their citizens, I believe it is very important for the European Parliament, as the representative of the citizens, to be involved in these decisions.

**Raffaele Baldassarre (PPE).** – (IT) Madam President, ladies and gentlemen, both proposals fully transfer to the Commission the powers which, until now, have been held by the Council.

With the impending entry into force of the Treaty of Lisbon and the consequent abolition of the pillar-based Community structure, the legal situation will be profoundly different and significantly modified. Therefore, the evaluation mechanism will have to be based on a consistent allocation of the tasks currently shared between the first and the third pillars.

This is why I feel it is essential that the proposal provides for greater involvement of the Member States – I do not believe, Mr Barrot, that the involvement of experts is sufficient – and, above all, true involvement, true participation of the European Parliament within the coordinating group of the mechanism to monitor and verify the proper application of the Schengen *acquis*. Furthermore, in my opinion, we should determine and better define, by means of more comprehensive, more precise criteria, how to use the migratory pressure parameter, which pinpoints the areas of greatest risk where unannounced visits should take place.

Lastly, the proposals should be treated as a single package and not separately, since they both represent common aspects of the same issue and have the same shortcomings. This is also because, with the entry into force of the Treaty of Lisbon, the applicable procedure will be codecision.

I therefore fully support the position set out by Mr Coelho and the calls on the Commission to withdraw these proposals and submit other, better ones, which take into account what has come out of this debate.

**Silvia-Adriana Țicău (S&D).** – (RO) Membership of the Schengen Area entails complete freedom of movement for citizens of a Member State within this area, thereby totally removing borders between Member States. The security of the Schengen Area depends on how stringently and effectively the controls are imposed by each Member State at their external borders. Given that a two-fold evaluation mechanism is involved in this case, it must be implemented, as we are talking about evaluating and verifying the application of the Schengen Community *acquis* to ensure that it is implemented in a transparent, effective and consistent manner.

While we should welcome the Commission's proposal for both a decision and regulation, as we feel that this will raise the level of mutual trust between Member States which are part of an area free of any internal borders and provide high uniform standards in the specific application of the Schengen *acquis*, we believe, however, that it ought to be reviewed taking into account and following the entry into force of the Treaty of Lisbon.

I welcome the fact that in the Commission's proposal, Member States are working with the Commission as part of the coordination group to enable the Commission to implement this evaluation mechanism. I also welcome that some multi-annual programmes are being developed and some national experts are being involved in order to carry out on-site visits, which will facilitate a better exchange of information between Member States in the area of Community *acquis*. However, after the Treaty of Lisbon comes into force, the area of police and judicial cooperation will become part of the first pillar, the Community legislation pillar.

I also wish to draw attention to the fact that Article 14 of the proposal for a Council decision on introducing an evaluation mechanism to monitor the application of the Schengen *acquis* stipulates an annual report which the Commission must submit to Parliament and the Council. However, I wish to repeat that the proposal needs to be reassessed to take into account the provisions of the Treaty of Lisbon.

One last point I would like to add is that the suggestion which the Commission has made on the proposal for a Council decision for introducing this evaluation mechanism has significant implications for new Member States as well, as we are discussing in this case a procedure for implementing the Schengen *acquis* provisions in two stages. Some of them feature in Annex I of the accession treaties, with the others due to come into force after a decision is adopted by the Council regarding certain provisions of the Schengen *acquis*.

**Tadeusz Zwiefka (PPE).** – (PL) Madam President, it is good that the discussion we are having today to evaluate the Schengen *acquis* is taking place at the same time as a larger debate is beginning in the European Union, and also in the European Parliament, on the Stockholm Programme. This is a major project concerning exceptionally important areas of the lives of EU citizens, such as justice, freedom and security. For instance, two elements of the programme, the freedom and security of EU citizens, clearly should be included in the evaluation of the Schengen project.

We must, therefore, ask ourselves what the European Union was set up for and why it is so important for us that this great project succeed. After all, it was not created for the politicians or for international organisations, but for particular states. It was, in fact, set up for the good of its citizens. Therefore, the good of the citizens, their freedom and liberty, but also the highest possible standards of security which should be guaranteed to them, are one of the main elements of the work which the EU institutions should undertake.

It is, therefore, not good that we are discussing the Schengen area on its own without combining this discussion with an evaluation of the EU's migration programme, visa programme and the programme for cooperation with neighbouring countries. For only then can joint discussion and common evaluation of the situation lead to our reaching appropriate conclusions – this is what the involvement of Parliament in making these decisions is for, and I hope this will happen.

I am, therefore, convinced that Schengen has performed well. Despite the fact that it was said initially that the admission of new countries to the Schengen Area would be impossible without the adoption of SIS II, the admission of 10 countries in 2004 showed that it was possible, and that nothing disastrous happened. Now we need only take care to ensure that mechanisms intended to improve and tighten up the functioning

of the system be developed as quickly as possible with, of course, the involvement of the European Parliament. This explains my esteem for Carlos Coelho and I fully endorse his report.

**Daciana Octavia Sârbu (S&D).** – Madam President, I would like to add to the calls for this proposal to be withdrawn and for the Commission to submit a new one with a different legal basis.

There is a clear attempt to sideline Parliament on this important issue and Parliament's Legal Service has confirmed that a different legal basis which would have allowed full involvement of Parliament in the process could have been chosen for this proposal.

The Schengen Information System, the Schengen visa, the Schengen Border Code and the Visa Code are all subject to the codecision procedure and, as we move towards ratification of the Lisbon Treaty and a more simplified and united legal structure throughout the European Union, we should be seeing greater involvement of Parliament in these issues, not less. There is none reflected in the current proposal.

We have seen considerable cross-party agreement on these issues at committee stage, and I hope that a strong, clear position of the whole Parliament, together with a proper evaluation of the legal circumstances, will result in a redrafting of the proposal and the presentation of a more appropriate one to replace it.

**Véronique Mathieu (PPE).** – (FR) Madam President, like many of my fellow Members, I fully support the report by Mr Coelho, who I sincerely thank for the excellent work he has accomplished.

From the outset, the *raison d'être*, the *sine qua non* of the lifting of internal border controls was the existence of compensatory measures designed to prevent the much-feared security deficit. These measures form the basis of the mutual confidence that is crucial to good cooperation in the Schengen area. Thus, it is only with an effective and transparent mechanism for evaluating the application of this Schengen *acquis* that we will be able to ensure that this confidence is maintained and, therefore, that the Member States cooperate at a very high level.

The challenge is therefore huge, and Parliament's role in the creation of this new mechanism must be equal to this challenge. It follows that, if this text is adopted before the entry into force of the Treaty of Lisbon, the mechanism, or at least the elements that come under the first pillar, will have to be adopted by codecision.

Moreover, while conclusions must certainly be drawn from the integration of the Schengen *acquis* into Community law and into EU law, this does not mean that the management of this evaluation should be entrusted to the Commission alone.

Member States must have a greater involvement in this evaluation mechanism, or else this mutual confidence is in danger of diminishing. The same goes for the domestic security of our Member States. When a Member State does not apply this *acquis* properly, it is all of the other Member States that suffer the consequences.

Lastly, in terms of effectiveness, it does not seem appropriate to me to provide for two separate mechanisms for the two evaluation stages, which are the check prior to the application of the *acquis* and the application of the *acquis* by the Schengen States.

I therefore join with Mr Coelho in calling on the Commission to withdraw this proposal and to present us with a new proposal that takes greater account of the philosophy of the *acquis* and of the Member States' role in evaluating its application.

**Alan Kelly (S&D).** – Madam President, it is with great regret that I am addressing the House as a Member from a country that has not yet opted into the Schengen Agreement. It is something I would support entry into. It is my hope that the Schengen Evaluation Working Group will finally demonstrate to the Irish State, and indeed our neighbours across the way in Britain, the undoubted benefits of Schengen.

Freedom of movement is a basic right and a pillar of EU citizenship for which we are all striving. Being able to reduce borders and allow the freedom and benefits of travel to EU citizens has been quite remarkable, especially considering European history. The fact that this was done while increasing the ability of our authorities to tackle crime associated with crossing borders has been a major historic achievement and one of the great successes of the EU to date. It was the Schengen Agreement that prompted Ireland to build a full data system of criminal information that will hopefully be linked up to a European system in the coming years. Schengen has worked extremely well and it is visible for all to see.

It is because of this remarkable achievement that it is regrettable that my own country is only taking part in Schengen on a piecemeal basis. While there has been full cooperation between the Irish security authorities

and our European counterparts in the whole area of police matters, the full benefits of the EU are not being shared by Irish citizens. The abolition of border controls requires mutual trust between all Member States involved. Unfortunately, the Irish Government's position so far is that it cannot trust its European neighbours in full and it is operating on a minor level when it comes to free movement of people in Europe. I very much regret this. What we really need is an EU-wide visa system to which Schengen and today's debate will hopefully contribute.

Regarding the proposal in front of us, I would ask the Commission to withdraw it. I believe that it gives too much power to the Commission. In real terms, it tries to disregard the European Parliament. It should come back to us with proposals that respect the codecision procedure and, besides this debate, post-Lisbon, there will be a requirement to bring in new proposals anyway.

**Petru Constantin Luhan (PPE).** – Madam President, first of all, I would like to congratulate Mr Coelho for the very good work he has done. The establishment of a simple, effective and transparent evaluation mechanism complementing the current Schengen evaluation is a most welcome initiative.

However, there are also several problems in terms of data protection that the rapporteur stressed earlier. Unfortunately, in spite of the improvements needed, in the current procedure we are only consulted. Once the Lisbon Treaty enters into force, Parliament will automatically have codecision powers in matters under the third pillar. Since the security of the Schengen area and its citizens is at stake, all players should be deeply involved in the establishment of these evaluation systems, thereby making it possible to guarantee and consolidate the principle of mutual trust essential to maintaining the Schengen area.

For all these reasons, I support the rapporteur in this initiative requiring the Commission to withdraw the proposals and present new, more complete ones.

**Elena Oana Antonescu (PPE).** – (RO) I would like to congratulate Mr Coelho for the fine job he has done and for the determination he has shown in his desire for an evaluation mechanism to verify the application of the Schengen acquis in a simple, efficient and transparent manner.

I regard the introduction of free movement within the territory of the EU and the waiver of internal border controls as among the most important achievements of the European Union. Taking into account border permeability, we need high standards when putting the Schengen acquis into actual practice in order to be able to maintain an increased level of mutual trust between Member States, including in their ability to implement measures accompanying the abolition of controls at internal borders.

We have to improve the evaluation mechanism for monitoring the application of the Schengen acquis. The need to maintain a high level of security and trust requires good cooperation between the governments of Member States and the Commission. Given the relevance of the regulations in this area from the perspective of fundamental rights and freedoms, the European Parliament must insist on the enforcement of the Treaty of Lisbon being a prior condition to any legislative developments involving the enhancement of border security.

Bearing in mind how important this legislative initiative is, it is regrettable that the European Parliament is playing the role of consultant rather than colegislator, as ought to have been the case.

Creating an area of justice, freedom and security is a top priority for the European Union. This is why it is vital for Member States, the Commission and the European Parliament to be equally involved in maintaining and developing it.

Consequently, I give my full support to the rapporteur's suggestion to invite the Commission to submit a new improved proposal to the European Parliament to provide Parliament with the opportunity to assume its role as colegislator.

**Jacques Barrot, Vice-President of the Commission.** – (FR) Madam President, we have survived the cold snap here, in this Chamber.

There is probably a misunderstanding in this debate, in the sense that the aim of the proposal is to communitise this evaluation process. It is true that we have Schengen – I also note that the vast majority of MEPs celebrated this Schengen success, which makes it possible to have freedom of movement and, at the same time, security.

It is true that the Schengen evaluation was on an intergovernmental basis to begin with, and that the Commission was there only in an observer capacity. However, it is true that the Commission, as the guardian



of the treaties, must be responsible for the evaluation. There is no question, however, that it will have a monopoly over the evaluation – we must be very clear about that. We will, of course, involve the Member States, and the experts from the Member States will be involved in planning the timetable of the visits, in performing the in situ visits, and in drafting the evaluation report.

It is quite clear that the misgivings that we sense within the Member States are also due to a misunderstanding. Since we want mutual confidence between the Member States, there is no question of our not involving them closely in the evaluation of the measures taken to apply Schengen and the Schengen *acquis*.

I now come to Parliament. There is a misunderstanding here too. Our aim is not to exclude Parliament, as I heard someone say. Our aim, as things stand, is simply to see how Parliament's involvement can already be increased, with regular reports. However, this does not, in any way, preclude the possibility of our giving Parliament a greater role in this communitised mechanism, once the Treaty of Lisbon has been ratified. I am somewhat insistent because we know that the European general interest can prevail when this method is used, even if, at times, a Member State may drag its heels a little when it comes to defending this European general interest.

Thus, there are some misunderstandings that I would like to try to clear up.

Furthermore, I would also like to say that the proposals bring a certain added value when compared with the current mechanism. The evaluations will be far more frequent and will be clearer. Visits will be planned in situ, on the basis of risk assessments; there will be unannounced visits and a high level of expertise throughout the evaluation exercise, and the number of experts taking part will make the visits effective.

The assessment of the follow-up to the recommendations made at the end of the in situ evaluations will be improved.

Those are my thoughts, Madam President, ladies and gentlemen. I fully understand your impatience to see Parliament's involvement increased when the Treaty of Lisbon is ratified. There is no doubt that Parliament must play a major role in this Community method, but we have made this proposal for communitisation purposes, it being understood that this subsequently leaves the way very clear for the European Parliament to become involved.

I have listened carefully to all of the speeches and I have certainly noted Parliament's virtually unanimous position. However, I do believe that all of this is based on a misunderstanding, which can be cleared up.

**Carlos Coelho, rapporteur.** – (PT) I would like to make three final points. Firstly, I would like to thank the Members who supported my report and made statements to this effect during this debate, and Vice-President Barrot for his statement encouraging the involvement of the European Parliament as a colegislator, making the very most of the possibilities that arise from the Treaty of Lisbon. This was no surprise to me. I know Commissioner Barrot has held this position for a long time, but it is good that he, as Vice-President of the Commission, has made this formal statement to us.

As a second point, I would like to recall something that Commissioner Barrot said when he mentioned that the negotiations with the Council were difficult. We are also aware of this, and we realise that it would be difficult for things to be any other way when dealing with this matter. For this reason, we also hoped that the Commission would see Parliament as a partner with powers of codecision, because in terms of their approach to Europe, the Commission and Parliament alike are positively identified with the idea that decision making cannot continue to be purely intergovernmental.

Thirdly, I would like to underline two things that I believe have come out of this debate. In the first place, there can be no breach in consistency. There cannot be two evaluation systems; there must be one alone, whether for the new Schengen members or for the established ones. Moreover, the principle of mutual confidence must not be undermined. All parties must be involved. Both the Member States and the European institutions must be involved in the process of evaluation. The European institutions do not just include the Commission or the Council alone; they also include this Parliament, and that is why we are asking for codecision.

**President.** – The joint debate is closed.

The vote will take place tomorrow.

**Written statements (Rule 149)**

**Vilija Blinkevičiūtė (S&D), in writing. – (LT)** It is vital that there should be a simple, effective, efficient and transparent evaluation mechanism that will enable the Schengen area to be preserved as an area of free movement whilst, at the same time, it is indispensable to adapt the intergovernmental framework for the Schengen evaluation to the EU framework. The European Parliament's Legal Service carried out a study and determined that the codecision procedure should have been chosen over the consultation procedure to debate this proposal. The Treaty of Lisbon will soon enter into force and according to it, the European Parliament will have greater powers in the area of freedom, justice and security, into which this proposal falls. As the security of the Schengen area and its citizens is of vital importance we must choose the codecision procedure.

**Kinga Gál (PPE), in writing. – (HU)** Schengen cooperation can take many different forms. Very many applications can be picked out and closely scrutinised. I believe that as an MEP, it is worth mentioning, here and now, that one of the basic conditions for the free movement of people is to have a complete Schengen system operating efficiently and built on mutual trust. Border controls, our common visa policy, cross-border police cooperation and data protection issues are only components of this complete system. These are different issues, but all connected by one important factor. Europe's citizens have been given, and are given, every day so much additional freedom, which symbolises for them one of the most obvious successes of the European Union's existence.

As a representative of the electorate in a Member State which joined only a few years ago, I can happily confirm this. If it was not for the proposal made by the Portuguese EU Presidency, the new Member States could not be part of the Schengen system. As it is, the latest (second) generation of the Schengen Information System is still not working to date. It is the responsibility of the Commission and Member States to preserve this freedom, a matter also referred to in two of the questions on the agenda. The European Parliament also shares this responsibility, which is precisely why it cannot but get involved in issues relating to citizens' freedom. Consequently, I emphatically support the rapporteur's efforts and agree with his proposals.

**Siiri Oviir (ALDE), in writing. – (ET)** The creation of the Schengen area at the end of the 1980s and the beginning of the 1990s was one of the biggest achievements in European history. The provisions of the Schengen acquis have been part of the European Union framework since the Amsterdam Treaty came into force in 1999. An essential part of the observance of the application of the rules of the Schengen acquis, which form part of European law, is the evaluation mechanism, which should guarantee the transparent, efficient and consistent implementation of the Schengen acquis, and also reflect the changes to the legislative situation which came into being after the integration of the Schengen acquis into the EU framework.

I agree with the rapporteur's view that today, the proposals given in the bill are restricted to the adoption of some of the general suggestions for improvement to the valid Schengen evaluation mechanism which were made recently. The only new idea in the whole bill is the regulation concerning the possibility of making unannounced visits, which is very welcome. I cannot, however, accept the fact that the role currently played by the Council should be given over as a whole to the Commission. This proposal leaves very limited opportunities for collaboration with the Member States, and keeps the European Parliament away from the process. It should not be forgotten that this is an area based on freedom, security and justice, and also that the responsibility for preserving and refining this area does not rest solely with the Commission as guarantor of the supervision of the implementation of the constitutional treaty, but with the Member States, which are continually responsible for the security of their external borders, and also with the European Parliament, which represents the citizens of the European Union.

## **18. Agreement between the EC and Mauritius on the short-stay visa waiver - Agreement between the EC and Seychelles on the short-stay visa waiver - Agreement between the EC and Barbados on the short-stay visa waiver - Agreement between the EC and Saint Kitts and Nevis on the short-stay visa waiver - Agreement between the EC and Antigua and Barbuda on the short-stay visa waiver - Agreement between the EC and The Bahamas on the short-stay visa waiver (debate)**

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

- the report by Mr Busuttil, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Community and

the Republic of Mauritius on the short-stay visa waiver (COM(2009)0048 – C7-0015/2009 – 2009/0012(CNS)),

- the report by Mr Busuttil, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Republic of Seychelles on the short-stay visa waiver (COM(2009)0052 – C7-0012/2009 – 2009/0015(CNS)),

- the report by Mr Busuttil, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Community and Barbados on the short-stay visa waiver (COM(2009)0050 – C7-0017/2009 – 2009/0014(CNS)),

- the report by Mr Busuttil, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver (COM(2009)0053 – C7-0013/2009 – 2009/0017(CNS)),

- the report by Mr Busuttil, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver (COM(2009)0049 – C7-0016/2009 – 2009/0013(CNS)),

- the report by Mr Busuttil, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Commonwealth of The Bahamas on the short-stay visa waiver (COM(2009)0055 – C7-0014/2009 – 2009/0020(CNS)).

**Simon Busuttil**, *rapporteur*. – (MT) Despite the cold being felt inside this chamber, this topic will deal with countries boasting far warmer temperatures, which is rather more ideal. These reports, in fact, consist of an agreement which provides for a short stay visa waiver between the European Union and its citizens and the citizens of six different countries – The Republic of Mauritius, The Republic of Seychelles, Barbados, The Federation of St Kitts and Nevis, the Bahamas as well as Antigua and Barbuda.

This waiver applies to European Union citizens who travel to these countries and vice-versa, that is, when citizens from these countries travel to the European Union. It is valid for a maximum stay of three months within a six month period. This waiver covers all categories of persons, meaning ordinary citizens as well as diplomats travelling for various reasons. This applies particularly to the numerous tourists who are European Union citizens and who go on holiday to these six countries, and thus we will be greatly facilitating things for them.

This agreement however, specifically excludes those who travel for work and remuneration purposes. In these reports, we have included a provision that says that each of these third countries can suspend or terminate this agreement with regard to all countries of the European Union rather than excluding individual countries. This was done in order to safeguard a level playing field for of all European Union citizens and, beyond that, as an expression of solidarity. On the other hand, the European Union will do the same, meaning that the European Community can also suspend or terminate an agreement on behalf of all its Member States. The European Union or any of these countries can either suspend the whole agreement or parts of it, on grounds of public interest, protection of national security, public health protection, illegal immigration or in the case of a country's re-introduction of a visa obligation. Above all, I would like to clarify, Madam President, that before taking a vote on these reports at committee level, we asked for and were given a guarantee on the part of the European Commission that full reciprocity would be ensured. This was an essential principle for us; full reciprocity assured by these countries in the removal of their visa requirement whilst we would do the same in turn. Thus, we would be eliminating visa requirements on both sides. This agreement has been achieved in the requisite manner and once again clearly demonstrates how the European Union is capable of negotiating with one voice on an international level and by showing solidarity towards all countries. I will conclude by saying that once more, this illustrates the European Union's capacity to open its doors to citizens worldwide.

**Jacques Barrot**, *Vice-President of the Commission*. – (FR) Madam President, I am also very grateful to Mr Busuttil for his excellent report.

The six non-EU countries – Antigua and Barbuda, the Bahamas, Barbados, Mauritius, Saint Kitts and Nevis and the Seychelles – were transferred from the negative list to the positive list of Regulation (EC) No 539/2001

pursuant to a new regulation, Regulation (EC) No 1932/2006, adopted on 21 December 2006, which confirmed that these countries fulfilled the criteria laid down in the regulation.

This regulation governed the implementation of the visa waiver for nationals of these countries upon the conclusion and the entry into force of a bilateral visa waiver agreement between the European Community and each of these countries.

As Mr Busuttil said, it was important to ensure full reciprocity, since back then, some of these countries were still imposing the visa requirement on citizens of one or more Member States.

Due to the temporary visa regime applied by the CARICOM – the Caribbean common market – countries to nationals of several Member States during the Cricket World Cup, formal negotiations on the visa waiver only began in July 2008.

To ensure that citizens benefit from the visa waiver as soon as possible, the Commission proposed the temporary application of the agreements signed on 28 May 2009 and, since then, they have been applied temporarily pending completion of the procedures necessary for their formal conclusion.

Under the principle of reciprocity, the visa waiver covers all categories of persons – ordinary, diplomatic or service/official passport holders – travelling for all kinds of purposes, except for the purpose of carrying out a paid activity.

As Mr Busuttil said, in order to maintain equal treatment for all EU citizens, the agreements include a provision stipulating that the six non-EU countries may suspend or terminate the agreement only in respect of all the Member States of the European Community and, reciprocally, that the Community may also suspend or terminate the agreement only in respect of all of its Member States.

There you have it; I am grateful to Parliament and to Mr Busuttil for his cooperation. It reinforces this initiative, which will thus make travelling easier for our fellow citizens. I would also add that, in this slightly chilly Parliament, we can dream of sooner or later visiting all of these marvellous countries, such as the Seychelles and the Bahamas...

**Marie-Christine Vergiat**, *on behalf of the GUE/NGL Group*. – (FR) Madam President, the Confederal Group of the European United Left – Nordic Green Left is in favour of the European Union agreements with these six countries, which are indeed dream destinations, Mr Barrot.

As you informed us, with these agreements, citizens of these six countries and, reciprocally, EU citizens, will, in future, be exempted from the short-stay visa requirement – at least some of them will be, since excluded from this exemption are those who wish to work or to perform a paid activity, as an employee or as a service provider, in short. This means that those exempted from the visa requirement are businessmen and women, sportspeople and artists – at least when it comes to performing a one-off activity – journalists and trainees, among others.

Let us not be fussy and let us welcome this progress, since we know all the administrative formalities that are carried out in our embassies in order to issue visas to citizens of countries of the South.

I am sure, ladies and gentlemen – at least those who are left – that you have all heard about these cases of artists who are prevented from attending a festival or of sportspeople who cannot take part in competitions. We in the GUE/NGL Group are in favour of abolishing all short-stay visas. They go against the free movement of persons and plunge the citizens of those countries into a vicious circle that encourages them to apply for short-stay visas and, once they have obtained them, not to return to their countries for fear of not being able to obtain another visa. In return, we, in our countries, keep cracking down on short-stay visa holders, and a vicious circle emerges. This even leads to actual family breakdowns between migrants, who are living in our countries, and their families, who remain in their countries of origin. We therefore believe that these agreements are a positive step in the direction of another migration policy, which would see men and women move as freely as capital and goods.

We do have one small point – one small technical point to make – however, Commissioner. We noticed that the English term ‘valid passport’ was translated into French as ‘*pasport ordinaire*’, but we do not believe that this is the same thing. We would therefore be delighted to have clarification on this point, since we believe that the correct translation would be ‘*pasport en cours de validité*’.

We are also surprised – the word ‘surprised’ is perhaps a polite way of putting it – we are therefore surprised that these agreements do not apply to the outermost regions of France when they do apply to the outermost regions of Portugal.

**Carlos Coelho (PPE).** – (PT) I would just like to support Simon Busuttil's report, which endorses the European Commission's initiative, by making three brief points. Firstly, with this decision, which facilitates movement, we are disproving the idea of a Fortress Europe. Secondly, we are not throwing open the doors at random. As Vice-President Barrot reminded us, we are opening them in accordance with the rules. As he said, the countries have complied with the rules and can come off the negative list.

I believe that it is important to take a European approach, and avoid ‘picking and choosing’ countries, accepting some and barring others. Either the whole European area is accepted or it is not. Finally, as Simon Busuttil and Vice-President Barrot emphasised, guarantees of reciprocity are essential in these agreements. We cannot very well ask Europe to open its doors to other countries if these countries do not open their doors to Europe, and this is amply ensured in these agreements.

**Jacques Barrot, Vice-President of the Commission.** – (FR) Madam President, I should like firstly to thank Mrs Vergiat and to tell her that she is perfectly right – it is indeed ‘*passports en cours de validité*’ – and, secondly, to say that this opportunity is one that we wish to pursue as far as possible.

I think that Mr Coelho also made it clear, after Mr Busuttil, that we have to be very strict as regards reciprocity and that we also need real European solidarity: we cannot leave a Member State to the mercy of the reintroduction of visas. We need real solidarity on the part of all the Member States and of the Union.

I am grateful once again to Mr Busuttil for clearly identifying the problem and for offering us Parliament's support in this way.

**Simon Busuttil, rapporteur.** – (MT) I would simply like to thank all those who have intervened. This goes for my colleagues as well as for the Vice President of the European Commission, Jacques Barrot. If I had to summarise this institution's political message in a single phrase, it would clearly be that of the principle of reciprocity. This is important to us. It is of considerable significance in the agreement we have before us, in the same way that agreements with other third countries are essential. The Vice President of the Commission knows that there are several other third countries that are still not honouring the principle of reciprocity with regard to all the Member States of the European Union. The United States are amongst these, having recently included a number of countries into its visa waiver programme but left others out. Brazil, with whom negotiations have recently taken place, is another case in point. I augur that whenever an agreement is concluded, insistence be made upon the principle of reciprocity, and I believe that it is these type of agreements that can serve as the foundation for this to happen elsewhere.

**President.** – The joint debate is closed.

The vote will take place tomorrow.

## 19. Progress of SIS II and VIS (debate)

**President.** – The next item is the Commission statement on the progress of SIS II and VIS.

**Jacques Barrot, Vice-President of the Commission.** – (FR) Madam President, I would not wish to try Parliament's patience, but all the same, I do need to clarify a number of things for the MEPs here present and for Parliament.

When, a year and a half ago, I took on the portfolio of commissioner responsible for justice, freedom and security, I found on my desk two large-scale information technology projects aimed at equipping the Member States with modern and effective cooperation tools.

Those two projects, SIS II and VIS, formed part of the same contract, signed in 2003, between the Commission and a consortium of information technology companies. Both of these projects are technologically complex. We need to interconnect a central system and national equipment with particularly demanding specifications, and make them interact.

I have always tried to keep Parliament informed of these developments. Following the Justice and Home Affairs Councils in February and June 2009, I wrote to Mr Deprez, the chairman of Parliament's Committee on Civil Liberties, Justice and Home Affairs, to inform him of how the work on SIS II was progressing. I sent

you a copy of that correspondence, Mr Coelho, because you are the usual rapporteur for SIS-related issues, and you follow these issues closely.

Motivated as I am by this spirit of openness, I should like today, once again, to give you as much information as possible. It is true that, like most major industrial projects, both SIS II and VIS are in danger of going over schedule and over budget. It is true that the situation is unsatisfactory as regards both SIS II and VIS.

Despite the involvement of experts from the Commission and the Member States, SIS II continues to come up against various obstacles. VIS, for its part, has entered an important phase. The initial specifications made it difficult to perform the planned tests but it seems that, with the Member States' agreement, the review of these specifications should enable the tests to be completed successfully next time.

I come firstly to SIS II. The Commission is working closely with the Presidency, the Member States and the contractors to implement the guidelines laid down in the conclusions of the Justice and Home Affairs Council of 4 and 5 June.

Firstly, all the parties concerned are actively involved in the technical preparations for a first 'milestone' test aimed at ensuring that the current technical solution is built on a solid foundation. With this in mind, the Commission has negotiated the contractual changes required with the consortium in charge of the project. For the first milestone, there is an extra cost of EUR 1 026 000. At the same time, our services have stepped up the governance and monitoring of the project. They have introduced contractual penalties so as to put added pressure on the contractor.

On Friday evening, I summoned and met with the CEO of the company in charge of the project so that he could inform me personally of the measures that he was implementing to resolve the technical difficulties.

Finally, for precautionary purposes, as was stipulated by the June Council, the Commission has begun the preparatory work with a view to potentially switching to the alternative scheme should the current technical solution fail.

In order to take account of this data and of the new timetable, we must obviously translate these circumstances into legislation. That is why, on 29 September, the Commission proposed some amendments to the SIS II migration instruments, amendments on which your Parliament is currently being consulted. This will give us an opportunity to review the issue in detail.

As regards VIS, in April 2009, the contractor began a series of tests on the central system in order to assess the progress made. The contractor has not yet succeeded in meeting all of the contractual criteria required to conclude this series of tests, even though its deadline was extended.

The Commission has, of course, applied the contractual penalties provided for to punish this delay. It has ordered the contractor to implement all of the appropriate corrective measures.

I do not believe, but I may be proved wrong, that there is a design problem. On the other hand, it would seem that the STT is going well. The tests should be concluded on 11 November. However, in parallel to this, the Member States must also adapt their own national systems so that they can use VIS. At least three Member States are encountering major difficulties, and the delays due to these three States are even more significant than those caused by the central system.

Thus, we are currently performing a detailed analysis with the Member States in order to set out a new timetable for the launch of VIS. To do this, however, we need to have a clear idea of the outcome of the series of tests on the central system.

My meeting on Friday gives me reason to believe that 11 November could be the date when we will know whether the tests under way are successful. In any event, however, both the national systems and the central system must be fully operational before the system is launched. I will, of course, inform Parliament of this new timetable as soon as we have been able to draft it.

I shall finish here – please excuse me for my rather lengthy speech, but I really wanted to give a detailed account of the progress of SIS II and VIS. There is real cause for concern; there is no point in hiding it. The technical, budgetary and political risk profiles of both projects justify us all getting involved, given our respective responsibilities. Significant financial resources have been harnessed. The total amount of the Commission's budget commitments on SIS II stands at just over EUR 80 million, of which just over half, or EUR 44.5 million, have so far been paid. The total amount that the Commission has already committed to VIS so far is in the region of EUR 74.5 million. In terms of budgetary implementation, nearly EUR 43.3 million

have actually been spent to date. These figures are in line with those of projects on a similar scale developed in Europe and elsewhere in the world.

Madam President, I am anxious to say here that I will definitely inform Parliament of any developments that may have an impact on the budget, or indeed on the launch date for these systems.

However, if we succeed with VIS and SIS II, we will have equipped Europe with the most effective system in the world. We therefore have to tackle the obstacles in a calm, clear and practical fashion, and in this respect, I will take the liberty of requesting Parliament's help as often as I need it in order, once again, to monitor these two issues very closely and to ensure their successful conclusion.

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

*Vice-President*

**Simon Busuttil**, *on behalf of the PPE Group*. – (MT) I would like to start off by thanking the Vice President of the European Commission for the explanation he just gave us and, in turn, I would also like to explain why we requested this debate.

This was because the Schengen area is extremely important to us in light of the freedom of movement of our citizens. Yet, although we intended the Schengen area to offer complete freedom to our citizens, we do not want to bestow this privilege upon criminals. For this reason, we created the Schengen information system, which was meant to be upgraded to a new generation system known as SIS II in order to help us strengthen our citizens' freedom whilst holding back criminals from gaining any sort of leeway. Therefore, the fact that this new generation system, SIS II, is well overdue and yet still does not look like it is anywhere near being finished is of concern to us. This is why we are putting these questions to you now as to the reason for this delay and as to whether it would be possible to guarantee a date by which the system will be up and running. However, I would like to make it abundantly clear that our final target is to work together with the European Commission to ensure that the Schengen area is fully operational and that it works in the best interests of our citizens, without giving free reign to those with the wrong intentions.

**Claude Moraes**, *on behalf of the S&D Group*. – Madam President, I should like to thank the Commissioner for coming here today to update us on these issues in some detail. We appreciate the manner in which he has done that.

Like Mr Busuttil, I want to set out an explanation – which is a joint explanation – of our serious concern regarding the significant delays in migration from SIS to SIS II and the development of VIS. I think you will understand why we tabled a joint resolution, because there is a genuine concern here. Mr Coelho and others have been making this concern known for some time and it is worth putting on record that, while these significant delays are obviously highly worrying on their own, the key issues here for Parliament, as you know, are those of transparency and accountability, particularly when we are dealing with sensitive data, and sensitive data in this area. As co-legislator and the EU's only directly elected institution, Parliament needs to be kept informed about the developments of these systems, as it has requested many times in the past.

In our resolution, we do not want to be seen to be making unreasonable demands. We want to be reasonable, and we want to respond to the way in which you have given us the information today. We simply want to be informed of the current state of play, to be given explanations about the reasons for the delay, and to be reassured that these problems will be resolved. It is vital that a project as important as this, which will have an impact on vast numbers of people – both EU and non-EU citizens – is developed transparently.

However, in addition to the issues of transparency and accountability, it is also important to point out some of the wider implications. The technical problems we are seeing, and the development of these large-scale databases, do not inspire wider confidence. Many of our Member States – including my own Member State – have had significant difficulties in their own development of major databases, in development of ID databases and so on. Public confidence in these systems is absolutely vital.

Therefore, we certainly have to look jointly across the political parties to see how these problems arose, how they can be prevented in the future, at the planning stage rather than the development stage. Lessons have to be learned; we have to have confidence in these systems and, above all, we have to have full and effective oversight. In the end, these systems will only work through technical cooperation – but also through that public confidence in this system and the fact that Parliament is seen to be scrutinising these matters openly and with some results at the end of the day.

**Sarah Ludford**, *on behalf of the ALDE Group*. – Madam President, I have never had so much speaking time in one evening in all my 10 years in the European Parliament! Ten minutes in total is an unaccustomed luxury, and I am not sure I will be able to use it.

I, too, am grateful to Vice-President Barrot for coming to report to us on the problems, although I feel we should not have had to keep asking for those updates. Anyone who has the merest familiarity with the installation of large IT works in the public sector in their own Member State will know that all these technical and budgetary problems frequently arise. Unfortunately, however, when you have two such high-profile, big systems – the Schengen Information System (SIS) II and the visa information system (VIS) – being affected, this also affects the credibility not only of the Union's internal security – and I will come back to that later – but also of the EU's visa policy.

As rapporteur on the VIS, I can say that we were under pressure to get the legislation done in time, because we wanted to press ahead with having the VIS up and running – as it should have been by now – and any slippage in the programme is deeply disappointing.

I would like to ask Commissioner Barrot what the implications are going to be for visa applicants. Are we going to end up with a lot of confused people, because the VIS is destined to deal with 20 million visa applications a year and delays presumably have a knock-on effect? And what about the outsourcing arrangements which are being established? You mentioned that there have been contractual penalties imposed owing to the delays in the visa information system. Could you tell us what those penalties are? What are the estimated extra costs envisaged? And could you tell us, Commissioner Barrot, whether overall, you have continued confidence in the contractor, or are we looking at a potential cancellation of the contract?

This presumably also has implications for the setting-up of the agency for the common management of the SIS and VIS – and, potentially, other databases in the future. Perhaps some of the ambitions for the collection of data and large-scale surveillance systems might have to be looked at again, which would be no bad thing from the privacy point of view if we are going to have all these technical and infrastructure problems.

The last thing I wanted to ask the Commissioner is this: the current estimate is that the SIS II will be in operation in the last quarter of 2011. We can, I guess, expect some further slippage. In the summer of 2012, the Olympics are being held in London. The UK Government did not take the opportunity to go into SIS I for reasons best known to itself. It actually had quite a few years when it could have gone into SIS I but said 'oh no, no, we will wait till SIS II'.

In answers to me, the Government has said that it is not worried about any implications for security. However, not only UK but also European security could be put at risk if the UK does not participate in access to the policing side – which it is allowed to do – of the Schengen Information System, by a time well ahead of the London Olympics taking place in 2012.

Could you tell us, Commissioner Barrot, what you think the implications could be for security around the Olympics, which, especially as they are being held in London, and not least in my constituency, I am greatly concerned about? I think we would all be greatly worried about the security of the Olympics. Those are a few of the questions I would like to ask you. Thank you again for coming here.

**Tatjana Ždanoka**, *on behalf of the Verts/ALE Group*. – Madam President, on behalf of my group, I too thank Commissioner Barrot for his explanations. Of course, we also deplore the current situation with SIS II and VIS.

But I would also like to raise some other concerns as well, because you know that our group has a specific position on using biometric data, in particular in VIS and SIS II.

I would like to use this opportunity to underline our position. Like Sarah Ludford, I am also extremely thankful for the extra time to speak this evening. For me, too, it may be too much, even though my time is six minutes, not ten.

We also regret that more and more authorities have access to these systems. Currently, we are concerned that SIS is being transformed from a technical tool into a general system of control and surveillance.

Therefore, we would remind the Commission that a coherent legal framework for data protection based on the highest standards, and the adoption of a legal instrument on minimum safeguards in procedural law, is the necessary precondition for the full implementation of those new systems.



We also want to deplore the lack of cooperation from the Council, in particular, the refusal to use the codecision procedure for the implementing measures. We hope that in future, the European Parliament will regularly receive reliable information on the tests, costs, etc.

I do not want to repeat an earlier speaker's question, but we, too, would like information from Commissioner Barrot on the contract and obligations arising from it, and what will happen if the test is unsatisfactory, and we would also like to know about possible costs.

The issue is perhaps also one of approval: we would avoid a lot of questions if our Parliament were allowed to participate actively in the whole process from the very beginning. Therefore, I hope that this case will also prove that now it really is time to cooperate.

**Timothy Kirkhope**, *on behalf of the ECR Group*. – Madam President, as ECR signatory to the joint motion, I am very pleased we are now engaged in this debate. It is of vital importance that we in the European Parliament call the Commission to account when we are discussing matters involved with the spending of substantial sums of European taxpayers' money. It is correct that there is a special interest from the general public in such a sensitive area that relates to data protection and exchange. There have been numerous problems and delays, meaning that the new system has still not begun operation. Indeed, there are now doubts over the viability of the project.

I would like to ask the Commission why there have been such delays and overspending. What action is being taken to address the shortcomings? We would like to see full transparency as regards the implementation process as well as concerning the financial aspects to which I have referred. As our resolution states, the United Kingdom – not, of course, as a full member of Schengen at this time – along with a number of other Member States, will not want to be part of this system until a solution has been found.

I would also like to ask what action has been taken against contractors to secure some damages. We would like the Commission and Council to respond to the questions asking them to give an explanation of the grounds for continuing to have confidence in the current contractor and in its ability to successfully take the systems forward. In fact, is there a future for this project or should we now be rethinking the whole initiative? As Commissioner Barrot has said, some states are delaying, but without confidence you could hardly blame them. The European Parliament must be kept constantly informed on the state of play of the deployment of these systems. I look forward to reading the Commission's response to the questions my colleagues and I have raised.

**Cornelia Ernst**, *on behalf of the GUE/NGL Group*. – (DE) Madam President, first I should like to say that we do not share the concerns of the Group of the European People's Party (Christian Democrats). It is perfectly simple: we believe that further development towards SIS II is not necessary and is politically wrong. We take this view for three reasons: firstly, because it mixes secret service and police data, giving rise to a data system that no longer guarantees controllability and in which personal data is not, in fact, protected.

The second is biometric data, which is being anchored here as a large-scale experiment and, thirdly, SIS II is, of course, to be used against so-called illegal immigration. Hence our proposal: as we all know, we have SIS I. We consider it reasonable to develop this further '*as one for all*'. It is a pragmatic approach, even if we are strongly criticised for it. However, we believe that, with the approach being pursued here, nothing more can be done. To put it simply: SIS II is a *de facto* failure and to keep on crawling round it – to put it one way – is meaningless. What is important is that money which is being put to the wrong use here should be saved, which will mean we have fewer problems with the whole thing and can stop worrying about the delay with SIS II. I say this also from the point of view of Saxony, a region of Germany close to Poland and the Czech Republic. I know full well here that it would certainly make more sense to do something towards stabilisation within the police than to introduce something like this.

**Carlos Coelho (PPE)**. – (PT) Ladies and gentlemen, I would like to begin by thanking Vice-President Barrot for his statement, although he is in an unfair position, because it would also be good to hear the Council's position. Clearly, it is easier to exercise parliamentary scrutiny of the Commission than of the Council.

In December 2001, the Commission was given a mandate to introduce the second generation of the Schengen Information System (SIS), which was expected to come into operation in March 2007. There have been many problems and delays. The new system is still not working. Some people predict that it will not be running before 2012, while others question the very viability of the project. There are now delays not only in SIS, but also in the Visa Information System (VIS), as both projects are being developed by the same company.

I must say here that I continue to have confidence in Vice-President Barrot. In his political life, he has always shown himself to be competent, serious and a true pro-European. We know that he did not initiate the SIS project; he inherited it when he accepted a change of portfolio at the request of President Barroso. However, the services of the European Commission and the company contracted to develop the central system should clearly be held to account.

Parliament has budgetary authority, and we have the right and the obligation to seek an explanation from the European Commission. Why do we need SIS II? We need better control of our external borders, we need more security, we need biometric data, and we need alerts to be interlinked. Two global technical tests, the so-called milestone tests, are planned, the first on 22 December, and the second in the summer of 2010. The aim of the first test is to check the smooth, reliable and effective operation of SIS II under operational conditions, for a period of 72 hours, and to check that the vital core features and data consistency can function without any problems or interruptions.

This raises a number of questions. First, is there any risk that might jeopardise the implementation of the test in December of this year? Secondly, in order to lower the risk, is the possibility of reducing the level of requirements or even the number of states participating in the test being considered? Thirdly, can these new tests be considered part of the annual contract with the company, or will they be regarded as additional requirements, incurring extra costs? Fourthly, has the detection of problems and technical errors led to additional services being added to the contract? How much money has been paid out on these grounds? Fifthly, what was the total amount of the penalties imposed on the contractor – as mentioned by Vice-President Barrot – for the delays and technical errors that caused the previous tests to be unsuccessful? In the sixth place, does the Commission consider that, if there is a switch to implement an alternative solution, this will mean the termination of the contract with Steria? If this is the case, what implications will it have for the VIS?

Finally, Madam President, one last question: Is it true that Bulgaria and Romania have given up waiting for SIS II, and their integration into SIS I is already being planned?

**Ernst Strasser (PPE).** – (DE) Thank you Madam President. I shall try to keep to my speaking time. In principle, we welcome the introduction of SIS II and its functionality. In my time as Minister for the Interior at the beginning of this millennium, I lobbied intensively for this system. At that time, we were promised that it would be introduced in 2007, one reason being that we urgently needed it for the new Member States so that they could participate in this security architecture.

The new Member States are here, but SIS II is still not here. The delay needs to be relentlessly analysed and investigated. There must also be clear consequences. We should learn from past experiences for the future.

We must admit that the Commission has done everything to advance the SIS II project, including putting up with less than perfect test results. However, we must not forget that it makes no sense to make too big a compromise here because it would be at the expense of the stability and reliability of the system. We should therefore prevent any additional financial burden for the Member States which might come out of the analysis or the tests and any further delay in the system. What we need for this is 100% transparency, as well as clear language for those implementing the project on the Commission's behalf, and that must also mean that, where necessary, there are financial consequences for these project managers.

**Edit Bauer (PPE).** – (HU) Madam President, Commissioner, in 2006, when the new Member States were waiting to join the Schengen area, we stipulated, and it was stipulated to us, that one of the conditions was that SIS II had to be in operation. In the meantime, it transpired that the system would be unable to operate at all. We then heard that the floor was not strong enough to support the weight of the technical equipment and certainly, if the Portuguese Presidency had not come up with a solution for operating the 'SIS one for all' system, the eight new Member States would still have been waiting to join the Schengen area even now.

Meanwhile, we should remember that new contracts had to be signed, new financial packages had to be found for developing the SIS II system, while the operation of the SIS I+ system still has to be financed. Therefore, in practical terms, we are financing two systems, which is costing European taxpayers no small sum of money. We are obviously talking about a large investment when it comes to safeguarding European citizens' safety. Unlike my left-wing fellow Member, I feel that it can bring about a huge change in terms of quality for the benefit of European security.

I am also curious about the delay given that in 2001, the system's development was planned to take five years, from 2002 to 2007. We are now talking about it being developed perhaps over 10 years. Commissioner,

it is not possible to have such a degree of uncertainty with a technical system that its development time doubles. We are well aware that technical gremlins can throw a spanner in the works and that public investment has been delayed, but we ultimately need to ask the question: what is the reason behind this? Are not some countries, some Member States in fact, deliberately stalling the SIS II system's development? To simply conclude my question, what guarantee is there that we will not have the same story with the VIS system?

**Elżbieta Katarzyna Łukacijewska (PPE).** – (PL) Madam President, in view of the delays and problems in completing work on SIS II, and of forecasts which say that it will not be fully functional by the end of 2011, and even, as some are saying, by 2015, it has been decided to conduct tests on SIS II before the end of this year which will assess its functionality. If SIS II proves to be defective, it is said that an alternative plan will be introduced, based on improvements to SIS I.

This, therefore, raises several questions. Is the European Commission ready to implement an alternative plan? What will be done about the investments made by Member States which have borne costs associated with the purchase of equipment to service the new system? Will this equipment be used in the alternative plan? Finally, how does the Commission intend to exact contractual penalties on those responsible for the project?

**Jacques Barrot, Member of the Commission.** – (FR) Madam President, I cannot reply to all of the questions that have been put to me, given that we find ourselves at a difficult moment in time. With regard to VIS, it is the tests which affect the central system and which must be performed by 11 November, and for SIS II, it is the milestone, that is to say, this criterion that must be fulfilled by the end of the year.

Firstly, I am very grateful to all of the speakers. I want the European Parliament to have full access to all of the information. I would remind you that these two major systems were devised by the Member States precisely so that they could enjoy freedom of movement in secure conditions, as Mr Busuttil and Mr Moraes, in particular, pointed out.

I would firstly like to try to respond on VIS, and in particular to Mrs Ludford, who, as rapporteur, has taken a particular interest in this problem. What we can say is that tests will be carried out on VIS by 11 November, and these tests will tell us whether we ought to change course. Until now, VIS can be thought of as having a sound architecture and, in fact, a few bugs, but ones that can be put right. Nevertheless, it is these tests that will show whether we need to terminate the contract with the contractor. It is too soon to tell, but the timetable would be reviewed accordingly in that instance.

I would point out that, in 2005, the Council decided that VIS had to be rolled out in a consistent and coordinated fashion by the Member States. That is why the VIS regulation stipulates that the system will begin operating in the first region on the date set by the Commission once all of the Member States have notified it that they have made all the technical and legal adjustments necessary to use VIS in that region.

This means that VIS will begin operating in the first region – North Africa, which covers the countries presenting the biggest risks in terms of illegal immigration and security – on the same date for all the Member States. This leads me to say that it really is important for all of the Member States to be able to get up and running and manage VIS because it would be extremely damaging if the central system proved to work normally but we were forced to extend the deadline even further because of these delays on the part of a few Member States. Hence, I am somewhat insistent on this point.

I note that Mrs Ludford made particular reference to the problem of the Olympic Games. I sincerely hope that we will have made progress by then. However, it is true that provision has been made for the United Kingdom to connect to SIS I + ahead of the Olympic Games, if such action proves necessary.

What I would also like to say is that, with regard to visa applicants, we sincerely hope not to deviate too much from the deadline that was set, since that is very important for us, and the serious risk of people 'shopping' for visas at consulates may increase if we delay VIS too much.

Mrs Ždanoka talked to me about biometric data and controlling access to the system. I think that we will have an opportunity to discuss this again, but these controls will be subject to a number of clear rules. I noted that Mrs Ernst is against the system, but I wish to remember what Mr Kirkhope told me, also. I now come to Mr Coelho. Mr Coelho is well acquainted with SIS II, and I would like to try to answer some of his questions while keeping the option open to write to him in order to give him the other answers to his seven questions.

What I can say is that the Commission opened the contractual negotiations with its co-contractor and that those negotiations were focused on two areas: the commissioning of the additional services and equipment required to perform the test of the first milestone, and an amendment to the basic contract to enable the milestones within SIS II to be formalised by contract. We reached an overall agreement at the end of July. We reached an overall agreement at the end of July, and it is true that the co-contractor pointed out that there were specifications that seemed to make the achievement of this first milestone a very complicated business. Nonetheless, we signed a contract with the contractor that stipulates that this milestone must be achieved.

The analysis and repair period made it clear, however, that SIS II was built on solid, though at times excessively complex, foundations, and that, although some efforts needed to be made, the system was repairable.

This in-depth analysis enabled us to identify several ways of improving the system, but it is true, Mr Coelho – and I say this to the whole of Parliament also – that we have a very ambitious project before us in this area, and that it is not easy to see exactly what is going to happen.

I can say, however, that we have imposed contractual penalties on the Hewlett-Packard-Steria consortium in order to punish it, on the one hand, for its inability to bring the system up to the contractually required level at the end of the contractual phase of the operational tests on the ST and, on the other – for the time being, in any case – for the delays caused in the internal VIS tests.

Both of these projects are governed by the same contract, so the penalties are deducted equally from the invoices for SIS II and for VIS. These penalties amount to almost EUR 3.5 million, and the penalty meter keeps on ticking in the case of VIS, while that of SIS II has been switched off since the start of the analysis and repair exercise begun in January. Should these projects have to be abandoned, the co-contractor will obviously have to bear the corresponding costs.

Madam President, as things stand, and given what I said in respect both of VIS, about the tests that are going to take place by 11 November, and of SIS II, about the aim of confirming, via the end-of-year milestone, whether the architecture really is viable, I am unable to provide a more precise answer, since we are now at the stage of carrying out these tests and of preparing for the milestone.

I wish to say that Parliament is welcome to help us spur on the co-contractor. As you have seen, I am very determined and I have become personally involved in this matter. I hope that, as in the case of Galileo, I will succeed more or less in saving both of these projects, which are very interesting in technological terms and which would enable Europe to benefit from a high-performance system, but I cannot be sure of that yet, this evening.

Parliament is also welcome to help us spur on the Member States: as regards VIS, we are finding that the longest delays are being caused at the moment by a few Member States.

Madam President, I am well aware that I have not answered every single question, but I remain fully at Parliament's disposal to provide all the information that the MEPs and, in particular, those who put questions to me this evening, want, as and when I receive it.

**President.** – Thank you for your reply, Commissioner. I have received three motions for resolutions to wind up this debate.<sup>(2)</sup>

The debate is closed.

The vote will take place at 11.00 on Thursday, 22 October 2009.

## **20. Agenda for next sitting: see Minutes**

## **21. Closure of the sitting**

*(The sitting was suspended at 20.45)*

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<sup>(2)</sup> See Minutes