— having regard to Rules 51 and 83(7) of its Rules of Procedure,
— having regard to the report of the Committee on Fisheries and the opinion of the Committee on Budgets (A6-0040/2004),

1. Approves the proposal for a Council regulation as amended and approves conclusion of the agreement;
2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the Union of the Comoros.

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<th>TEXT PROPOSED BY THE COMMISSION</th>
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<td>Amendment 1</td>
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<td>Article 3a (new)</td>
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<td>Before the extension of the Protocol expires and before any agreement on the renewal thereof is concluded, the Commission shall submit to the European Parliament and the Council a report on its application, including an analysis of the use of funds earmarked for targeted measures, in order to assess the economic, social and environmental impact of the agreement.</td>
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| Amendment 2                     |                          |
| Article 3b (new)                |                          |
| Article 3b                      |                          |
| 1. On the basis of the report referred to in Article 3a and after consulting the European Parliament, the Council shall, if appropriate, authorise the Commission to enter into negotiations with a view to concluding a new protocol. |
| 2. The Commission shall produce a discussion paper outlining the options that are available for improving transparency and accountability as regards the implementation of targeted measures in fisheries agreements. |

P6_TA(2004)0105

Application of Article 251 of the EC Treaty *

European Parliament legislative resolution on the proposal for a Council decision providing for certain areas covered by Title IV of Part Three of the Treaty establishing the European Community to be governed by the procedure referred to in Article 251 of that Treaty (15130/2004 — C6-0208/2004 — 2004/0816(CNS))

(Consultation procedure)

The European Parliament,
— having regard to the Council proposal (15130/2004)(¹),
— having regard to Article 67(2), second indent, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0208/2004),

(¹) Not yet published in OJ.
1. Approves the Council proposal as amended;
2. Calls on the Council to alter its proposal accordingly;
3. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend its proposal substantially.
5. Instructs its President to forward its position to the Council and Commission.

Amendment 1
Title
Draft Decision of the Council providing for certain areas covered by Title IV of Part three of the Treaty establishing the European Community to be governed by the procedure referred to in Article 251 of that Treaty

Amendment 2
Recital 7
(7) However, the European Council took the view that, pending the entry into force of the Treaty establishing a Constitution for Europe, the Council should continue to act unanimously after consulting the European Parliament when adopting measures in the field of the legal migration of third-country nationals to and between Member States referred to in Article 63(3)(a) and (4) of the Treaty.

Amendment 3
Recital 10a (new)
(10a) It is vital and urgent to abolish the limits which Article 68 of the EC Treaty imposes on the jurisdiction of the Court in the fields covered by Title IV of the EC Treaty; the European Council accordingly asked the Commission on 5 November 2004 to submit, after consulting the Court, a proposal for a Council decision establishing, pursuant to Article 225a of the EC Treaty, a specialised panel for actions relating to matters provided for in the said Title IV.

Amendment 4
Article 1, paragraph 2a (new)
2a. With effect from 1 January 2005, the Council shall act in accordance with the procedure laid down in Article 251 of the EC Treaty for the purpose of adopting the measures referred to in Article 63(3)(a) and (4) of that Treaty. As agreed on
29 October 2004, at the time of the signature of the Treaty establishing a Constitution for Europe, those measures must not affect the right of Member States to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed.

Amendment 5

Article 3a (new)

Article 3a

Article 68(1) and (2) of the EC Treaty shall no longer apply from the date of entry into force of this Decision.

P6_TA(2004)0106

Democracy, the rule of law, human rights and fundamental freedoms in third countries *

European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 976/1999 laying down the requirements for the implementation of Community operations, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries (COM(2003)0639 — 6018/2004 — C6-0078/2004 — 2004/0807(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003)0639) (1),
— having regard to the amended proposal by the Council (6018/2004),
— having regard to Article 181a(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0078/2004),
— having regard to Rule 51 of its Rules of Procedure,
— having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Development (A6-0041/2004),

1. Approves the Commission proposal as modified by the Council;
2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
4. Instructs its President to forward its position to the Council and Commission.

(1) Not yet published in OJ.