MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Josep BORRELL FONTELLES
President

1. Opening of sitting
The sitting opened at 9.05.

2. Documents received
The following report had been received from committees:

3. Action taken on Parliament's positions and resolutions
The Commission communication on the action taken on the positions and resolutions adopted by Parliament at the September I and II part-sessions had been distributed.

4. Enlargement Strategy and Main Challenges 2006-2007 — The institutional aspects of the European Union's capacity to integrate new Member States (debate)
Elmar Brok introduced the report (A6-0436/2006).
Alexander Stubb introduced the report (A6-0393/2006).
The following spoke: Paula Lehtomäki (President-in-Office of the Council) and Olli Rehn (Member of the Commission).
The following spoke: Íñigo Méndez de Vigo, on behalf of the PPE-DE Group, Hannes Swoboda, on behalf of the PSE Group, Anнемія Neyts-Uyttebroeck, on behalf of the ALDE Group, Joost Lagendijk, on behalf of the verts/ALE Group, Erik Meijer, on behalf of the GUE/NGL Group, Konrad Szymański, on behalf of the UEN Group, Bastiaan Belder, on behalf of the IND/DEM Group, Philip Claeys, Non-attached Member, Panayiotis Demetriou, Jan Marinus Wiersma and Andrew Duff.

IN THE CHAIR: Alejo VIDAL-QUADRAS
Vice-President
Wednesday, 13 December 2006

IN THE CHAIR: Pierre MOSCOVICI
Vice-President


The debate closed.

Vote:

(The sitting was suspended at 11.55 pending voting time and resumed at 12.05.)

IN THE CHAIR: Josep BORRELL FONTELLES
President

5. Membership of political groups

Mario Borghezio, Umberto Bossi, Gian Paolo Gobbo, Dariusz Maciej Grabowski, Wiesław Stefan Kuc, Bogdan Pęk, Mirosław Mariusz Piotrowski, Bogusław Rogalski, Francesco Enrico Speroni and Andrzej Tomasz Zapalowski had joined the UEN Group with effect from 13.12.2006.

6. Agenda

The President announced that the report by Jo Leinen, on amendment of Rules 15 and 182(1) of Parliament's Rules of Procedure — Election of Quaestors and committee bureaux (A6-0464/2006), which was on the agenda for voting time on Thursday, 14.12.2006 (Item 110 on the agenda), had not been adopted in committee under the procedure laid down in Rule 131 and would therefore be included as the last item on the agenda of that day's sitting.

* * *

The following spoke: Renato Brunetta, who drew the attention of the House to the behaviour of some security guards at the entrance to the Chamber, which he deemed to be over the top, and Tadeusz Zwiefka, who expressed his disappointment that the TV broadcast from the Chamber had been cut off when the Sakharov Prize was being awarded the previous day, meaning that Belarusians were not able to watch Alexander Milinkevich's speech (the President replied that the problems to which both Members had referred were linked to demonstrations by Parliament's session auxiliary staff).

7. Statement by the President

Personally and on behalf of the House, the President expressed his concern about the controversial conference on the Holocaust that had taken place in Tehran on 11 and 12 December 2006 and, on behalf of Parliament, called on the Iranian Government to make every possible effort to combat anti-Semitism, racism, xenophobia and discrimination.

8. Voting time

Details of voting (amendments, separate and split votes, etc.) appear in the ‘Results of votes’ annex to the Minutes.
8.1. European Chemicals Agency (vote)


(Qualified majority)  
(Voting record: ‘Results of votes’, Item 1)  

COMMON POSITION OF THE COUNCIL

The following spoke: Karl-Heinz Florenz (Chairman of the ENVI Committee) and Guido Sacconi (rapporteur). 

Declared approved as amended (P6_TA(2006)0552)

The following spoke on the vote: 
— Guido Sacconi, after the vote on the compromise package (option 1); 
— Roberto Musacchio, who pointed out that during the vote the rapporteur should respect all the different opinions held by those in the Chamber; 
— Carl Schlyter, on the possibility of a conciliation procedure; 
— Guido Sacconi, who welcomed the outcome of the vote.


(Qualified majority)  
(Voting record: ‘Results of votes’, Item 2)  

COMMON POSITION OF THE COUNCIL

Declared approved (P6_TA(2006)0553)

IN THE CHAIR: Ingo Friedrich 
Vice-President

8.3. Inclusion of Bulgarian and Romanian among the languages of procedure for the Court of Justice (Rule 131) (vote)

Report on the Draft Council Decision amending the Rules of Procedure of the Court of Justice of the European Communities as regards the language arrangements, in order to include Bulgarian and Romanian among the languages of cases as laid down in the Rules of Procedure [15712/2006 — C6-0434/2006 — 2006/0813(CNS)] — Committee on Legal Affairs 

(Simple majority)  
(Voting record: ‘Results of votes’, Item 3)  

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P6_TA(2006)0554)
8.4. Inclusion of Bulgarian and Romanian among the languages of procedure for the Court of First Instance * (Rule 131) (vote)

Report on the Draft Council Decision amending the Rules of Procedure of the Court of First Instance of the European Communities with regard to languages, in order to include Bulgarian and Romanian among the languages of cases as laid down in the Rules of Procedure [15715/2006 — C-0435/2006 — 2006/0814(CNS)] — Committee on Legal Affairs

(Simple majority)
(Voting record: 'Results of votes', Item 4)

DRAFT LEGISLATIVE RESOLUTION
Adopted by single vote (P6_TA(2006)0555)

8.5. European Year of Intercultural Dialogue (2008) ***II (Rule 131) (vote)


(Qualified majority)
(Voting record: 'Results of votes', Item 5)

COMMON POSITION OF THE COUNCIL
Declared approved (P6_TA(2006)0556)

8.6. Financial Regulation applicable to the general budget of the European Communities * (Rule 131) (vote)


(Simple majority)
(Voting record: 'Results of votes', Item 6)

DRAFT LEGISLATIVE RESOLUTION
Adopted by single vote (P6_TA(2006)0557)


(Qualified majority)
(Voting record: 'Results of votes', Item 7)

MOTION FOR A RESOLUTION
Adopted by single vote (P6_TA(2006)0558)
8.8. Coordination of certain of the Member States’ provisions on television broadcasting (vote)


(Simple majority)
(Voting record: ‘Results of votes’, Item 8)

COMMISSION PROPOSAL
Approved as amended (P6_TA(2006)0559)

DRAFT LEGISLATIVE RESOLUTION
Adopted (P6_TA(2006)0559)

The following spoke on the vote:
— Ruth Hieronymi (rapporteur), who provided clarification on German terminology used in the report and suggested corrections for the English and French versions;
— Jacques Toubon, who called for all the discrepancies between the different language versions of the text to be cleared up before Parliament’s position was forwarded to the Commission and Council (the President replied that it would be done);
— Christopher Heaton-Harris, on the admissibility of amendment 160 (the President replied that it had been checked and was indeed admissible);
— Ignasi Guardans Cambó, on the voting procedure.

8.9. Establishing the European Globalisation adjustment Fund (vote)


(Simple majority)
(Voting record: ‘Results of votes’, Item 9)

COMMISSION PROPOSAL
The following spoke: Janusz Lewandowski (Chairman of the BUDG Committee), who pointed out that the PPE-DE Group had withdrawn its amendments, and Roselyne Bachelot-Narquin (rapporteur), who welcomed the decision.
Approved as amended (P6_TA(2006)0560)

DRAFT LEGISLATIVE RESOLUTION
Adopted (P6_TA(2006)0560)

8.10. Type approval of motor vehicles with respect to emissions and access to vehicle repair information (vote)


(Simple majority)
(Voting record: ‘Results of votes’, Item 10)

COMMISSION PROPOSAL
Approved as amended (P6_TA(2006)0561)

DRAFT LEGISLATIVE RESOLUTION
Adopted (P6_TA(2006)0561)
8.11. Financial contributions to the International Fund for Ireland (2007-2010) *(vote)*


(Simple majority)

(Voting record: ‘Results of votes’, Item 11)

COMMISSION PROPOSAL
Approved as amended (P6_TA(2006)0562)

DRAFT LEGISLATIVE RESOLUTION
Adopted (P6_TA(2006)0562)

The following spoke before the vote:
— Jim Higgins (rapporteur), before the vote.

8.12. Banana sector *(vote)*


(Simple majority)

(Voting record: ‘Results of votes’, Item 12)

COMMISSION PROPOSAL
Approved as amended (P6_TA(2006)0563)

DRAFT LEGISLATIVE RESOLUTION
Adopted (P6_TA(2006)0563)

The following spoke on the vote:
— Emanuel Jardim Fernandes, who clarified the wording of amendment 22.

8.13. VAT arrangements for radio and television broadcasting and other services *(vote)*


(Simple majority)

(Voting record: ‘Results of votes’, Item 13)

COMMISSION PROPOSAL
Approved as amended (P6_TA(2006)0564)

DRAFT LEGISLATIVE RESOLUTION
Adopted (P6_TA(2006)0564)

8.14. Legislative and work programme of the Commission for 2007 *(vote)*


The debate had been held on 14.11.2006 (Minutes of 14.11.2006, Item 15).

(Simple majority)

(Voting record: ‘Results of votes’, Item 14)
MOTION FOR A RESOLUTION B6-0630/2006
Rejected

MOTION FOR A RESOLUTION RC-B6-0634/2006/rev
tabled by the following Members:
Françoise Grossetête and Hans-Gert Pöttering, on behalf of the PPE-DE Group,
Martin Schulz and Hannes Swoboda, on behalf of the PSE Group,
Silvana Koch-Mehrin, on behalf of the ALDE Group,
Pierre Jonckheer, Monica Frassoni and Daniel Cohn-Bendit, on behalf of the Verts/ALE Group,
Brian Crowley, Roberta Angelilli, Guntars Krasts, Gintaras Didžiokas and Zdzisław Zbigniew Podkański, on behalf of the UEN Group
Adopted (P6_TA(2006)0565)

(Motion for a resolution B6-0637/2006/rev fell.)

8.15. Russia-EU Summit (vote)

The debate had been held on 29.11.2006 (Minutes of 29.11.2006, Item 13).

(Simple majority)
(Voting record: ‘Results of votes’, Item 15)

MOTION FOR A RESOLUTION RC-B6-0631/2006/rev
tabled by the following Members:
Jacek Saryusz-Wolski, Bernd Posselt, Vytautas Landsbergis and Tunne Kelam, on behalf of the PPE-DE Group,
Hannes Swoboda and Jan Marinus Wiersma, on behalf of the PSE Group,
Paavo Väyrynen, on behalf of the ALDE Group,
Daniel Cohn-Bendit, Hélène Flautre, Milan Horáček, Bart Staes, Rebecca Harms and Angelika Beer, on behalf of the Verts/ALE Group,
Esko Seppänen, on behalf of the GUE/NGL Group,
Konrad Szymaniski, Michal Tomasz Kamiński, Adam Bielan, Hanna Foltyn-Kubicka, Ryszard Czarnecki, Inese Vaidere and Girts Valdis Kristovskis, on behalf of the UEN Group
Adopted (P6_TA(2006)0566)

The following spoke on the vote:
— Konrad Szymaniski, on the vote on amendments 9 and 6.


Motion for a resolution tabled pursuant to Rule 81 by Wolf Klinz, on behalf of the ECON Committee, on the draft Commission directive implementing Council Directive 85/611/EEC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) as regards the clarification of certain definitions (B6-0643/2006)

(Simple majority)
(Voting record: ‘Results of votes’, Item 16)

MOTION FOR A RESOLUTION
Adopted (P6_TA(2006)0567)
8.17. Enlargement Strategy and Main Challenges 2006-2007 (vote)

Report on the Commission communication on the Enlargement Strategy and Main Challenges 2006-2007 [2006/2252(INI)] — Committee on Foreign Affairs  

(Simple majority)  
(Voting record: ‘Results of votes’, Item 17)

MOTION FOR A RESOLUTION  
Adopted (P6_TA(2006)0568)

The following spoke on the vote:

— Elmar Brok (rapporteur), who moved oral amendments to amendments 29 and 16, which were incorporated;
— Giorgos Dimitrakopoulos and Joost Lagendijk, who moved oral amendments to amendment 17, which were incorporated.

8.18. The institutional aspects of the European Union’s capacity to integrate new Member States (vote)

Report on the institutional aspects of the European Union’s capacity to integrate new Member States [2006/2226(INI)] — Committee on Constitutional Affairs  

(Simple majority)  
(Voting record: ‘Results of votes’, Item 18)

MOTION FOR A RESOLUTION  
Adopted (P6_TA(2006)0569)

The following spoke on the vote:

— Alexander Stubb (rapporteur), who pointed out that the French version of amendment 8 was the authentic text.

9. Explanations of vote

Written explanations of vote:


Oral explanations of vote:

Reports by Guido Sacconi — A6-0352/2006 and A6-0345/2006:
— Hubert Pirker, Philip Claeys, Frank Vanhecke, Zita Pleštinská, Richard Seeber, Czeslaw Adam Siekierski, Christoph Konrad, Kurt Joachim Lauk
Report: Ruth Hieronymi — A6-0399/2006:
— Carlo Fatuzzo
Report: Roselyne Bachelot-Narquin — A6-0385/2006:
— Hubert Pirker, Carlo Fatuzzo
Report: Matthias Groote — A6-0301/2006:
— Richard Seeber, Carlo Fatuzzo
10. Corrections to votes and voting intentions

Corrections to votes and voting intentions appear on the ‘Séance en direct’ website under ‘Votes’/‘Results of votes’/‘Roll-call votes’. They are published in hard copy in the ‘Result of roll-call votes’ annex.

The electronic version on Europarl will be regularly updated for a maximum of two weeks after the day of the vote concerned.

After the two-week deadline has passed, the list of corrections to votes and voting intentions will be finalised so that it can be translated and published in the Official Journal.

Francesco Musotto and Alfonso Andria had informed the Chair that their voting machines had not worked during the vote on amendment 191 to the Guido Sacconi report (A6-0352/2006).

Elmar Brok had informed the Chair that he had not voted on the report by Ruth Hieronymi (A6-0399/2006) owing to a conflict of interests.

Jim Higgins had informed the Chair that his voting machine had not worked during the vote on his report (A6-0432/2006).

Hubert Pirker had informed the Chair that his voting machine had not worked on the final vote on the report by Elmar Brok (A6-0436/2006).

(The sitting was suspended at 14.05 and resumed at 15.00.)

IN THE CHAIR: Antonios TRAKATELLIS

Vice-President

11. Approval of Minutes of previous sitting

Marian Harkin had informed the Chair that she had not signed the attendance register but had indeed been present.

The Minutes of the previous sitting were approved.

12. Data protection (debate)

Council and Commission statements: Data protection

Paula Lehtomäki (President-in-Office of the Council) and Franco Frattini (Vice-President of the Commission) made the statements.
The following spoke: Charlotte Cederschiöld, on behalf of the PPE-DE Group, Martine Roure, on behalf of the PSE Group, Sophia in ’t Veld, on behalf of the ALDE Group, Kathalijne Maria Buitenweg, on behalf of the Verts/ALE Group, Paula Lehtomäki, Kathalijne Maria Buitenweg, who put a question to the Council which Paula Lehtomäki answered, Sophia in ’t Veld, who called on the Council to provide written answers to her questions, Paula Lehtomäki, who undertook to do so, and Franco Frattini.

The debate closed.

IN THE CHAIR: Josep BORRELL FONTELLES
President

13. Preparation for the European Council (14-15 December 2006) (debate)

Council and Commission statements: Preparation for the European Council (14-15 December 2006)

Paula Lehtomäki (President-in-Office of the Council) made the statement.

14. Welcome

On behalf of Parliament, the President welcomed Mr Ranko Krivokapic, President of the Parliament of the Republic of Montenegro, and Mrs Gordana Djurovic, Deputy Prime Minister for European integration, who had taken their seats in the distinguished visitors' gallery.

15. Preparation for the European Council (14-15 December 2006) (continuation of debate)

Council and Commission statements: Preparation for the European Council (14-15 December 2006)

José Manuel Barroso (President of the Commission) made the statement.

The following spoke: Hans-Gert Pöttering, on behalf of the PPE-DE Group, Martin Schulz, on behalf of the PSE Group, and Graham Watson, on behalf of the ALDE Group.

16. Welcome

On behalf of Parliament, the President welcomed members of a delegation from the Parliament of the Republic of Azerbaijan — led by Mr Valeh Aleskerov, Vice-President of the Parliament of the Republic of Azerbaijan and Co-Chairman of the EU-Azerbaijan Parliamentary Cooperation Committee — who had taken their seats in the distinguished visitors' gallery.

17. Preparation for the European Council (14-15 December 2006) (continuation of debate)

Council and Commission statements: Preparation for the European Council (14-15 December 2006)

The following spoke: Daniel Cohn-Bendit, on behalf of the Verts/ALE Group, and Esko Seppänen, on behalf of the GUE/NGL Group.

18. Welcome

On behalf of Parliament, the President welcomed members of a delegation from the Syrian Parliament — led by Mr Numair Ghanem, Chairman of the Syrian Parliament's Foreign Affairs Committee — who had taken their seats in the distinguished visitors' gallery.
19. **Preparation for the European Council (14-15 December 2006)** (continuation of debate)

Council and Commission statements: Preparation for the European Council (14-15 December 2006)

The following spoke: Brian Crowley, on behalf of the UEN Group.

**IN THE CHAIR: Ingo FRIEDRICH**

Vice-President

The following spoke: Jens-Peter Bonde, on behalf of the IND/DEM Group, Jana Bobošíková, Non-attached Member, Pia-Noora Kauppi, Poul Nyrup Rasmussen, Anneli Jäätteenmäki, Bernat Joan i Mari, Kyriacos Triantaphyllides, Ryszard Czarnecki, Nigel Farage, Alessandro Battilocchio, Timothy Kirkhope and Reino Paasilinna.

**IN THE CHAIR: Luigi COCILOVO**

Vice-President

The following spoke: Andrew Duff, Vittorio Agnolletto, Zbigniew Krzysztof Kuźmiuk, Patrick Louis, Koenraad Dillen, Françoise Grossetête, Robert Goebbels, Sarah Ludford, Karita Tamara Liiotard, Hanna Foltyn-Kubiczka, Hans-Peter Martin, Gunnar Hökmark, Jan Marinus Wiersma, Mirosław Mariusz Piotrowski, José Ignacio Salafranca Sánchez-Neyra, Pervenche Berès and Panayiotis Demetriou.

**IN THE CHAIR: Manuel António dos SANTOS**

Vice-President

The following spoke: Libor Rouček, Markus Ferber, Gary Titley, Nikolaos Vakalis, Mia De Vits, Francisco José Millán Mon, Simon Busuttil, Alexander Stubb, Paula Lehtomäki and José Manuel Barroso.

The debate closed.

20. **Question Time** (Council)

Parliament considered a number of questions to the Council (B6-0448/2006).

**Question 1** (Marie Panayotopoulos-Cassiotou): Action by the Finnish Presidency in respect of children and their families.

Paula Lehtomäki (President-in-Office of the Council) answered the question and supplementaries by Marie Panayotopoulos-Cassiotou, Paul Rübig and Manuel Medina Ortega.

**Question 2** (Manuel Medina Ortega): Immigration strategies.

Paula Lehtomäki answered the question and supplementaries by Manuel Medina Ortega, Danutė Budreikaitė and Reinhard Rack, the latter following a contribution from Derek Roland Clark.

**Question 3** (Claude Moraes): Council plans for 2007 Year of Equal Opportunities and 2008 Year of Intercultural Dialogue.

Paula Lehtmäki answered the question and a supplementary by Richard Corbett (deputising for the author).

**Question 4** (Sarah Ludford): Counter-terrorism strategy.

Paula Lehtomäki answered the question and supplementaries by Sarah Ludford and Jörg Leichtfried.

**Question 5** lapsed as its author was absent.

**Question 6** (Danutė Budreikaitė): Lithuania's energy prospects.

Paula Lehtomäki answered the question and supplementaries by Danutė Budreikaitė, Justas Vincas Paleckis, Paul Rübig and Laima Liucija Andrikienė.

**Question 7** (Avril Doyle): COP12.
Paula Lehtomäki answered the question and a supplementary by Avril Doyle.

Question 8 (Richard Corbett): Composition of the Commission.
Paula Lehtomäki answered the question and a supplementary by Richard Corbett.

Question 9 had been withdrawn.

Question 10 (Bernd Posselt): Status of Kosovo.
Paula Lehtomäki answered the question and a supplementary by Bernd Posselt.

Question 11 (Bastiaan Belder): Late abortions at Ginemedex abortion clinic in Barcelona.
Paula Lehtomäki answered the question and a supplementary by Bastiaan Belder.

Questions which had not been answered for lack of time would receive written answers (see annex to the Verbatim Report of Proceedings).

Council Question Time closed.
(The sitting was suspended at 19.00 and resumed at 21.00.)

IN THE CHAIR: Mario MAURO
Vice-President

21. Driving licenses ***II (debate)

Rapporteur: Mathieu Grosch (A6-0414/2006).

Mathieu Grosch introduced the recommendation for second reading.

Jacques Barrot (Vice-President of the Commission) spoke.

The following spoke: Georg Jarzembowski, on behalf of the PPE-DE Group, Ewa Hedkvist Petersen, on behalf of the PSE Group, Danutė Budreikaitė, on behalf of the ALDE Group, Michael Cramer, on behalf of the Verts/ALE Group, Erik Meijer, on behalf of the GUE/NGL Group, Kathy Sinnott, on behalf of the IND/DEM Group, Reinhard Rack, Willi Piecyk, Michael Henry Nattrass, Stanisław Jłowiecki, Gary Titley, Philip Bradbourn, Bogusław Liberadzki, Luis Queiró, Inês Ayala Sender, Corien Wortmann-Kool, Proinsias De Rossa, Rodi Kratsa-Tsagaropoulou, Dieter-Lebrecht Koch and Jacques Barrot.

The debate closed.


22. Double-hull or equivalent design requirements for single-hull oil tankers ***I (debate)


Jacques Barrot (Vice-President of the Commission) spoke.

Fernand Le Rachinel introduced the report.

The following spoke: Georg Jarzembowski, on behalf of the PPE-DE Group, Willi Piecyk, on behalf of the PSE Group, Danutė Budreikaitė, on behalf of the ALDE Group, Erik Meijer, on behalf of the GUE/NGL Group, Rodi Kratsa-Tsagaropoulou and Jacques Barrot.

The debate closed.

23. Development of the second generation Schengen Information System (SIS II) * — Development of the second generation Schengen information System (SIS II) (decision) * (debate)

Rapporteur: Carlos Coelho (A6-0410/2006).

Rapporteur: Carlos Coelho (A6-0413/2006).

Franco Frattini (Vice-President of the Commission) spoke.

IN THE CHAIR: Luigi COCILIVO
Vice-President

Carlos Coelho introduced the reports.

The following spoke: Barbara Kudrycka, on behalf of the PPE-DE Group, Adam Bielan, on behalf of the UEN Group, Andrzej Jan Szejna, Leopold Józef Rutowicz.

The debate closed.


24. Violent video games (debate)

Commission statement: Violent video games

Franco Frattini (Vice-President of the Commission) made the statement.

The following spoke: Mary Honeyball, on behalf of the PSE Group, and Roberta Angelilli, on behalf of the UEN Group.

The debate closed.

25. Amendment of the Rules of Procedure (committees, Quaestors) (debate)

Report on amendment of Rules 15 and 182(1) of Parliament’s Rules of Procedure — Election of Quaestors and committee bureaux [2006/2287(REG)] — Committee on Constitutional Affairs
Rapporteur: Jo Leinen (A6-0464/2006).

Richard Corbett (deputising for the rapporteur) introduced the report.

The following spoke: Ingo Friedrich, on behalf of the PPE-DE Group, Andrew Duff, on behalf of the ALDE Group, Johannes Voggenhuber, on behalf of the Verts/ALE Group, Richard Corbett on Mr Voggenhuber’s remarks and Johannes Voggenhuber, in reply.

The debate closed.

26. **Agenda for next sitting**

The agenda for the next sitting had been established ('Agenda' PE 381.846/OJJE).

27. **Closure of sitting**

The sitting closed at 23.25.

Julian Priestley  
Secretary-General

Janusz Onyszczewicz  
Vice-President
ATTENDANCE REGISTER

The following signed:

Wednesday, 13 December 2006


Observers:

ANNEX I

RESULTS OF VOTES

Abbreviations and symbols

+ adopted
- rejected
↓ lapsed
W withdrawn
RCV (...,...,...) roll-call vote (in favour, against, abstentions)
EV (...,...,...) electronic vote (in favour, against, abstentions)
split split vote
sep separate vote
am amendment
CA compromise amendment
CP corresponding part
D deleting amendment
= identical amendments
§ paragraph
art article
rec recital
MOT motion for a resolution
JT MOT joint motion for a resolution
SEC secret ballot

1. European Chemicals Agency (REACH) ***II

Recommendation for second reading: (qualified majority)

Guido SACCONI (A6-0352/2006)

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Common position Declared approved as amended

Option 2: Verts/ALE, GUE/NGL

Amendments 192 to 221 inclusive by the Verts/ALE and GUE/NGL Groups plus the following changes from the compromise package:

Animal welfare: recitals 1, 12a, 36, 43, 50 and 58a, Articles 1(1), 2(4) b), 13(1a), 29, 39(1a) and 116(2a) and (3) plus Amendments 43 and 168 by the Environment Committee

Comitology: recitals 72a and 110, Articles 13(2), 40(7), 57(1) and (8), 63(8), 67(1) and (2), 72, 130, 131, 132(3) a) and Annex XI point 3.3 plus Amendment 160 by the Environment Committee

Option 3: Verts/ALE

Amendment 222 by the Verts/ALE and the GUE/NGL Group plus the whole consolidated text without the following changes: Article 3(35) and (36), Article 7(7) footnote, Article 9(7), Article 23(1) footnote, Article 25(3), Article 42(2) a) two footnotes, Article 43(2) footnote, Article 59(4a), Article 115 footnote, Article 117(2) b) and d), Article 117(3), Article 118, Article 137(6), (7) and (8) and Annex VIII point 8.4.2

Requests for roll-call votes

IND/DEM: am 173

Verts/ALE: option 1, ams 175/177/188, 176/178, 179, 180, 183, 184, 185, 186, 187, 189 and 190

2. Amendment of Directive 67/548/EEC on dangerous substances (REACH) ***II

Recommendation for second reading: (qualified majority)

Guido SACCONI (A6-0345/2006)

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3. Inclusion of Bulgarian and Romanian among the languages of procedure for the Court of Justice *

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4. Inclusion of Bulgarian and Romanian among the languages of procedure for the Court of First Instance *

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5. European Year of Intercultural Dialogue (2008) ***II
Recommendation for second reading (qualified majority)
Erna HENNICOT-SCHOEPGES (A6-0435/2006)

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6. Financial Regulation applicable to the general budget of the European Communities *

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Requests for roll-call votes
PPE-DE: final vote

Report: (qualified majority)
Giovanni PITTELLA (A6-0444/2006)

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8. Coordination of certain of the Member States’ provisions on television broadcasting ***I

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### Amendments

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**vote: amended proposal**

**vote: legislative resolution**

Amendments 38 and 48 did not concern all language versions and were therefore not put to the vote (Rule 151(1)(d)).

**Requests for roll-call votes**

IND/DEM: ams 167 and 208

Verts/ALE: ams 141, 162, 169, 171, 172, 173, 174, 175, 176, 178, 179, 180, 182, 183, 193, 216, 220, 226, 227 and 236

GUE/NGL: ams 198, 193 and 197

PPE-DE: ams 199 first part, 162, 208, 216

ALDE: am 208 second part
Wednesday, 13 December 2006

Requests for split votes

Verts/ALE, ALDE

am 75
First part: text as a whole without the words ‘or without’ and ‘to the media service provider’
Second part: ‘or without’
Third part: ‘to the media service provider’

PSE, ALDE

am 227
First part: text as a whole without the words ‘unless Member States decide otherwise’ and ‘and by a signal at least every 20 minutes during the programme’
Second part: ‘unless Member States decide otherwise’
Third part: ‘and by a signal at least every 20 minutes during the programme’

IND/DEM

am 91
First part: text as a whole without the word ‘or’
Second part: that word

Verts/ALE

am 62
First part: text as a whole without the words ‘or product placement’
Second part: those words

am 134
First part: paragraph 1
Second part: paragraph 2

am 218
First part: text as a whole without the words ‘The right to transfrontier … accordingly’
Second part: those words

am 223
First part: text as a whole without the words ‘and without undermining exclusive rights’
Second part: those words

am 224
First part: text as a whole without the word ‘general’
Second part: that word

PSE

am 193
First part: text as a whole without the words ‘concerts, theatre plays, operas’
Second part: those words
PPE-DE

am 148
First part: ‘1a. Member States shall … that Directive’
Second part: remainder

am 199
First part: ‘(ba) The following paragraph … case is urgent.’
Second part: remainder

am 201
First part: ‘(20a) The following Article … promote measures’
Second part: ‘in particular when … or authorisations’
Third part: remainder

am 222
First part: text as a whole without the word ‘solely’
Second part: that word

ALDE

am 182/197/242
First part: ‘The Member States … broadcasting system.’
Second part: remainder

am 189/209/230
First part: Text as a whole without a), c) point i) and f)
Second part: a)
Third part: c) point i)
Fourth part: f)

am 219
First part: ‘Product placement … they are introduced’
Second part: remainder

Requests for separate votes
Verts/ALE: am 56
PSE: recital 44
PPE-DE: ams 13, 47, 101, 102, 105, 106
ALDE: ams 61, 76, 116, 134

Miscellaneous
Amendments 164 and 165 had been cancelled.
Amendments 159, 217 and 245 had been withdrawn.
The PPE-DE Group had accepted amendment 29 as an addition to amendment 20.
The rapporteur proposed replacing ‘production aid’ by ‘production props’ throughout the text.
9. Establishing the European Globalisation adjustment Fund


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Amendment 30 did not concern all language versions and was therefore not put to the vote (Rule 151(1)(d)).

Amendment 96 had been cancelled.

10. Type approval of motor vehicles with respect to emissions and access to vehicle repair information ***I

Amendments 48 and 93 did not concern all language versions and were therefore not put to the vote (Rule 151(1)(d)).

Requests for split votes

Verts/ALE

**am 118**

First part: text as a whole without the words ‘from the dates set out in Article 9(3)’

Second part: those words

Requests for separate votes

Verts/ALE: am 73

Requests for roll-call votes

Verts/ALE: ams 60 and 91

IND/DEM: am 59

PSE: block 1, ams 91, 116 and 130, amended proposal and final vote


Report: Jim HIGGINS (A6-0432/2006)

Requests for separate votes

ALDE: am 1

Requests for roll-call votes

GUE/NGL: am 1

12. Banana sector *

Report: Jean-Claude FRUTEAU (A6-0422/2006)
Requests for roll-call votes

GUE/NGL: am 10

13. VAT arrangements for radio and television broadcasting and other services *


14. Legislative and work programme of the Commission for 2007

Tuesday, 13 December 2006

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Requests for split votes

ALDE

§ 4
First part: text as a whole without the words 'protection of atypical workers'
Second part: those words

§ 21
First part: text as a whole without the words 'protection of atypical workers'
Second part: those words

Miscellaneous

The Verts/ALE Group had withdrawn its signature from the joint motion for a resolution.
Konrad Szymański had also signed the joint motion for a resolution on behalf of the UEN Group.

15. Russia-EU Summit


<table>
<thead>
<tr>
<th>Subject</th>
<th>Am No</th>
<th>Author</th>
<th>RCV, etc.</th>
<th>Vote</th>
<th>RCV/EV — remarks</th>
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<td>§§ 3 and 4</td>
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<td>+</td>
<td>Switching order of paragraphs</td>
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<tr>
<td>§ 6</td>
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<td>309, 276, 8</td>
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<tr>
<td>§ 11</td>
<td>6</td>
<td>UEN</td>
<td>1/EV</td>
<td>-</td>
<td>289, 297, 5</td>
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<td>9</td>
<td>PPE-DE</td>
<td>EV</td>
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<td>After § 13</td>
<td>4</td>
<td>ALDE</td>
<td>+</td>
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<tr>
<td>After § 16</td>
<td>7</td>
<td>UEN</td>
<td>+</td>
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</tr>
</tbody>
</table>

vote: resolution (as a whole)
Amendment 2 had been cancelled.

Requests for split votes

UEN

am 6

First part: text as a whole without the words 'not excluding retaliatory steps'
Second part: those words

Miscellaneous

Motion for a resolution B6-0636/2006/rev. had been signed on behalf of the UEN Group by Ryszard Czarnecki, not Marek Aleksander Czarnecki.

The ALDE Group had proposed switching the order of paragraphs 3 and 4.


Motion for a resolution: B6-0643/2006

17. Enlargement Strategy and Main Challenges 2006-2007

<table>
<thead>
<tr>
<th>Subject</th>
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<th>Author</th>
<th>RCV, etc.</th>
<th>Vote</th>
<th>RCV/EV — remarks</th>
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<td>§</td>
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<td>split</td>
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<td>↓</td>
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<td>1</td>
<td>+</td>
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<td>After recital C</td>
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<td>ALDE</td>
<td>EV</td>
<td>+</td>
<td>304, 254, 32</td>
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</table>
Amendment 10 had been withdrawn.

Requests for roll-call votes

IND/DEM: § 14 and final vote
UEN: § 29

Requests for split votes

PSE

§ 15
First part: ‘Therefore urges … democratically’
Second part: ‘necessary’
Third part: ‘pre-requisite … enlargements,’ without the word ‘necessary’

PPE-DE

am 14/rev.
First part: text as a whole without the words ‘thereby excluding Turkey and the Western Balkans’
Second part: those words

am 9
First part: ‘Recalls that, during … to all accession countries,’
Second part: remainder

Requests for separate votes

PSE: § 43 and recital D
PPE-DE: recital A, §§ 11, 15, 16 and 25

Miscellaneous

Amendments 1 and 2 referred to the Thessaloniki Summit in 2003.

Elmar Brok moved an oral amendment to amendment 29, which now read as follows:

‘11. Considers that the Union's proper functioning rests on the unqualified adherence of all its members to the universal values that underlie the EU as a political project: the inalienable and inviolable rights of the human person, freedom, democracy, equality and the rule of law which make up the European identity;’
Elmar Brok moved an oral amendment to amendment 16, which now read as follows:

‘30a. Stresses that the Turkish refusal to fully comply with the terms of the Additional Protocol is seriously endangering the good progress of the accession negotiations; points out that the Council decision not to open the negotiations on eight important chapters covering policy areas relevant to Turkey's restrictions as regards the Republic of Cyprus and not to close provisionally any chapters is an unavoidable consequence of Turkey’s position on this issue; urges Turkey to cooperate in a constructive way to ensure full implementation of the Additional Protocol as soon as possible; welcomes in this respect the invitation addressed to the Commission to submit yearly reports on progress made in addressing the issues covered by the EU declaration of 21 September 2005.’

Giorgos Dimitrakopoulos moved an oral amendment to amendment 17, which now read as follows:

‘31. Sincerely deplores the fact that the efforts of the Finnish Presidency to find a solution to the current stalemate regarding the full implementation of the Additional Protocol on the one hand and further alleviating the isolation of Turkish Cypriots who live in the northern part of the island on the other hand were not successful; calls on the German Presidency to continue these efforts with determination;

Joost Lagendijk also moved an oral amendment to amendment 17 to include the words ‘in close cooperation with renewed UN efforts’.

The PPE-DE Group had agreed to amendment 29 as an addition.

18. The institutional aspects of the European Union’s capacity to integrate new Member States


<table>
<thead>
<tr>
<th>Subject</th>
<th>Am No</th>
<th>Author</th>
<th>RCV, etc.</th>
<th>Vote</th>
<th>RCV/EV — remarks</th>
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<td>7</td>
<td>PSE</td>
<td>+</td>
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</table>

vote: resolution (as a whole) RCV + 398, 99, 36
Requests for roll-call votes
IND/DEM: §§ 9(b), 9(e), 9(f), 9(g), 9(h) and final vote
Verts/ALE: am 4
Kirkhope et al: § 18 and final vote
ALDE: final vote

Requests for split votes

PSE

am 5
First part: text as a whole without the word 'further'
Second part: that word

Miscellaneous
Pervenche Berès had also signed amendment 7.
ANNEX II

RESULT OF ROLL-CALL VOTES


Option 1

For: 529


IND/DIM: Belder, Blokland, Sinnott, Tomczak

NI: Allister, Battilocchio, Beholosch, Chruszcz, Claes, De Michelis, Dilgen, Gyertych, Möller, Mussolini, Rivera, Romagnoli, Vanhecke, Wojciechowski, Bernard Fior


UEN: Angelilli, Aylward, Berlato, Bielan, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Didžiokienė, Foltyn-Kubicka, Grabowski, Janowski, Kristovskis, Kuc, Kuźmiuk, La Russa, Łabicki, Maldeikis, Masiel, Muscardini, Musumeci, Ö Nechtaïn, Pek, Piotrowski, Podkański, Rogalski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Zile

**Against:** 98

ALDE: Ries

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krap, Liottard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pfüger, Portas, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Batten, Bonde, Booth, Clark, Farage, Goudin, Knapman, Lundgren, Nattrass, Whittaker, Wise, Zelezny

NI: Bobošíková, Martin Hans-Peter

PPE-DE: Cabrnoch, Duchon, Hybásková, Langendries, Ouzký, Škottová, Strejček, Vlasák, Zahradil, Zvěřina

UEN: Borghezio


**Abstention:** 24

ALDE: Ek, Oviir, Savi

GUE/NGL: Ransdorf

IND/DEM: Coûteaux, Siderasfas, Siderasfas, Louis, de Villiers

NI: Baco, Gollnisch, Kozlík, Lang, Le Pen Marine, Le Rachinel, Martinez, Mote, Schenardi

PPE-DE: Grosch, Konrad, Lauk, Pieper, Reul

Verts/ALE: van Buitenen

**Corrections to votes**

For

Alfonso Andria, Pierre Moscovici, Jules Maaten, Mary Honeyball, Maria Carlshamre

**Abstention**

Pedro Guerreiro, Ilda Figueiredo


**Amendments 175 + 177 + 188**

**For:** 110

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krap, Liottard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pfüger, Portas, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Martin Hans-Peter

PSE: Arif, Berès, Bono, Bourzai, Carlotti, Castex, Cercas, Correa, Cottigny, Désir, Douay, Ferreira Anne, Fruteau, Hamon, Hazan, Hedh, Laignel, Le Foll, Navarro, Óger, Patrie, Peillon, Poignant, Reynaud, Roure, Saks, Savary, Trautmann, Vaugrenard, Vergnaud

Against: 539


GUE/NGL: Ransdorf

IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Krupa, Nattrass, Tomczak, Whittaker, Wise, Železny

NI: Allister, Bacon, Battilocchio, Behlendorf, Bobišťková, Chruszcz, De Michielis, Giertych, Gollnisch, Helmer, Lang, Le Peut Mariné, Racine, Ramey, Roland, Møller, Moulin, Mussolini, Rivera, Romagnoli, Schenardi, Wojciechowski, Bernard Piot


UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Grabowski, Janowski, Kristovskis, Kuc, Kuźmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ō Neachtain, Pek, Piotrowski, Podkasiński, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Zīle

Abstention: 14

ALDE: Ek, Oviir, Prodi, Savi, Sbarbati

IND/DEM: Karatzaferis

NI: Claeys, Dillen, Kozlík, Vanhecke

PPE-DE: Wijkman

PSE: Gröner, Occhetto

Verts/ALE: van Buitenen

Corrections to votes

For

Henri Weber

Against

Anna Hedh


Amendments 176 + 178

For: 94

ALDE: Jääätteenmäki, Resetarits, Ries

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohtšćek, Krul und, Liard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Paříls, Papadimoulis, Pflüger, Ransdorf, Remek, Rizzo, Seppänens, Strässer, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Bonde, Coutéaux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Mölzer, Romagnoli, Schenardi

PPE-DE: Hybášková

PSE: Peillon, Zingaretti


Against: 552


Amendment 173

For: 96


IND/DEM: Belder, Blokland, Bonde, Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Claey, Dillen, Gollnisch, Lang, Le Pen Marine, Le Rachin, Martin Hans-Peter, Martinez, Mölzer, Romagnoli, Schenardi, Vanhecke

PPE-DE: Langendries

PSE: Bourzai

Verts/ALE: Aubert, Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans Jill, Frassoni

PSE: Bourzai

PSE: Langendries

PPE-DE: Langendries

Against: 559


IND/DEM: Batten, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Tomczak, Whittaker, Wise, Želevska

NI: Allister, Bartolocchio, Belohorská, Bobošková, Chruszcz, De Micheli, Giertych, Helmer, Mote, Mussolini, Rivera, Wojciechowski Bernard Piotr

Wednesday, 13 December 2006


**UEN**: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuc, Kuzmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, O Neachtain, Pek, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tarealla, Vaidere, Wojciechowski Janusz, Zapalowski

**IND/DEM**: Karatzaferis, Krupa

**NI**: Baco, Kožlík

**Verts/ALE**: van Buitenen

**Corrections to votes**

**Against**

Bernadette Bourzai


**Amendment 179**

**For**: 109

**ALDE**: Resetarits

**GUE/NGL**: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Koblíček, Kranz, McDonald, Manolakou, Maštalík, Meijer, Meyer Pleite, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Streng, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

**IND/DEM**: Bonde, Côteaux, Goudin, Louis, Lundgren, de Villiers

**NI**: Martins Hans-Peter

**PSE**: Arif, Berès, Bourzai, Carlotti, Castex, Chiesa, Cottigny, De Rossa, Désir, Douay, Ferreira Anne, Fruteau, Hamon, Hazan, Hutchinson, Laipmann, Le Foll, Moscovici, Navarro, Pahor, Patrie, Peillon, Poignant, Reynaud, Roure, Savary, Vaugrenard, Vergnaud

**Against: 530**


**IND/DEM:** Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Sinnott, Tomczak, Whittaker, Wise, Żeleźny

**NI:** Allister, Baco, Battilocchio, Belohorská, Bobošková, Chruszcz, De Michielis, Giertych, Helmer, Mote, Musolini, Rivera, Wojciechowski Bernard Piotr


**UEN:** Angelilli, Aylward, Berlato, Bielan, Borghexio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokaš, Foglietta, Folyń-Kubiczka, Gobbo, Grabowski, Janowski, Kristovskis, Kuc, Kužmiuk, La Russa, Libiboci, Maldeksi, Masiel, Muscardini, Musumeci, Ō Neachtain, Pek, Piotrowski, Podkasiński, Rogalski, Roszkowiec, Ryan, Szymański, Tarellara, Vaidere, Wojciechowski Janusz, Zapalowski, Zile
Wednesday, 13 December 2006

Abstention: 20

ALDE: Ek, Oviir, Savi
IND/DEM: Karatzafiris, Krupa
NI: Claeys, Dillen, Gollnisch, Kozlík, Lang, Le Pen Marine, Mölzer, Romagnoli, Schenardi, Vanhecke
PPE-DE: Wijkman
PSE: Gröner, Occhetto, Rocard
Verts/ALE: van Buitenen

Corrections to votes

For

Henri Weber


Amendment 180

For: 83

ALDE: Resetarits
IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers
NI: Martin Hans-Peter
PSE: Chiesa, Vaugrenard, Vergnaud

Against: 542

GUE/NGL: Ransdorf
IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Tomczak, Whittaker, Wise, Zelezny
NI: Allister, Bacó, Battilocchio, Belohorská, Bobošíková, Chrusscz, De Michelis, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rチンnel, Martinez, Mölzer, Mote, Mussolini, Rivera, Schenardi, Wojciechowski Bernard Piotr


Verts/ALE: Lipietz

Abstention: 39

ALDE: Ek, Ovčir, Savi

IND/DEM: Karatzaferis, Krupa

NI: Clearys, Dillon, Kozlisk, Romagnoli, Vanhecke

PPE-DE: Wijkman
Wednesday, 13 December 2006

PSE: Arif, Berès, Bourzai, Carlotti, Castex, Cottigny, Désir, Douay, Ferreira Anne, Fruteau, Gröner, Hamon, Hazan, Hutchinson, Laignel, Le Foll, Moscovici, Navarro, Occet, Le Pallekès, Patrie, Peillon, Poignant, Reynaud, Roccard, Roure, Savary

Verts/ALE: van Buitenen

Corrections to votes

For

Alain Lipietz

Abstention

Henri Weber


Amendment 183

For: 109

ALDE: Harkin, Resetarits


IND/DEM: Coûteaux, Goudin, Louis, Lundgren, de Villiers

NI: Martin Hans-Peter

PSE: Arif, Berès, Bono, Bourzai, Carlotti, Castex, Chiesa, Cottigny, Désir, Douay, Ferreira Anne, Fruteau, Guy-Quint, Hamon, Hazan, Hutchinson, Laignel, Moscovici, Navarro, Patrie, Peillon, Poignant, Reynaud, Roure, Savary, Schapira, Vaugrenard, Vergnaud

Against: 529


IND/DEM: Batten, Belder, Blokland, Bloom, Bonde, Booth, Clark, Farage, Knapman, Krupa, Nattrass, Sinnott, Tomczak, Whittaker, Wise, Żelezny

NI: Allister, Baco, Battilocchio, Belohorská, Bobošíková, Chruszcz, De Michelis, Giertycz, Helmer, Mote, Mussolini, Rivera, Wojciechowski Bernard Piotr
Abstention: 22
Corrections to votes

For

Henri Weber


Amendment 184

For: 84

ALDE: Resetarits


IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, de Villiers

NI: Martin Hans-Peter

PSE: Chiesa, Vaugrenard, Vergnaud


Against: 531


IND/DEM: Batten, Belder, Bloklund, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Noonan, Tomczak, Wittaker, Wise, Železný

NI: Allister, Baco, Battilocchio, Belošovská, Chruszcz, De Michielis, Giertych, Helmer, Mote, Mussolini, Rivera, Wojciechowski, Bernard Piot


UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Diogo, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowska, Kuci, Kuźmiuk, La Russa, Libicki, Maldeikis, Masel, Muscardini, Musumeci, O Neachtain, Pek, Piotrowski, Podkasiński, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarrella, Vaidere, Wojciechowski Janusz, Zapałowski, Zile

**Abstention:** 50

ALDE: Ek, Oviir, Savi

IND/DEM: Karatzafiras, Krupa

NI: Claes, Dillen, Gollnisch, Kozlík, Lang, Le Pen Marine, Le Rachinel, Martinez, Mölzer, Romagnoli, Schenardi, Vanhecke

PPE-DE: Roithová, Wijkman, von Wogau

PSE: Afri, Berès, Bourzai, Carlotti, Castex, Cottigny, Désir, Douay, Ferreira Ana, Fruteau, Gröner, Hamon, Hazan, Hutchinson, Lagé, Le Foll, Moscovici, Navarro, Occhetto, Palecek, Patie, Peillon, Poignant, Reynaud, Rocard, Roure, Savary, Schapira, Trautmann

Verts/ALE: van Buitenen

**Corrections to votes**

**Abstention**

Henri Weber


**Amendment 185**

**For:** 86

ALDE: Reseatris


IND/DEM: Bonde, Cout àux, Goudin, Louis, Lundgren, de Villiers

NI: Le Rachinel, Martin Hans-Peter

PSE: Castex, Chiesa, Vaugrenard, Vergnaud
Wednesday, 13 December 2006


**Against: 527**


**IND/DEM:** Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Sinnott, Tomczak, Whittaker, Wise, Želensy

**NI:** Allister, Baco, Battilocchio, Belohorská, Bobošková, Chruszc, De Michelis, Giertych, Helmer, Mote, Mussolini, Rivera, Wojciechowska Bernard Piotr


Abstention: 47

ALDE: Ek, Oviir, Savi

IND/DEM: Karatzafis, Krupa

NI: Claeys, Dillen, Gollnisch, Kozlík, Lang, Le Pen Marine, Martinez, Mölzer, Romagnoli, Schenardi, Vanhecke

PPE-DE: Roithová, Wijkman

PSE: Arif, Berès, Bourzai, Carlini, Cottigny, Désir, Douay, Ferreira Anne, Fruteau, Gröner, Hamon, Hazan, Hutchison, Laignel, Le Foll, Moscovi, Navarro, Ochottero, Patrie, Peillon, Poignant, Reynaud, Rocard, Roure, Savary, Schapira, Trautmann, Weber Henri

Verts/ALE: van Buitenen


Amendment 186

For: 88

ALDE: Resetarits


IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, de Villiers

NI: Gollnisch, Lang, Le Pen Marine, Martin Hans-Peter, Martinez, Schenardi

PSE: Chiesa, Vaugrenard, Vergnau


Against: 529


IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Sinnott, Tomczak, Whittaker, Wise, Železný

NI: Allister, Baco, Battilocchio, Belohorská, Bobošiková, Chruszcz, De Michelis, Giertycz, Helmer, Mote, Mussolini, Rivera, Wojciechowski Bernard Piotr
Wednesday, 13 December 2006


**ALDE:** Ek, Orvri, Savi

**IND/DEM:** Karatzaferis, Krupa

**NI:** Claey, Dillon, Kozlik, Mólzer, Romagnoli, Vanhecke

**PPE-DE:** Roithová, Wijkman

**PSE:** Arif, Berès, Bourzai, Carlotti, Castex, Cottigny, Désir, Douay, Evans Robert, Ferreira Anne, Fruteau, Gröner, Hamon, Hazan, Hutchinson, Laignel, Le Foll, Moscovici, Navarro, Occheto, Patrice, Peillon, Poignant, Reynaud, Rocard, Roure, Savary, Schapira, Trautmann, Weber Henri

**Verts/ALE:** van Buiten

Amendment 187

**For:** 121

**AGAINST:** 528

ALDE: Restarits

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krapov, Liotard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Paflis, Papadimoulis, Pflüger, Portas, Randsdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Bonde, Coiteux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Claeys, Dillon, Gollsch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Mölzer, Romagnoli, Schenardi


ITAL: Zappalà, Zatloukal, Zieleniec, Zvěřina, Zwiefka


Down: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Tomczak, Whittaker, Wise, Zelensky

NI: Allister, Battilocchio, Belohorská, Bobošíková, Chruszczy, De Michielis, Giertych, Helmer, Mote, Müssolini, Rivera, Wojciechowski Bernard Piotr


ALDE: Restarits

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krapov, Liotard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Paflis, Papadimoulis, Pflüger, Portas, Randsdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Bonde, Coiteux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Claeys, Dillon, Gollsch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Mölzer, Romagnoli, Schenardi


Wednesday, 13 December 2006


UEN: Angelilli, Aylward, Berlato, Bielan, Borgheliozio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Diakov, Foglietta, Foltyn, Grabowski, Janowski, Kristovskis, Kuc, Kuzmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ó Neachtain, Pęc, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarrella, Vaidere, Wojciechowski Janusz, Zapałowski, Zień

Abstention: 13

ALDE: Ek, Oviir, Savi

IND/DEM: Karatzaferis, Krupa

NI: Baco, Kozlík, Vanhecke

PPE-DE: Wijkman

PSE: Gröner, Occhetto, Rocard

Verts/ALE: van Buitenen


Amendment 189

For: 87

ALDE: Resetarits


IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Martin Hans-Peter

PSE: Castex, Chiesa, Correa, Hutchinson, Navarro, Patrie


Against: 551

Wednesday, 13 December 2006

IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Tomczak, Whittaker, Wise, Zelezný

NI: Allister, Battilocchio, Belohorská, Bobošková, Chruszcz, Claey, De Michielis, Dillon, Giertych, Helmer, Mote, Mussolini, Rivera, Vanhecke, Wojciechowski Bernard Piotr


Abstention: 21

ALDE: Ek, Oviri, Savi

IND/DEM: Karatzaferis, Krupa

NI: Baco, Gollnisch, Kozlík, Lang, Le Pen Marine, Martínez, Mölzer, Romagnoli, Schenardi

Amendment 190

For: 110

Against: 534

Wednesday, 13 December 2006

PPE-DE: Roithová, Wijkman

PSE: Gröner, Laignel, Occhetto, Vergnaud

Verts/ALE: van Buitenen

ALDE: Resetarits


IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, Simott, de Villiers

NI: Martin Hans-Peter

PSE: Arif, Berès, Bourzai, Carlotti, Castex, Chiesa, Cottigny, Douay, Ferreira Anne, Frateau, Hamon, Hazan, Hutchinson, Laignel, Le Foll, Moscovici, Navarro, Patrie, Peillon, Poignant, Reynaud, Roure, Savary, Schapira, Trautmann, Vaugrenard, Veron, Weber Henri


IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Fringe, Knapman, Tomczak, Whittaker, Wise, Zelezný

NI: Allister, Battilocchio, Belohorská, Bobošíková, Chruszczy, Claes, De Michelis, Dillen, Giertycz, Helmer, Mote, Mussolin, Rivera, Vanhecke, Wojciechowski Bernard Piotr


PSE: Andersson, Arnautakis, Ayala Sender, Badia I Cutchet, Barón Crespo, Batzeli, Bečová, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Burg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlinguer, Berman, Bösch, Bono, Bozkurt, Bullmann, van den Berg, Berger, Berlingue

Abstention: 21

ALDE: Ek, Oviir, Savi

IND/DEM: Karatzaferis, Krupa

NI: Baco, Gollnisch, Kozlík, Lang, Le Pen Marine, Le Rachinel, Martínez, Mólzer, Romagnoli, Schenardi

PPE-DE: Roithová, Wijkman

PSE: Gröner, Occhetto, Rocard

Verts/ALE: van Buitenen


Resolution

For: 606


GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Flasaróvá, Guidoni, Holm, Kaufmann, Kohlíček, Liotard, McDonald, Maštálka, Meijer, Meyer Pleite, Musacchio, Papadimoulis, Pflüger, Portas, Randsorf, Remek, Rizzo, Seppänen, Strož, Svensson, triantaphyllides, Wagenknecht, Wurtz, Zimmer

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Against: 28
NI: Chruszc z, Claets, Dillen, Giertych, Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martinez, Mölzer, Schenardi, Vanhecke, Wojciechowski Bernard Piotr

PPE-DE: Duchoň, Ouzký

UEN: Grabowski

Abstention: 16

GUE/NGL: Figueiredo, Guerreiro, Henin, Krarup

IND/DEM: Coûteaux, Louis, de Villiers

NI: Baco, Mote

PPE-DE: Heaton-Harris

UEN: Angelilli, Borghezio, Camre, Gobbo, Musumeci

Verts/ALE: van Buitenen

Corrections to votes

For

Alexander Radwan


Amendment 167

For: 71

ALDE: Veraldi

GUE/NGL: Agnoletto, Aita, Catania, Figueiredo, Guerreiro, Guidoni, Holm, Krarup, Liotard, Maštálka, Meijer, Musacchio, Pflüger, Rizzo, Seppänen, Svensson, Triantaphyllides, Wagenknecht

IND/DEM: Batten, Bloom, Booth, Clark, Coûteaux, Farage, Knapman, Krupa, Louis, Lundgren, Nattrass, de Villiers, Whittaker, Wise, Železný

NI: Allister, Bobošíková, Claets, Dillen, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martino, Mölzer, Mote, Mussolini, Romagnoli, Schenardi, Vanhecke

PPE-DE: Cabrnnoch, Callanan, Duchoň, Hannan, Heaton-Harris, Hybašková, Kamall, Ouzký, Škottová, Strejček, Van Orden, Vlasák, Zahradil, Zvěřina

PSE: Chiesa

UEN: Kužmiuk

Verts/ALE: Schlyter, Staes, Turmes, Voggenhuber

Against: 556


GUE/NGL: Brie, Flasarová, Kaufmann, Kohlíček, Meyer Pleite, Papadimoulis, Portas, Remek, Strež, Zimmer
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**IND/DEM**: Belder, Blokland, Goudin, Karatzaferis, Sinnott, Tomczak

**NI**: Battilocchio, Belohorská, Chruscz, De Michelis, Giertych, Rivera, Wojciechowski Bernard Piotr


**UEN**: Angelilli, Aylward, Berlatto, Biel, Borgezio, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didikoski, Foglietta, Folykus-Kubicza, Goebbels, Grabowska, Janowska, Kristovska, Kuc, La Russa, Libicki, Maldeikis, Masiel, Musumeci, Ö Neachtain, Pek, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Zsanyáni, Tatarrella, Vaidere, Wojciechowski Janusz, Zapałowski, Zile

**Verts/ALE**: Aubert, Auken, Beer, Bennnahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans, Jfll, Frassoni, Graefle zu Baringdorf, de Groen-Kouwenhoven, Hammerstein Mintz, Hassi, Horáček, Hudgton, Isler Béguin, Joan i Mari, Jonckheer, Kallenbach, Kussatzsch, Lagendijk, Lambert, Lipietz, Özdemir, Onesta, Romeva i Rueda, Rühle, Schroedter, Smith, Trüpel, Ždanoka

**Abstention**: 11

**ALDE**: Toia

**GUE/NGL**: de Brún, Henin, McDonald, Manolakou, Papalilia

**IND/DEM**: Bonde
NI: Baco, Kozlík
PPE-DE: Sommer
Verts/ALE: van Buitenen

Corrections to votes

For

Hélène Goudin

Against

Bart Staes


Amendment 172

For: 276

ALDE: Andria, Bourlanges, Cocilovo, Costa, Degusis, Deprez, Diđkutė, Fourtou, Gibault, Griesbeck, Laperrrouze, Lehideux, Losco, Morillon, Samuelson, Susta, Toia, Veraldi


IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, de Villiers

NI: Chruszcz, Giertych, Martin Hans-Peter, Wojciechowski Bernard Piotr

PPE-DE: Seeberg


UEN: Camre, Kuc, Piotrowski


Against: 370


Amendments 198 + 240

For: 270

ALDE: Andria, Beauquy, Cocilovo, Costa, Deprez, Gibault, Griesbeck, Laperrrouze, Lehideux, Losco, Morillon, Prodi, Sharbati, Susta, Toia, Veraldi
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PSE: Lehtinen
UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kužniuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ó Neachtain, Pek, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapałowski, Zile

Abstention: 13

ALDE: Samuelsen
GUE/NGL: Manolakou, Pafilis
IND/DEM: Coûteaux, Krupa, Louis, de Villiers
NI: Baco, Kozlík, Rivera
PSE: Titley
UEN: Piotrowski
Verts/ALE: van Buitenen

Corrections to votes

For
Eija-Riitta Korhola, Jean-Louis Bourlanges

Amendment 199/1

For: 391

GUE/NGL: de Brún, Guerreiro, Guidoni, Holm, Liotard, McDonald, Meijer, Pflüger, Rizzo, Seppänen, Svensson, Triantaphyllides, Wagenknecht
IND/DEM: Belder, Blokland, Goudin, Karatzaferis, Lundgren, Sinnott, Tomczak
NI: Battilocchio, Belohorská, Chruszcz, De Michelis, Giertych, Mussolini, Rivera, Wojciechowski Bernard Piotr
UEN: Kuc, Muscardini, Piotrowski


Abstention: 15

ALDE: Beaupuy, Fourtou

GUE/NGL: Manolakou, Pafilis

IND/DEM: Bonde, Coûteaux, Krupa, Louis, de Villiers

NI: Baco, Kozlík

PSE: Liberadzki, Locatelli

Verts/ALE: van Buitenen


Amendment 220

For: 343


IND/DEM: Goudin, Krupa, Lundgren, Sinnott, Tomczak, Železný

NI: Allister, Battilocchio, Belohorská, De Michielis, Helmer, Mussolini, Wojciechowski, Bernard Piotr

PSE: Gurmai, Honeyball, Howitt, Lehtinen, Martin David, Siwiec, Van Lancker, Weber Henri, Yañez-Barnuevo García, Zingaretti

UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Foglietta, Folyyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuc, Kužmit, La Russa, Libicki, Maldeikis, Masiel, Musumeci, Ō Neachtain, Pek, Piotrowski, Pilkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapałowski, Zile

Verts/ALE: Smith

Against: 302

ALDE: Andria, Beaupuy, Bourlanges, Cecílio, Costa, Degutis, Deprez, Dickuté, Fourtou, Gibault, Griesbeck, Laperrouze, Léhideux, Losco, Morillon, Onyszkiewicz, Prodi, Samuelsen, Susta, Toia, Veraldi


IND/DEM: Batten, Belder, Blokland, Bloom, Bonde, Booth, Clark, Coûteaux, Karatzaferis, Knapman, Louis, Nattrass, de Villiers, Whittaker, Wise

NI: Bobošiková, Gollnisch, Lang, Le Pen Marine, Le Rychel, Martin Hans-Peter, Martinez, Mölzer, Mote, Romagnoli, Schenardi

PPE-DE: Audy, Bachelot-Narquin, Fjellner, Fontaine, García-Margallo y Marfil, Gaubert, Gauzès, Lamassoure, Mathieu, Ó Neachtain, Smit, Seeberg, Sudre, Toubon


UEN: Muscardini

N: Baco, Chriszcz, Claes, Dillen, Kozlik, Rivera, Vanhecke

PPE-DE: Belet, Brepoels, Dehaene, Grosch, Langendries, Thyssen

Verts/ALE: van Buitenen, Rühle

Abstention: 15
Corrections to votes

Against

Marie-Hélène Descamps, Ieke van den Burg, Ambroise Guellec, Henri Weber

Abstention

Hélène Goudin, Nils Lundgren


Amendment 183

For: 208

ALDE: Ek, Schmidt Olle
GUE/NGL: Holm, Krarup, Liotard, Meijer, Seppänen, Svensson
IND/DEM: Sinnott, Železný
NI: Bobošíková, Martin Hans-Peter, Romagnoli
PPE-DE: Cabrnoch, DUCHOŇ, HŮMKAR, HYBAŠKOVÁ, ŠKOTOSOVÁ, STREJČEK, VLASÍK, WIJKMAN, ZAHRADIL, ZVĚŘINA

UEN: Kuc, Ryan


Against: 438

Wednesday, 13 December 2006

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Kaufmann, Kohlíček, McDonald, Manolakou, Mašťála, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Stroß, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Goudin, Karatzaferis, Knapman, Krupa, Lundgren, Nattrass, Tomczak, Whittaker, Wise

NI: Allister, Battilocchio, Chruszcz, De Michielis, Dillon, Giertych, Gollnisch, Helmer, Lang, Le Pen, Martinez, Pflüger, Portas, Ransdorf, Remek, Rizzo, Strož, Triantaphyllides, Wagenknecht, Wurtz, Zimmer


PSE: Berlinguer, Chiesa, Corbett, Evans, Faazkas, Frateau, Gill, Goebbels, Gottardi, Grech, Gruber, Hegyi, Honeyball, Howitt, Hughes, Kinnoch, Kreissl-Dörfler, Lastra, McCarthy, Mann, Martin, Martin, Morgan, Occhettò, Panzeri, Pittella, Sacconi, Simpson, Skinner, Stihler, Titolo, Willmott

UEN: Angelilli, Aywier, Berloa, Bielan, Borghézio, Camre, Crowley, Czarnecki, Marek, Czarnecki, Ryszard, Didžiokas, Foglietta, Folyon-Kubicka, Gobbo, Grabowski, Janowska, Kuzmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Smiech, O Neachtain, Pek, Piotrowski, Podkaiski, Rogalski, Roszkowski, Rutowicz, Szymański, Tatarella, Vaidere, Wojciechowski, Janusz, Zapałowski, Zile

Abstention: 13

ALDE: Samuelsen

IND/DEM: Bonde, Coûteaux, Louis, de Villiers

NI: Baco, Belohorská, Kozlík

PSE: van den Burg, Locatelli, Rapkay, Roth-Behrendt

Verts/ALE: van Buitenen

Corrections to votes

For

Ieke van den Burg

Against

Linda McAvan

Amendment 226

For: 325


IND/DEM: Bonde, Goudin, Lundgren, Sinnott

NI: Allister, Battilocchio, Belohorská, Chruszczy, De Michielis, Giertych, Helmer, Mussolini, Rivera, Wojciechowski Bernard Piotr


PSE: Dobolyi, Goebbels, Gurma, Guy-Quint, Lehtinen, Mann Erika, Rapkay, Roth-Behrendt


Verts/ALE: Rühle

Against: 308

ALDE: Andria, Bourlanges, Costa, Degutsis, Deprez, Dičkutė, Gisbault, Griesbeck, Laperrrouze, Lehideux, Losco, Morillon, Prodi, Samuelsen, Sust, Toia, Veraldi


IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Coiteux, Farage, Karatzaferis, Knapman, Krupa, Louis, Nattrass, Tomczak, de Villiers, Whittaker, Wise, Zelezný
NI: Bobošíková, Claeyts, Dillem, Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martínez, Möller, Romagnoi, Schnedin, Vanhecke

PPE-DE: Cabrnoch, Castiglione, Ducheň, Fjellner, Hökmark, Hybšiková, Ibrisagic, McGuinness, Mitchell, Ouzky, Seeberg, Škotová, Streček, Vakalis, Vlasák, Zahradil, Zvěřina


UEN: Grabowski, Kuc, Piotrowski, Rogalski, Zapałowski


Abstention: 24

ALDE: Ries

GUE/NGL: Manolakou, Pafilis

NI: Baco, Kozlík, Mote

PPE-DE: Belet, Brepoels, Coveney, Demetriou, Dimitrakopoulos, Gklavakis, Grosch, Hatzidakis, Langendries, Mavrommatis, Panayotopoulous-Cassiotou, Papastamkos, Samaras, Thyssen, Varvitsiotis

UEN: Didžiokas

Verts/ALE: van Buitenen, Jonckheer


Amendment 174

For: 123

ALDE: Andria, Beaupuy, Bourlanges, Costa, DeGutis, Deprez, Dičkutė, Rosco, Prodi, Samuelsen, Susta, Toia, Veraldi


IND/DEM: Bonde, Sinnott

NI: Martin Hans-Peter

PPE-DE: Berend, Mauro, Seeberg, Vernola

PSE: Andersson, Berlinguer, Bösch, van den Burg, Chiesa, Christensen, Corbett, Ett, Gebhardt, Gomes, Gottardi, Grönér, Gruber, Hedh, Hedkvist Petersen, Hegyi, Hughes, Larva, Leichtfried, Locatelli, Muscat, Napoletano, Panzeri, Pittella, Sacconi, Savary, Schäldemose, Scheele, Segelström, Tarand, Thomsen, Westlund

UEN: Camre
Wednesday, 13 December 2006


Against: 528


GUE/NGL: Portas

IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Coiteux, Farage, Goudin, Karatzaferis, Knapman, Krupa, Louis, Lundgren, Nattrass, de Villiers, Whittaker, Wise, Zelezný

NI: Allister, Battilocchio, Belohorskã„, Boã®skãovã„, Chruszcz, Claey, De Michelis, Dilla, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Ruche, Martinez, Mõžzer, Mote, Mussolini, Romagnoli, Schenardi, Vanhecke, Wojciechowski, Bernard Piotr


EN
C 317 E/288

23.12.2006

Amendment 227/1

For: 595


IND/DEM: Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Allister, Battilocchio, Belohorská, Claeys, De Michelis, Dillen, Helmer, Martin Hans-Peter, Mölzer, Mussolini, Rivera, Romagnoli, Vanhecke

Wednesday, 13 December 2006


**UEN**: Angelilli, Aylward, Berlato, Bielan, Borghesio, Camre, Crowley, Czarnecki Marek Aleksander, Didziokas, Foglietta, Foltyn-Kubicka, Gobbo, Janowski, Kristof, Kuc, Kuźmiuk, La Russa, Maldeikis, Masiel, Musumeci, Śtefančík, Podkasiak, Roszkowski, Rutowicz, Ryan, Szymański, Tataru, Vaidere, Zile

**Verts/ALE**: Aubert, Auken, Beer, Benniahias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans, Frassoni, Grant, Groote zu Baringdorf, de Groen-Kouwenhoven, Hammerstein Mintz, Hassi, Horáček, Hudghton, Isler, Jonckheer, Kallenbach, Karatzaferis, Knapman, Krupa, Nattrass, Tomczak, Whittaker, Wise, Železný

**NI**: Bobošíková, Chruszczy, Giertych, Gollnisch, Lang, Le Pen, Le Rachinel, Martinez, Mote, Schenardi, Wojciechowski Bernad Piotr

**PPE-DE**: Cabrnoch, Duchon, Ebner, Hybašková, Maat, Ouzký, Seeberg, Škottová, Strejček, Vlasák, Zahradil, Zvěřina

**PSE**: Correia, Roth-Behrendt

**UEN**: Czarnecki Ryszard, Grabowski, Libicki, Muscardini, Pek, Piotrowski, Rogalski, Wojciechowski Janusz

**ALDE**: Samuelson

**GUE/NGL**: Manolakou, Pafilis

**IND/DEM**: Batten, Belder, Blokland, Bloom, Boo, Booth, Clark, Farage, Karatzaferis, Knapman, Krupa, Nattrass, Tomczak, Whittaker, Wise, Železný

**NI**: Baco, Kozlík

**Verts/ALE**: van Buitenen

**Corrections to votes**

**Against**: 52

**Abstention**: 3

Amendment 227/2

For: 349


GUE/NGL: Holm, Krarup, Lioutard, Meijer, Seppänen, Svensson

IND/DEM: Coûteaux, Louis, de Villiers

NI: Allister, Baco, Battilocchio, Belohorská, Chruszcz, De Michelis, Gómez-Pintos, Helmer, Mussolini, Rivera, Wojciechowski, Bernard Piot


PSE: Casaca, Goebbels, Hazan, Lehtinen, McAvan, Paasilinna, Rasmussen, Wiersma

UEN: Angelilli, Aylward, Berlato, Bielan, Borghesio, Camre, Crowley, Czarnecki Marek Aleksander, Didžiokaitė, Foggia, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kužiukaitė, La Russa, Libicki, Maldeikis, Masiel, Musumeci, Ō Neachtain, Pek, Podkański, Roszkowski, Rutowicz, Ryan, Szymański, Tatar, Vaidere, Zile

Verts/ALE: Rühle

Against: 290

ALDE: Andria, Beaufays, Bourlanges, Cort, Deguitis, Deprez, Fourtou, Gibault, Griesbeck, Laprérouse, Luhé, Losco, Morillon, Prodi, Samuelsen, Souta, Verdi

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Flasarová, Guarini, Guidoni, Henin, Kaufmann, Kohlíček, McDonald, Manolakou, Matělka, Meyer Pleite, Musacchio, Pažitný, Papadimoulis, Pfleger, Porta, Ransdorf, Remek, Rizzo, Stroß, Wagenknecht, Wurtz, Zimmer
Wednesday, 13 December 2006

**IND/DEM**: Batten, Belder, Blokland, Bloom, Bonde, Booth, Clark, Farage, Karatzaferis, Knapman, Nattrass, Sinnott, Tomczak, Whittaker, Wise, Železný

**NI**: Bobošíková, Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martínez, Mote, Schenardi

**PPE-DE**: Duchoň, Ebner, Ouzký, Seeberg, Škotová, Strejček, Sumberg, Vlasák, Wieland, Zahradil, Zvěřina


**UEN**: Czarnecki Ryszard, Kuc, Piotrowski, Rogalski, Zapalowski


**Abstention**: 13

**ALDE**: Cocillovo

**GUE/NGL**: Triantaphyllides

**IND/DEM**: Goudin, Krupa, Lundgren

**NI**: Claës, Dillen, Kozluk, Möller, Romagnoli, Vanhecke

**PSE**: Hegyi

**Verts/ALE**: van Buitenen

**Corrections to votes**

Against

Linda McAvan, Jens Holm, Eva-Britt Svensson


**Amendment 227/3**

**For**: 413

**ALDE**: Beaupuy, Bourlanges, Deguits, Deprez, Gibault, Griesbeck, Laperrrouze, Lehideux, Morillon, Neyts-Uyttebroeck, Scharbati

**GUE/NGL**: Holm, Krarup, Liotard, Meijer, Seppänen, Svensson

**IND/DEM**: Bonde, Coûteaux, Louis, de Villiers

**NI**: Allister, Battilocchio, Belohorská, De Micheli, Helmer, Mussolini


**Verts/ALE:** Rühle, Schlyter

**Against:** 222


**GUE/NGL:** Agnoletto, Aita, Brie, Catania, de Brún, Flasarová, Gerber, Guidoni, Henin, Kaufmann, Kohlíček, McDonald, Manolakou, Maštálka, Meyer Pleite, Musacchio, Paillls, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Strož, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

**IND/DEM:** Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Knapman, Nattrass, Sinnott, Tomczak, Whittaker, Wise, Železný
Wednesday, 13 December 2006

NI: Bobošíková, Chruszcz, Giertych, Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Mote, Schenardi, Wojciechowski Bernard Piotr

PPE-DE: Audy, Bachelot-Narquin, Belet, Brepols, Cabronoch, Descamps, De Veyrac, Duchoň, Ebner, Fjellner, Fontaine, Galeote, Gauzès, Grosch, Grossetête, Guellec, Hökmark, Hybášková, Ibrisagic, Kauppi, Lamassoure, Mathieu, Ouzký, Purvis, Saïfi, Seeberg, Škotová, Strejček, Stubb, Sudre, Toubon, Vlasák, Vlasto, Wieland, Wijkman, Zahradil, Zvěřina

PSE: Andersson, Batzeli, Berger, Bösch, Chiesa, Christensen, Ettl, Gebhardt, Gottardi, Grech, Gruber, Hedh, Hedkvist Petersen, Kindermann, Krehl, Lehtinen, Leichtfried, Locatelli, Napoletano, Oger, Panzeri, Pécyk, Pittella, Prets, Roth-Behrendt, Sacconi, Schaldemose, Schapira, Scheele, Segelström, Tarand, Thomsen, Westlund

UEN: Muscardini, Piotrowski


Abstention: 14

IND/DEM: Goudin, Krupa, Lundgren

NI: Baco, Kozlík, Molzer, Rivera, Romagnoli, Vanhecke

PPE-DE: Dehaene, Kamall, Lewandowski

PSE: Occhetto

Verts/ALE: van Buitenen


Amendment 175

For: 263

ALDE: Andria, Beaupuy, Bourlanges, Degutis, Deprez, Dičkus, Griesbeck, Toia

GUE/NGL: Agnoletto, Aita, Brie, Catania, Flasarová, Henin, Holm, Kaufmann, Liard, McDonald, Maštálka, Meyer, Meyer Pleite, Musacchio, Papadimoulis, Ransdorf, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wurtz, Zimmer

IND/DEM: Bloom, Bonde, Booth, Clark, Farage, Knapman, Nattrass, Sinnott, Whittaker, Wise

NI: Belohorská, De Michelis, Martin Hans-Peter

PPE-DE: Bonsignore, Ehler, Graça Moura, de Grandes Pascual, Guellec, Piks, Pirker, Silva Peneda, Ventre, Vernola

Wednesday, 13 December 2006

UE: Aylward, Camre, Crowley, Janowski, Kuc, Muscardini, Musumeci, Ó Neachtain, Podkański, Ryan, Vaidere, Žile


Against: 355


GUE/NGL: de Brún, Pflüger, Wagenknecht

IND/DEM: Belder, Blokland, Coûteaux, Goudin, Karatzaferis, Krupa, Louis, Lundgren, Tomczak, de Villiers, Zelezny

NI: Allister, Battilocchio, Bobošíková, Chruszcz, Claes, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martínez, Mölzer, Mote, Musolinii, Schenardi, Vanhecke, Wojciechowski

Bernard Piotr


PSE: Batzeli, Désir, Grech, Gruber, Lehtinen

UE: Angelilli, Berlato, Bielan, Borghelzio, Czarnecki Ryszard, Didziokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Kuźmiuk, La Russia, Libicki, Maldeiks, Masiel, Pek, Piotrowski, Rogalski, Roszkowski, Rutowicz, Szymański, Tatalle, Wojciechowski Janusz, Zapałowski

Porn: Schlyter

Abstention: 11

GUE/NGL: Krarup

NI: Baco, Kozlík, Rivera
Wednesday, 13 December 2006

**PPE-DE**: Siekierski

**PSE**: McCarthy, Mann Erika, Rapkay, Roth-Behrendt

**Verts/ALE**: van Buitenen, Rühle

**Corrections to votes**

**For**

Harlem Désir, Katerina Batzeli

**Against**

Hubert Pirker, Ambroise Guellec,


**Amendment 176**

**For**: 281

**ALDE**: Andria, Cocilovo, Costa, Degutis, Deprez, Ditčukutė, Gibault, Griesbeck, Laperrrouze, Lehideux, Losco, Morillon, Prodi, Samuelsen, Susta, Toia, Veraldi

**GUE/NGL**: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerrero, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krarup, Liotard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Ströj, Svensson, Triantaphyllides, Vagenknecht, Wurtz, Zimmer

**IND/DEM**: Belder, Blokland, Bonde, Coûteaux, Goudin, Karatzafis, Louis, Lundgren, Sinnott, de Villiers

**NI**: Martin Hans-Peter

**PPE-DE**: Ebner, Olbrycht, Seeberg


**UEN**: Camre, Kuc

**Against: 368**


IND/DEM: Batten, Bloom, Booth, Clark, Farage, Knapman, Krupa, Nattrass, Tomczak, Whittaker, Wise, Železný

NI: Allister, Battilocchio, Bobošíková, Chruszcz, Claeys, De Michelis, Dillen, Giertych, Gollnisch, Helmer, Lang, Le Pen, Martinez, Mózer, Mote, Mussolini, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr


PSE: Goebbels, Paleckis

UEN: Angelilli, Aylward, Berlato, Bielan, Borgia, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžioka, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuźmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ő Neachtain, Pek, Plotters, Podkatski, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Zile

**Abstention: 6**

NI: Baco, Belohorská, Kozlík, Rivera

PSE: Rapkay

**Corrections to votes**

For

Jean-Louis Bourlanges

Against

Rainer Wieland
Amendments 193 + 236/1

For: 265

ALDE: Andria, Bourlanges, Cocilovo, Costa, Degutis, Deprez, Dičkutė, Losco, Prodi, Susta, Toia, Veraldi

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Liard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Sepšanén, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Belder, Blokland, Karatzaferis, Sinnott

NI: Martin Hans-Peter

PPE-DE: Demetriou, Dimitrakopoulos, Ebner, Gklavakis, Hatzidakis, Kratsa-Tsagaropoulou, Mavrommatis, Mikolášik, Millán Mon, Panayotopoulos-Cassiotou, Papastamkos, Samaras, Trakatellis, Varvitsiotis, Vernola


UEN: Camre, Kristovskis, Kuc, Vaidere, Zile


Against: 379


IND/DEM: Batten, Bloom, Bonde, Booth, Clark, Farage, Knapman, Lundgren, Nattrass, Tomczak, Whittaker, Wise, Zelezny

NI: Allister, Battilocchio, Bobošíková, Chruszcz, Claey, De Michelis, Dillen, Gierthc, Gollnisch, Helmer, Lang, Le Pen, Marine, Le Rachinel, Martinez, Mólzer, Mote, Mussolini, Rivera, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard, Piotr

PSE: Cashman, Evans Robert, Gill, Goebbels, Honeyball, Howitt, Kinnock, Lehtinen, McAvan, McCarthy, Martin David, Morgan, Rapkay, Simpson, Siwek, Skinner, Stühler, Titley, Willmott

UEN: Angelilli, Aylward, Bielan, Borghezio, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Folyn-Kubicka, Gobbo, Grabowska, Janowski, Kuzmiuk, La Russa, Libicki, Maledeikis, Masiel, Muscardini, Musumeci, Nycha, Pek, Pietrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatar, Wojciechowski Janusz, Zapałowski

Verts/AL: Rühle

Abstention: 12

GUE/NGL: Krarup

IND/DEM: Coûteaux, Goudin, Krupa, Louis, de Villiers

NI: Bacó, Belohorská, Kozlík

PSE: Herczog, Kindermann

Verts/AL: van Buitenen


Amendments 193 + 236/2

For: 126

ALDE: Andria, Cocilovo, Costa, Degutis, Deprez, Dičkutė, Losco, Prodi, Samuelsen, Susta, Toia, Verardi


IND/DEM: Belder, Blokland, Bonde, Karatzaferis, Sinnott

NI: Martin Hans-Peter

PPE-DE: Demetriou, Dimitrakopoulos, Ebner, Gklavakis, Hatzidakis, Kratsa-Tsagaropoulou, Mavrommatis, Panayotopoulos-Cassiotou, Papamats, Saras, Seeberg, Trakatellis, Varvitsiotis

PSE: Andersson, Berlinguer, Chiesa, Christensen, Désir, Gill, Gomes, Gottardi, Gruber, Hedh, Hedkvist Petersen, Lavarra, Locatelli, Napoletano, Pittella, Rasmussen, Sacconi, Schaldemose, Scheele, Segelström, Thomsen, Westlund

UEN: Camre, Kristovskis, Vaidere, Zife
Wednesday, 13 December 2006


**Against:** 518


**IND/Dem:** Batten, Booth, Clark, Farage, Knapman, Lang, Le Pen Marine, Le Rachinel, Martinez, Möllzer, Mote, Mussolini, Romagnoli, Scharfenberg, Vanhecke, Wojciechowski, Bernard Piotr


**NI:** Allister, Battilocchio, Bobošková, Chruszcza, Claes, De Michelis, Dillen, Giertych, Golnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martinez, Möllzer, Mote, Mussolini, Romagnoli, Schenardi, Vanhecke, Wojciechowski, Bernard Piotr


UEN: Angelilli, Aylward, Berlato, Bielan, Borgezio, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kuc, Kuźmiuk, La Russa, Libicki, Maldeiks, Masiel, Muscardini, Musumeci, Ó Neachtain, Pęk, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Wojciechowski Janusz, Zapalowski

Verts/ALE: Rühle

Abstention: 13

GUE/NGL: Manolakou, Pafilis

IND/DEM: Couteaux, Goudin, Louis, de Villiers

NI: Baco, Belohorská, Kozlík, Rivera

PSE: Hegyi, Herczog

Verts/ALE: van Buitenen


Amendment 162

For: 231

ALDE: Polfer

IND/Dem: Blokland, Krupa, Sinnott, Tomczak, Železný

NI: Battilocchio, Bobošíková, De Michielis, Dillon, Mussolini, Vanhecke


PSE: Batzeli, Corbett

UEN: Angelilli, Berlato, Bielan, Borgezio, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kuźmiuk, La Russa, Libicki, Masiel, Muscardini, Musumeci, Pęk, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Szymański, Tatarella, Wojciechowski Janusz, Zapalowski

Against: 392

Wednesday, 13 December 2006

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krarup, Liard, McDonald, Manolakou, Maštálka, Meyer Pleite, Musacchio, Papafilis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Ströj, Svensson, Trianthaphylides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Belder, Karatzaferis, Lundgren

NI: Chruszcz, Giertych, Helmer, Rivera, Wojciechowski, Bernard Piotr


UEN: Aylward, Camre, Crowley, Didžiokas, Kristovskis, Kuc, Maldeikis, Neachtain, Ryan, Vaidere, Zile


Abstention: 23

IND/DEM: Bonde, Côteaux, Goudin, Louis, de Villiers

NI: Allister, Baco, Belohorská, Claeys, Gollnisch, Kozlík, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Mölzer, Mote, Romanelli, Schenardi

PPE-DE: Daul

PSE: Kindermann

Verts/ALE: van Buitenen

Corrections to votes

Against

John Whittaker, Graham Booth, wWAnders Wijkman, Gerard Batten, Nigel Farage, Roger Knapman

Amendment 208

For: 324


IND/DEM: Sinnott, Tomczak

NI: Allister, Battilocchio, DeMichielis, Helmer, Mussolini, Rivera


UEN: Angelilli, Aylward, Berlato, Bielan, Borghini, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžokas, Foglietta, Folykn-Kubicka, Gobbo, Grabowski, Janowski, Kristovski, Kužmiuk, La Russa, Libicki, Maldeikis, Mascardini, Musumecki, Ō Neachtain, Pęk, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymanśki, Tatarella, Wojciechowski Janusz, Zapalowski, Zile

Verts/ALE: Rühle

Against: 323

ALDE: Andriam, Beaupuy, Bourlanges, Cecilio, Costa, Deguitis, Deprez, Dičutė, Fourtou, Giaulis, Griesbeck, Laperrouze, Lehideux, Losco, Morillon, Prodi, Samuelsen, Sarbatli, Susta, Toia, Veraldi


IND/DEM: Batten, Belder, Blokland, Bloom, Bonde, Booth, Clark, Coutães, Farage, Karatzaferis, Knapman, Louis, Nattrass, de Villiers, Whittaker, Wise, Zeleńczyk
Wednesday, 13 December 2006

NI: Bobošíková, Chruszcz, Claey’s, Giertych, Gollnisch, Lang, Le Pen Marine, Martínez, Mõlzer, Mote, Schenardi, Wojciechowski Bernard Piotr


UEN: Kuc, Piotrowski, Vaidere


Abstention: 12

ALDE: Starkevičiūtė

IND/DEM: Goudin, Krupa, Lundgren

NI: Baco, Belohorská, Kozlík, Martin Hans-Peter, Romagnoli, Vanhecke

PSE: Kindermann

Verts/ALE: van Buitenen

Corrections to votes

Against

Michael Cramer, Erika Mann, Pia Elda Locatelli


Amendment 208/2

For: 120

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Guerreiro, Guidoni, Henin, Kaufmann, Kohlíček, McDonald, Maitaláka, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Strož, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Sinnott

NI: Allister, Belohorská, Mussolini

PPE-DE: Callanan, Deva, Dover, Hannan, Heaton-Harris, Kamall, Kauppi, Protsieiwicz, Purvis, Sartori, Sturdy, Tannock, Van Orden

PSE: Cashman, Corbett, Herczog, Honeyball, Howitt, Hughes, McAvan, McCarthy, Martin David, Skinner, Stihler, Titley, Willmott

UEN: Aylward, Crowley, Ó Neachtain, Ryan, Vaidere

Verts/ALE: Cramer, Rühl

Against: 530

ALDE: Andria, Beaupuy, Cocilovo, Fourtou, Gibault, Griesbeck, Laperrouze, Lehideux, Losco, Morillon, Prodi, Resetarits, Ries, Samuelaen, Starkeviciūtė, Susta, Toia, Veraldi

GUE/NGL: Holm, Krarup, Liotard, Manolakou, Meijer, Meyer Pleite, Pafilis, Seppänen, Svensson

Wednesday, 13 December 2006


UEN: Angelilli, Berlato, Bielan, Borghiezio, Camre, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foggietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovski, Kuč, Kuźmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Pę, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Szymański, Tatar, Wojciechowski Janusz, Zapalowski, Zille


Abstention: 9

NI: Baco, Kozlík

PPE-DE: McGuinness, Siekierski, Ventre

PSE: Evans Robert, Gill, Mann Erika

Verts/ALE: van Buitenen

Corrections to votes

Against

Jean-Louis Bourlanges


Amendments 158 + 180

For: 276


IND/DEM: Belder, Blokland, Bonde, Karatzaferis, Sinnott
NI: Martin Hans-Peter, Rivera

PPE-DE: Ebner, Seeberg


UEN: Camre, Kuc


Against: 374


GUE/NGL: Manolakou, Pafilis

IND/DEM: Batten, Bloom, Booth, Clark, Farage, Goudin, Knapman, Krupa, Lundgren, Nattrass, Tomczak, Wittakker, Wise, Železný

NI: Allister, Battilocchio, Belohorská, Bobošíková, Gouudin, Knapman, Krupa, Lundgren, Nattrass, Tomczak, Wittakker, Wise, Železný

Wednesday, 13 December 2006


PSE: Cashman, Goebbels, McCarthy

UEN: Angellili, Aylward, Berlato, Bielan, Borghezio, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kužmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ő Neachtain, Pék, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Zīle

Abstention: 12

IND/DEM: Coûteaux, Louis, de Villiers

NI: Baco, Kozlík

PSE: van den Burg, Herczog, Mann Erika, Rapkay, Roth-Behrendt

Verts/ALE: van Buitenen, Rühle

Corrections to votes

For

Ieke van den Burg


Amendment 169

For: 183

ALDE: Beupuy, Bourlanges, Deguitis, Deprez, Dickuté, Drčar Murko, Ek, Gibaut, Griesbeck, Lambsdorff, Laperrrouze, Lehindeux, Morillon, Samuelsen, Schmidt Olle, Starkevičiūtė


IND/DEM: Belder, Blokland, Bonde, Goudin, Karatzaferis, Lundgren, Sinnott

NI: Martin Hans-Peter, Mussolini

PPE-DE: Busuttil, Casa, Cederschiöld, Ebner, McGuinness, Mitchell, Vakalis, Wijkman

**Against:** 428


**GUE/NGL:** Catania, de Brún, Guerreiro, Guidoni, Henin, McDonald, Rizzo, Triantaphyllides, Wagenknecht

**IND/DEM:** Batten, Bloom, Booth, Clark, Coûteaux, Farage, Knapman, Krupa, Louis, Maltsev, Onyszkiewicz, Oviir, Piskorski, Polfer, Prodi, Rübig, Sbarbati, Schlyter, Schroedter, Turmes, Voggenhuber, Zdanoka


Wednesday, 13 December 2006

UEN: Bielan, Czarnecki Marek Aleksander, Czarnecki Ryszard, Foltyn-Kubicka, Grabowski, Janowski, Kuc, Kuzmiuk, Libicki, Muscardini, Pęk, Podkański, Rogalski, Roszkowski, Rutowicz, Szymański, Wojciechowski Janusz, Zapałowski

Verts/ALE: Cohn-Bendit, Graefe zu Baringdorf, Jonckheer, Onesta, Rühle, Smith, Staes, Trüpel

Abstention: 39

NI: Baco, Gollnisch, Kozlík, Lang, Le Pen Marine, Le Rachinel, Martinez, Mölzer, Romagnoli, Schenardi, Vanhecke

PPE-DE: Coveney, Wieland

PSE: Arif, Arnaoutakis, Batzeli, Bozkurt, Capoulas Santos, Dührkop Dührkop, Fernandes, Gierek, Rühle, Lambrinidis, Mann Erika, Matsouka, Medina Ortega, Muscat, Napoletano, Paleček, Peillon, Rouček, Sakalas, Stockmann, Tzampazi, Wiersma

Verts/ALE: Bennahmias, van Buiten, Frassoni, Lichtenberger

Corrections to votes

For

Sérgio Sousa Pinto, Gérard Onesta, Marian Harkin, Pierre Moscovici

Against

Erika Mann


Amendments 166 + 179

For: 139

ALDE: Andria, Costa, Degutis, Deprez, Dičikutė, Losco, Samuelsen, Susta, Toia, Veraldi


IND/DEM: Bloom, Booth, Clark, Farage, Goudin, Knapman, Lundgren, Nattrass, Sinnott, Whittaker, Wise, Železný

NI: Boboříková, Claeys, Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Mölzer, Romagnoli, Schenardi

PPE-DE: Cabrnoch, Duchoň, Hybášková, Ouzký, Škottová, Strejček, Zahradil, Zvěřina

PSE: Andersson, Beñó, Berlinguer, Casaca, Chiesa, Christensen, Désir, Gill, Gomes, Gottardi, Grech, Gruber, Heh, Hedkvist Petersen, Larvar, Napoletano, Panzeri, Rasmussen, Sacconi, Schaldemose, Segelstrøm, Tarand, Thomesen, Westlund

UEN: Camre, Piotrowski

**Against:** 505


**IND/DEM:** Belder, Blokland, Karatzaferis, Krupa, Tomczak

**NI:** Allister, Battilocchio, Belohorská, Chruszc, De Michels, Giertych, Helmer, Martinez, Mussolini, Wojciechowski Bernard Piotr


**UEN:** Angelilli, Aylward, Berlato, Bielan, Borghetto, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Godo, Grabowska, Janowski, Kristovskis, Kuc, Kuzmiu, La Russa, Libicki, Maldeikis, Masieo, Muscardini, Musumecki, Oi Neachtain, Pek, Podkács, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Zile
Abstention: 13

ALDE: Fourtou

IND/DEM: Bonde, Coûteaux, Louis, de Villiers

NI: Baco, Dillen, Kozlík, Mote, Rivera

PSE: Locatelli, Roth-Behrendt

Verts/ALE: van Buitenen

**Corrections to votes**

For

Jens-Peter Bonde


Amendment 178

For: 285

ALDE: Andria, Beaujuy, Bournanges, Cocilovo, Costa, Degutis, Deprez, Didikute, Gibault, Griesbeck, Lapierrouze, Lehideux, Losco, Morillon, Prodi, Samuelson, Susta, Toia, Veraldi

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krapov, Liotard, McDonald, Maštálka, Meijer, Meyer Pleite, Musacchio, Papadimoulos, Pflüger, Portas, Randsorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers

NI: Martin Hans-Peter

PPE-DE: Seeberg, Varvitsiotis, Ventre, von Wogau


UEN: Aylward, Camre, Crowley, Didžiokas, Kuc, Maldeikis, Musumeći, Õ Neachtain, Ryan

**Against: 368**


IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Karatzaferis, Knapman, Krupa, Nattrass, Tomczak, Whittaker, Wise, Železný

NI: Allister, Battilocchio, Belohorská, Bobošíková, Chruszczy, Claes, De Michelis, Dillon, Giolnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martinez, Mölzer, Mote, Mussolini, Rivera, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr


PSE: Cashman, McCarthy

UEN: Angelilli, Berlati, Bielan, Borghetto, Czarnecki Marek Aleksander, Czarnecki Ryszard, Foglietta, Foltyn-Kubiak, Gobbo, Grabowski, Janowski, Kristovskis, Kuźmiuk, La Russa, Libicki, Masel, Muscardini, Pek, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Szymański, Tatarrella, Vaidere, Wojciechowski Janusz, Zapalowska, Zile

Verts/ALE: Ždanoka

**Abstention: 7**

GUE/NGL: Manolakou, Pafilis

NI: Baco, Kozlík

PPE-DE: Cederschiöld

PSE: Mann Erika

Verts/ALE: van Buitenen

**Corrections to votes**

**Against**

Rainer Wieland

Amendments 182 + 197/1

For: 327


IND/DEM: Bonde, Goudin, Lundgren, Sinnott

NI: Battilocchio, Belohorská, De Michelis, Martin Hans-Peter, Rivera

PPE-DE: Ebner, Garriga Polledo, Vakalis, Wijkman


UEN: Camre, Kuc


Against: 313

ALDE: Polfer, Takkula

IND/Dem: Batten, Belder, Blokland, Bloom, Booth, Clark, Faraje, Karataşeris, Knapman, Tomczak, Whittaker, Wise, Železny

NI: Allister, Baco, Bobošíková, Chruszcz, Claeyes, Dillen, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martinez, Mölzer, Mote, Massolini, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr

PSE: Goebbels, Lehtinen

UEN: Angelilli, Aylward, Berlato, Bielen, Borghiezio, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Fogletta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuźniak, La Russa, Líbicky, Maldeikis, Masiel, Muscardini, O Neachtain, Pek, Piotrowski, Podkatski, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Żile

Abstention: 14

ALDE: Samuela

IND/DEM: Coûteaux, Krupa, Louis, de Villiers

NI: Kozlík

PPE-DE: Belet, Brepoels, Dehaene, Thyssen

PSE: Jöns, Kindermann, Roth-Behrendt

Verts/ALE: van Buiten


Amendments 182 + 197/2

For: 270

ALDE: Andria, Beaupuy, Cicolovo, Costa, Gibault, Griesbeck, Laperrrouze, Lehideux, Losco, Morillon, Prodi, Susta, Toia, Veraldi


IND/DEM: Goudin, Lundgren, Sinnott

PSE: Lehtinen

UEN: Angelilli, Aylward, Berlato, Bielan, Borghlezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kužmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ō Neachtain, Pēk, Piotrowski, Podkaiski, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatareda, Vernolle, Wojciechowski Janusz, Zapalowska, Zīle

Verts/ALE: Jonckheer

Abstention: 14

ALDE: Samuelsen

IND/DEM: Bonde, Coûteaux, Louis, de Villiers

NI: Baco, Kozlík, Martinez

PPE-DE: Belet, Brepoels, Dehaene, Thyssen

PSE: Kindermann

Verts/ALE: van Buitenen


Amendment 170

For: 133

ALDE: Beaupuy, Bourlanges, Degutis, Deprez, Dičkuté, Drčar Murko, Fourtou, Gibault, Griesbeck, Lambsdorff, Laperrègue, Lehideux, Morillo, Samuelsen, Susta, Toia, Veraldi


IND/DEM: Belder, Blokland, Bonde, Coûteaux, Goudin, Karatzaferis, Louis, Sinnott, de Villiers

NI: Martin Hans-Peter

PPE-DE: Brejc, Brepoels, Doyle, Grosch, Ibrisagic, Jordan Cizelj, McGuinness, Mitchell, Montoro Romero, Novak, Seebregts, Žaborská

PSE: Andersson, Běnková, Berman, Bösch, Chiesa, Corbey, Ettl, Grech, Hazan, Hedh, Hedkvist Petersen, Leichtfried, McAvan, Muscat, Paleckis, Poignant, Schapira, Schelle, Segelström, Skinner, Westlund

UEN: Camre, Didžiokas, Kristovskis, Žīle

Abstention: 10

GUE/NGL: Manolakou, Pafilis
IND/DEM: Lundgren
NI: Kozlík, Vanhecke
PPE-DE: Coveney
PSE: Bozkurt
UEN: Piotrowski
Verts/ALE: van Buitenen, Rühle

Corrections to votes

For
Ivo Belet, Ole Christensen, Christel Schaldemose, Poul Nyrup Rasmussen, Dan Jørgensen

Against
Rainer Wieland, Nils Lundgren

Amendment 173

For: 87

ALDE: Bourlanges, Degutis, Deprez, Dičkutė, Drčar Murko, Lambsdorff, Losco, Prodi, Samuelsen, Susta, Toia, Veraldi
GUE/NGL: de Brún, Guerreiro, Guidoni, Holm, Krarup, McDonald, Manolakou, Meijer, Pafilis, Pflüger, Rizzo, Seppänen, Svensson, Triantaphyllides, Wagenknecht
IND/DEM: Bonde, Coûteaux, Goudin, Louis, Lundgren, Sinnott, de Villiers
NI: Belohorská, Martin Hans-Peter
PPE-DE: Peterle, Seeberg
PSE: Andersson, Chiesa, Hedh, Hedkvist Petersen, Segelström, Tarand, Westlund
UEN: Camre, Czarnecki Ryszard, Wojciechowski Janusz, Zapałowski

Against: 558

GUE/NGL: Agnoletto, Aita, Brie, Catania, Figueiredo, Hasarová, Henin, Kaufmann, Kohliček, Maštálka, Meyer Pleite, Musacchio, Papadimoulis, Portas, Ransdorf, Remek, Strož, Wurtz, Zimmer
Wednesday, 13 December 2006

IND/DEM: Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Karatzaferis, Knapman, Nattrass, Tomczak, Whittaker, Wise, Žežený

NI: Allister, Battilocchio, Bobošíková, Chruscz, De Michielis, Dillen, Giertych, Gollnisch, Helmer, Lang, Le Pen, Marine, Le Rachinel, Martínez, Mote, Mussolini, Rivera, Romagnoli, Shenardi, Wojciechowski, Bernard Piotr


Absention: 9

Amendment 171

For: 88

ALDE: Degutis, Deprez, Dičkutė, Losco, Samuelsen, Susta, Toia, Veraldi

GUE/NGL: Agnoletto, Aïta, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Holm, Kaufmann, Kohlíček, Krarup, Lioudart, McDonald, Maaß, Meyer Pleite, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Strößner, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Sinnott

NI: Martin Hans-Peter

PPE-DE: Seeberg

PSE: Andersson, Chiesa, Haug, Hedvist Petersen, Segelström, Tarand, Westlund

UEN: Camre


Against: 546


GUE/NGL: Henin

IND/DEM: Batten, Belders, Blokland, Bloom, Booth, Clark, Farage, Goudin, Karatsaferis, Knapman, Krupa, Lundgren, Nattrass, Tomczak, Whittaker, Wic, Zelezný

NI: Allister, Battilocchio, Belohorská, Bobošíková, Chrusczcz, De Michelis, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Racinel, Martinez, Mote, Mussolini, Rivera, Romagnoli, Schenardi, Wojciechowski Bernard Piotr


Amendment 73

**For:** 545


**NI:** Battilocchio, Klaraček, Krupa, Louis, de Villiers


**Against:** 10

**IND/DEM:** Batten, Bloom, Bonde, Clark, Knapman, Nattrass, Whittaker, Wise

**NI:** Baco

**UEN:** Angelilli

**Abstention:** 10

**IND/DEM:** Coûteaux, Krupa, Louis, de Villiers

**NI:** Allister, Kozlík, Mote

**PPE-DE:** Ventre

**UEN:** Piotrowski

**Verts/ALE:** van Buitenen

Wednesday, 13 December 2006
Against: 78

Claude Turmes

Amendment 118/1

For: 619


IND/DEM: Bonde, Sinnott, Tomczak, Zelezny

NI: Allister, Battilocchio, Belohorská, Chruszcz, Claesys, De Michelis, Dillen, Giertco, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Mussolin, Rivera, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr


UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Foglietta, Folyn-Kubbicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuc, Kuźmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, O Neachtain, Pek, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowska Janusz, Zapałowski, Zile


**Against:** 19

ALDE: Hennis-Plasschaert, Maaten, Manders, Mulder

IND/DEM: Batten, Belder, Blokland, Bloom, Clark, Goudin, Karatzaferis, Knapman, Lundgren, Nattrass, Whittaker, Wise

NI: Bobošíková

PPE-DE: Wijkman, Wortmann-Kool

**Abstention:** 7

IND/DEM: Krupa

NI: Baco, Kozlík, Mote

PPE-DE: Maat

UEN: Piotrowski

Verts/ALE: van Buitenen

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**45. Report: Groote A6-0301/2006**

**Amendment 118/2**

**For:** 520


IND/DEM: Goudin, Lundgren, Sinnott, Tomczak, Železný

NI: Allister, Battilocchio, Belohorská, De Michiel, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martinez, Massolini, Rivera, Romagnoli, Schenardi, Vanhecke
PPE-DE: Belet, Brepoels, Dehaene, Grosch, Maat, Thyssen, Wijkman, Wortmann-Kool


Abstention: 10

IND/DEM: Coûteaux, Krupa, Louis, de Villiers

NI: Baco, Kozlík, Mote

UEN: Borghezio, Gobbo

Verts/ALE: van Buitenen

Amendment 60


For: 136

ALDE: Andria, Deprez, Ek, Hennis-Plasschaert, in ‘t Veld, Maaten, Manders, Matsakis, Mulder, Schmidt Olle, Starkevičiūtė, Toia


IND/DEM: Belder, Blokland, Bloom, Clark, Goudin, Karatzaferis, Knapman, Lundgren, Nattrass, Sinnott, Whittaker, Wise

NI: Claeys, Dillen, Martin Hans-Peter, Vanhecke

PPE-DE: Belet, Brepoels, Dehaene, Doorn, Grosch, Maat, Oomen-Ruijten, Seeberg, Surián, Thyssen, Ventre, Wijkman, Wortmann-Kool

PSE: van den Berg, Berman, Bozkurt, van den Burg, Corbey, De Keyser, De Vits, Gottardi, Hutchinson, Mastenbroek, Peillon, Tarabella, Van Lancker, Vaugrenard

UEN: Aylward, Camre, Crowley, Czarnecki Ryszard, Musumeci, Ó Neachtain, Piotrowski, Ryan


Against: 496


IND/DEM: Bonde, Tomczak, Železný
Wednesday, 13 December 2006

NI: Allister, Battilocchio, Belohorská, Bobošíková, Chruszcz, De Michielis, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martinez, Mote, Mussolini, Romagnoli, Schenardi, Wojciechowski

PPE-DE: Albertini, Andrikienė, Ashworth, Atkins, Audy, Baccelotto, Belohorská, Bobošíková, Chruszcz, De Michelis, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Le Rachinel, Martinez, Mote, Mussolini, Romagnoli, Schenardi, Wojciechowski


Abstention: 6

IND/DEM: Krupa

NI: Baco, Kozlík, Rivera

PSE: Wiersma

Verts/ALE: van Buitenen
Corrections to votes

For

Camiel Eurlings


Amendment 91

For: 520


IND/D: Belder, Blokland, Karatzaferis, Krupa, Sinnott, Tomczak, Železyń

NI: Battilocchio, Belohorská, Bobošíková, Chruszcz, DeMichelis, Giertych, Gollnisch, Helmer, Lang, Le PenMarine, Le Rachinel, Mussolini, Rivera, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr


Wednesday, 13 December 2006

UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuc, Kužmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, œ Neachtain, Pék, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarrella, Vaidere, Wojciechowski Janusz, Zapalowski, Zile

Verts/ALE: Graefe zu Baringdorf, Hammerstein Mintz, Voggenhuber

Against: 107

ALDE: Deprez, Hennis-Plasschaert, Maaten, Manders, Mulder, Schmidt Olle

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krapf, Liotard, McDonald, Malinakou, Marie, Meijer, Meyer Pleite, Musacchio, Papadopoulos, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagenknecht, Wurtz, Zimmer

IND/DEM: Batten, Bloom, Bonde, Clark, Goudin, Knappmann, Lundgren, Nattrass, Whittaker, Wise

PPE-DE: Belet, Brepoels, Dehaene, Maat, Montoro Romero, Sonik, Vernola, Wijkman, Wortmann-Kool

PSE: van den Berg, Berlinguer, Berman, Bozkurt, van den Burg, Corbey, Mastenbroek, Napoletano, Tarabella, Van Lancker, Vaugrenard, Vergnaud


Abstention: 11

ALDE: Hall

IND/DEM: Louis, de Villiers

NI: Allister, Baco, Kozluk, Mote

PPE-DE: Ventre

PSE: Leichtfried, Wiensma

Verts/ALE: van Buitenen, Wiersma


Amendment 116

For: 552


IND/DEM: Belder, Blokland, Bonde, Karatzaferis, Krupa, Sinnott, Tomczak, Železný

NI: Battilocchio, Belohorská, Bobošiňková, Chruszcz, Claeyis, De Micheli, Dell, Giertych, Gollisch, Helmer, Lang, Le Pe, Marine, Le Rachinel, Martinez, Mussolini, Rivera, Romagnoli, Schenardi, Vanhecke, Wojciechowsky Bernard Piotr

**Abstention:** 5

**NI:** Allister, Baco, Kozlík

**PPE-DE:** McMillan-Scott

**Verts/ALE:** van Buitenen

**49. Report: Groote A6-0301/2006**

**Amendment 59**

**For:** 111

**ALDE:** Hennis-Plasschaert, Losco, Maaten, Manders, Samuelsen

**GUE/NGL:** Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krarup, Liotsis, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pflüger, Ransdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagénknecht, Wurtz, Zimmer

**IND/DEM:** Belder, Blokland, Bonde, Goudin, Karatzaferis, Krupa, Lundgren, Sinnott

**NI:** Allister, Bobošíková, Chruszcz, Claeys, Dillen, Giertych, Gollnisch, Lang, Le Pen Marine, Le Rachinel, Martin Hans-Peter, Martinez, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr

**PPE-DE:** Oomen-Ruijten

**PSE:** van den Berg, Berman, Bozkurt, van den Burg, Corbey, Hutchinson, Mastenbroek

**UEN:** Borghetto, Camre, Gobby

**Verts/ALE:** Aubert, Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans Jill, Graefe zu Baringdorf, de Groen-Kouwenhoven, Hammerstein Mintz, Hassi, Horáček, Hudghton, Isler Béguin, Joan i Marí, Jonckheer, Kallenbach, Küng, Lamberts, Liebig, Lucas, Lietz, Lyons, Madsen, Nordqvist, Onesti, Romeva i Rueda, Rühle, Schlyter, Schoedter, Smith, Staes, Trüpel, Turmes, Voggenhuber, Ždanoka

**Against:** 517


**IND/DEM:** Batten, Bloom, Clark, Knapman, Nattrass, Tomczak, Whittaker, Wise

**NI:** Battilocchio, Belohorská, De Micheli, Helmer, Mussolini

Abstention: 13

ALDE: Hall

IND/Dem: Cöiteaux, Louis, de Villiers, Železny

NI: Baco, Kozlisk, Mote, Rivera

PSE: Bösch, Wiersma

UEN: Piotrowski

Verts/ALE: van Buitenen


Amendment 130

For: 546

C 317 E/336

EN

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IND/DEM: Belder, Blokland, Karatzaferis, Sinnott, Tomczak, Železný
NI: Battilocchio, Belohorská, Bobošíková, Claeys, De Michelis, Dillen, Gollnisch, Helmer, Lang, Le Pen Marine,
Le Rachinel, Mussolini, Rivera, Romagnoli, Schenardi, Vanhecke
PPE-DE: Albertini, Andrikienė, Ashworth, Atkins, Audy, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley,
Becsey, Belet, Berend, Böge, Bonsignore, Bowis, Bradbourn, Braghetto, Brejc, Brepoels, Březina, Brok,
Brunetta, Bushill-Matthews, Busuttil, Cabrnoch, Callanan, Casa, Casini, Caspary, Castiglione, Cederschiöld,
Chichester, Chmielewski, Coelho, Coveney, Daul, De Blasio, Dehaene, Demetriou, Descamps, Deß, Deva,
De Veyrac, Díaz de Mera García Consuegra, Dimitrakopoulos, Dombrovskis, Doorn, Dover, Doyle, Duchoň,
Duka-Zólyomi, Ebner, Ehler, Elles, Eurlings, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Fjellner,
Fontaine, Fraga Estévez, Freitas, Friedrich, Gahler, Gál, Gaľa, Galeote, García-Margallo y Marfil, Gargani,
Garriga Polledo, Gaubert, Gauzès, Gewalt, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle,
de Grandes Pascual, Grosch, Grossetête, Guellec, Gutiérrez-Cortines, Gyürk, Handzlik, Hannan, Harbour,
Hatzidakis, Heaton-Harris, Hennicot-Schoepges, Herranz García, Herrero-Tejedor, Higgins, Hökmark,
Hoppenstedt, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka,
Jarzembowski, Jeggle, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kelam, Kirkhope, Klamt,
Klaß, Klich, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušķis, Lamassoure, Landsbergis,
Langen, Langendries, Lauk, Lechner, Lehne, Lewandowski, Liese, López-Istúriz White, Lulling, Maat,
McGuinness, McMillan-Scott, Mann Thomas, Mantovani, Marques, Martens, Mathieu, Mato Adrover, Mauro,
Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero,
Musotto, Nassauer, Nicholson, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Őry,
Ouzký, Pack, Panayotopoulos-Cassiotou, Papastamkos, Parish, Patriciello, Peterle, Pieper, Pīks, Pinheiro,
Pirker, Pleštinská, Podestà, Posdorf, Posselt, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan,
Reul, Ribeiro e Castro, Roithová, Rudi Ubeda, Rübig, Saïfi, Salafranca Sánchez-Neyra, Samaras,
Sartori, Saryusz-Wolski, Schierhuber, Schnellhardt, Schöpflin, Schwab, Seeber, Seeberg, Siekierski,
Silva Peneda, Škottová, Sommer, Sonik, Spautz, Šťastný, Stauner, Stevenson, Strejček, Stubb, Sturdy, Sudre,
Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Van Orden, Varela
Suanzes-Carpegna, Varvitsiotis, Vatanen, Veneto, Ventre, Vidal-Quadras, Vlasák, Vlasto, Weber Manfred,
Weisgerber, Wieland, von Wogau, Wortmann-Kool, Záborská, Zahradil, Zaleski, Zappalà, Zatloukal,
Zieleniec, Zvěřina, Zwiefka
PSE: Andersson, Arif, Arnaoutakis, Ayala Sender, Badia I Cutchet, Barón Crespo, Batzeli, Beňová,
Berès, van den Berg, Berger, Berlinguer, Bösch, Bono, Bourzai, Bozkurt, Bullmann, van den Burg, Busquin,
Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Castex, Cercas, Chiesa,
Christensen, Corbett, Corbey, Correia, Cottigny, De Keyser, De Rossa, Désir, De Vits, Díez González,
Dobolyi, Douay, Dührkop Dührkop, Estrela, Ettl, Evans Robert, Fazakas, Fernandes, Ferreira Anne,
Ferreira Elisa, Fruteau, García Pérez, Gebhardt, Geringer de Oedenberg, Gill, Glante, Goebbels, Golik, Gomes,
Gottardi, Grabowska, Grech, Groote, Gruber, Gurmai, Guy-Quint, Hänsch, Hamon, Haug, Hazan,
Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Hutchinson, Jöns, Jørgensen, Kindermann,
Kósáné Kovács, Krehl, Kreissl-Dörfler, Kuhne, Lambrinidis, Lavarra, Le Foll, Lehtinen, Leichtfried,
Leinen, Lévai, Liberadzki, Locatelli, McAvan, McCarthy, Madeira, Maňka, Mann Erika, Martin David,
Martínez Martínez, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Moreno
Sánchez, Morgan, Moscovici, Muscat, Myller, Napoletano, Navarro, Obiols i Germà, Öger, Paasilinna, Pahor,
Paleckis, Patrie, Peillon, Piecyk, Pinior, Pleguezuelos Aguilar, Poignant, Prets, Rapkay, Rasmussen, Reynaud,
Riera Madurell, Rocard, Rosati, Roth-Behrendt, Rothe, Rouček, Roure, Sakalas, Saks, Salinas García,
Sánchez Presedo, dos Santos, Savary, Schaldemose, Schapira, Scheele, Segelström, Sifunakis, Simpson, Siwiec,
Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Szejna, Tabajdi, Tarabella, Tarand,
Thomsen, Trautmann, Tzampazi, Van Lancker, Vaugrenard, Vergnaud, Vincenzi, Walter, Weber Henri, Weiler,
Westlund, Wiersma, Willmott, Yañez-Barnuevo García, Zingaretti
UEN: Angelilli, Aylward, Berlato, Bielan, Borghezio, Camre, Crowley, Czarnecki Marek Aleksander,
Czarnecki Ryszard, Didžiokas, Foglietta, Foltyn-Kubicka, Gobbo, Grabowski, Janowski, Kristovskis, Kuc,
Kuźmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ó Neachtain, Pęk, Piotrowski,
Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Wojciechowski Janusz, Zapałowski,
Zīle

Against: 93
ALDE: Szent-Iványi
GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm,
Kaufmann, Kohlíček, Krarup, Liotard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio,
Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides,
Wagenknecht, Wurtz, Zimmer

23.12.2006


IND/DEM: Batten, Bloom, Bonde, Clark, Goudin, Knapman, Lundgren, Nattrass, Whittaker, Wise
NI: Chruszcz, Giertych, Martin Hans-Peter, Wojciechowski Bernard Piotr
PPE-DE: Vernola, Wijkman
PSE: Pittella, Titley
UEN: Vaidere

Abstention: 10

IND/DEM: Coûteaux, Krupa, Louis, de Villiers
NI: Allister, Baco, Kozlík, Martinez, Mote
Verts/ALE: van Buitenen

Commission proposal
For: 537


IND/DEM: Belder, Blokland, Bonde, Goudin, Karatzaferis, Lundgren, Sinnott, Tomczak, Železný
NI: Battilocchio, Belohorská, Bobošíková, De Michelis, Dillen, Gollnisch, Lang, Le Pen Marine, Le Ralchinel, Martínez, Massolín, Rivera, Romagnoni, Schenardi, Vanhecke

For: 540

IND/DEM: Belder, Blokland, Bonde, Goudin, Karatzaferis, Lundgren, Sinnott, Tomczak, Železný

NL: Battilocchio, Belohorská, Boboškiová, Claes, De Michelis, Dillon, Gollnisch, Kozlík, Lang, Le Pen Marine, Le Rachinel, Martinez, Mussolini, Rivera, Romagnoli, Schenardi, Vanhecke


Against: 87


IND/DEM: Batten, Bloom, Clark, Knappman, Nattrass, Whittaker, Wise
Wednesday, 13 December 2006

**NI**: Chruszcz, Giertych, Martin Hans-Peter, Mote, Wojciechowski Bernard Piotr

**PSE**: Corbey, Van Lancker


**Abstention**: 9

**IND/DEM**: Coûteaux, Krupa, Louis, de Villiers

**NI**: Allister, Baco

**PPE-DE**: Lauk, Wijkman

**Verts/ALE**: van Buitenen

**Corrections to votes**

For

Brian Crowley


**Amendment 1**

For: 419


UEN: Camre, Kuc


Against: 121

ALDE: Andrejevs, Attwooll, Bowles, Budreikaitė, Carlshamre, Gentvilas, Hall, Harkin, Juknevičienė, Kulakowski, Manders, Samuelsen, Schmidt Olle, Schuth, Staniszewska, Starkevičiūtė

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Holm, Kaufmann, Kohlíček, Krarup, Liard, McDonald, Manolakou, Maštálka, Meijer, Meyer Pleite, Musacchio, Paflis, Papadopoulos, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Triantaphyllides, Wagner, Wurtz, Zimmer

IND/DEM: Batten, Belder, Blokland, Bonde, Clark, Goudin, Karatzafaris, Knапman, Lundgren, Sinnott, Tomczak, Whitaker, Wise

NI: Chruszczyk, Giertych, Goillnisch, Lang, Le Pen Marine, Le Rachinel, Martínez, Mussolini, Romagnoli, Schenardi, Wojciechowski Bernard Piotr

PPE-DE: Handzlik, Hökmark, Jałowiecki, Kaczmarek, Olbrycht, Sickierski, Vernola, Zaleski, Zappalà

PSE: Mastenbroek

UEN: Angelilli, Aylward, Berlato, Bielan, Borgezieio, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didžiokas, Fogletta, Foltyn-Kubicka, Gobbo, Grabowska, Janowski, Kristovskis, Kužniuk, La Russa, Líbický, Maldeikis, Masiel, Muscardini, Musumecci, Ö Nechtaín, Piek, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatarella, Vaidere, Wojciechowski Janusz, Zapalowski, Zilé

Abstention: 12

ALDE: Chatzimarkakis, Degutis, Ek, Krahmer, Matsakis

IND/DEM: Coûteaux, Krupa, Louis, de Villiers

NI: Mote

PPE-DE: Kamall

Verts/ALE: van Buitenen
Corrections to votes

For: Jim Higgins


Amendment 10

For: 514


GUE/NGL: Holm, Krarup, Liotard, Meijer, Seppänen, Svensson

IND/DEM: Belder, Blokland, Bonde, Coûteaux, Karatzaferis, Krupa, Louis, Sinnott, Tomczak, de Villiers

NI: Battilocchio, Belohorská, Chruszt, De Michielis, Martin Hans-Peter, Mussolini, Rivera, Wojciechowski Bernard Piotr


Against: 92

**ALDE:** Ek, Schmidt Olle

**GUE/NGL:** Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Henin, Kaufmann, Kohlíček, McDonald, Manolakou, Maštálka, Meyer Pleite, Musacchio, Papadimoulis, Pflüger, Ransdorf, Remek, Rizzo, Ströß, Triantaphyllides, Wurtz, Zimmer

**IND/DEM:** Goudin, Lundgren, Železný

**NI:** Allister, Bobošíková, Claey, Gollnisch, Helmer, Lang, Le Pen, Marine, Le Racin, Martinez, Mote, Romagnoli, Schenardi, Vanhecke

**PPE-DE:** Ashworth, Atkins, Beazley, Bowis, Bradbourn, Brézina, Cabrnoch, Callanan, Chichester, Deva, Dover, Duchoth, Elles, Evans, Jonathin, Fjellner, Hannan, Harbour, Heaton-Harris, Hökmark, Hybáková, Ibrisagic, Iturgaiz Angulo, Jackson, Kamall, Kirkhope, McMillan-Scott, Nicholson, Parish, Purvis, Seeberg, Škotová, Stevenson, Strejček, Stydy, Tannock, Vlasák, Wijkmann, Zahradil, Zlatouškal, Zverina

**PSE:** Andersson, Christensen, Hedkvist Petersen, Rasmussen, Schaldemose, Segelström, Westlund

**Abstention:** 11

**ALDE:** Degutis

**IND/DEM:** Batten, Clark, Knapman, Whittaker, Wise

**PPE-DE:** Freitas

**PSE:** Mann Erika

**UEN:** Borghezio, Gobbo

**Verts/ALE:** van Buitenen

**Corrections to votes**

**Against**

Geoffrey Van Orden


**Paragraph 14**

**For:** 476

Wednesday, 13 December 2006

**GUE/NGL**: Agnoletto, Aita, Brie, de Brún, Flasarová, Henin, Kaufmann, McDonald, Maštálka, Musaccio, Papadimoulis, Ransdorf, Wurtz, Zimmer

**NI**: Battilocchio, Bobošková, De Michelis, Martin Hans-Peter, Martínez, Mussolini, Romagnoli


**PSE**: Andersson, Arif, Arnaoutakis, Ayala Sender, Badia I Cutch, Batzeli, Beňová, Berès, van den Berg, Berger, Berlinguer, Berman, Böschen, Bono, Bourzai, Boutria, Bullmann, van den Burg, Busquin, Calabuig Rull, Carlotti, Carrasson, Casaca, Cashman, Castex, Cercas, Christensen, Corbett, Corby, Correia, Cottigny, de Keyser, de Rossa, Déirí, De Vits, Diaz González, Dobolj, Douay, Dührkop Dührkop, Estrela, Ettl, Evans Robert, Fazakas, Fernandes, Ferreira Anne, Ferreira Elisa, García Pérez, Gebhardt, Gerónimo de Oedenberg, Gill, Glante, Golik, Gomes, Gottardi, Grabowska, Grech, Groote, Gruber, Gurmai, Gysztyka, Zablonska, Zalas, Zappalà, Zwiefka

**UEN**: Ayíward, Berlato, Crowley, Czarnecki Ryszard, Didžiokas, Foglietta, Kristovskis, Kuc, Lajòsi, Leite, Luyisio, MacKenzie, Mancini, Mann Erika, Martin David, Matos, Mathieu, Martinez, Martínez, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miosga, Moreno Sánchez, Morgan, Moscovici, Muscat, Müller, Napoletano, Oskarsson, Obložina, Ōgura, Pasos, Papadimoulis, Ransdorf, Wurtz, Zimmer

**Vers/ALE**: Aubert, Auken, Breyer, Buitenhof, Cohn-Bendit, Cramer, Evans Jill, Frassoni, de Groen-Kouwenhoven, Hassi, Horáček, Iser Béguin, Joan i Mari, Jonckheer, Kunstschger, Lagendijk, Lambert, Lichtenberger, Lipietz, Özdemir, Passeri, Prosastie, Skottová, Strečko, Tomczak, de Villiers, Zemelová

**Against: 75**

**GUE/NGL**: Guidoni, Holm, Kohliček, Listort, Meijer, Meyer Pleite, Pflüger, Seppänen, Strož, Svensson, Triantaphyllides

**IND/DEM**: Batten, Belder, Blokland, Bonde, Clark, Coiteux, Goudin, Karatzaferis, Krupa, Louis, Lundgren, Tomczak, de Villiers, Železný

**NI**: Allister, Chruszczy, Giertych, Gollnisch, Le Pen Marine, Mote, Schiavi, Wojciechowski Bernard Piotr

**PPE-DE**: Belet, Cabrnoch, Callanan, Duchiño, Hybášková, Ouzký, Posselt, Protsasiewicz, Škottová, Strečko, Vlasák, Vlasto, Wijkman, Zahradil, Zatloukal, Zvěřina
Corrections to votes

For
Marc Tarabella, Anders Wijkman, Tatjana Ždanoka, Gilles Savary

Against
Marine Le Pen, Lydia Schenardi, Bruno Gollnisch, Carl Lang, Fernand Le Rachinel, Jean-Claude Martinez, Geoffrey Van Orden


Paragraph 29

For: 543


GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Flasarová, Guidoni, Henin, Holm, Kaufmann, Liottard, McDonald, Maštálka, Meijer, Meyer Pleite, Musacchio, Papadimoulis, Pflüger, Ransdorf, Remek, Seppänen, Svensson, Triantaphyllides, Wurtz, Zimmer

IND/DEM: Belder, Blokland, Goudin, Karatzafis, Krupa, Lundgren, Sinnott, Tomczak

NI: Battilocchio, Chruszczy, Claeys, De Michielis, Dillen, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Martinez, Rivera, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr
Wednesday, 13 December 2006


Against: 28

GUE/NGL: Manolakou, Pamitis

IND/DEM: Batten, Clark, Železný

NI: Allister, Boboščková, Mote, Mussolini

PPE-DE: Cabrnoch, Callanan, Duchon, Ouzký, Škotová, Strejček, Vlasák, Zahradil, Zvéřina
PSE: van den Berg, Glante
UEN: Angelilli, Berlato, Borghezio, Foglietta, Gobbo, La Russa, Musumeci, Tatarella

Abstention: 22

GUE/NGL: Figueiredo, Guerreiro, Kohlíček, Strož
IND/DEM: Bonde, Louis, de Villiers
NI: Martin Hans-Peter
PPE-DE: De Veyrac
PSE: Bullmann, Chiesa, Groote, Jöns, Kreissl-Dörfler, Kuhne, Leichtfried, Occhetto, Rapkay, Siwiec
UEN: Camre, Didžiokas
Verts/ALE: van Buitenen


Resolution

For: 481

GUE/NGL: Agnoletto, Brie, de Brún, Kaufmann, Musacchio, Ransdorf, Remek, Zimmer
IND/DEM: Karatzaferis
NI: Battilocchio, Belohorská, Chruszcz, De Michelis, Giertych, Mussolini, Rivera, Wojciechowski Bernard Piotr
Wednesday, 13 December 2006


UEN: Angelilli, Aylward, Berlato, Crowley, Czarnecki Ryszard, Didžiokas, Foglietta, Kristovskis, Kuc, La Russa, Maldeikis, Muscardini, Musumeci, Ó Neachtain, Ryan, Tatarella, Vaidere, Wojciechowski Janusz, Žile


Against: 66

GUE/NGL: Aita, Catania, Figueiredo, Guerreiro, Guidoni, Henin, Holm, Kohliček, Liotard, McDonald, Manolakou, Meijer, Meyer Pleite, Paflis, Pflüger, Seppänen, Strož, Svensson, Triantaphyllides

IND/DEM: Batten, Belder, Blokland, Clark, Coûteaux, Goudin, Krupa, Louis, Lundgren, Sinnott, Tomczak, de Villiers, Železný

NI: Allister, Bobošíková, Claes, Dílen, Gollnisch, Helmer, Lang, Le Pen Marine, Martin Hans-Peter, Mote, Romagnoli, Schenardi, Vanhecke

PPE-DE: Brepoels, Cahroch, Callanan, Deš, Duchoň, Hannan, Heaton-Harris, Ibrisagic, Ouzký, Škottová, Strejček, Vlasák, Zahrádil, Zvěřina

UEN: Camre, Grabowski, Peč, Piotrowski, Rogalski, Zapalowski

Verts/ALE: Schlyter

Abstention: 38

GUE/NGL: Flasarová, Maštálka, Papadimoulis, Wurtz

IND/DEM: Bonde

NI: Martinecz

PPE-DE: Atkins, Beazley, Deva, Dover, Evans Jonathan, Harbour, Hybäšková, Jackson, Kamall, Kirkhope, Parish, Purvis, Seeberg, Stevenson, Sturdy, Tannock, Van Orden, Weisgerber

PSE: Chiesa

UEN: Bielan, Borghezio, Czarnecki Marek Aleksander, Foltyn-Kubicka, Janowski, Kuźmiuk, Libicki, Masiel, Podkaiski, Roszkowski, Rutowicz

Verts/ALE: van Buiten, Jonckheer
Corrections to votes

For

Hubert Pirker

Against

Jean-Claude Martinez, Bairbre de Brún


Paragraph 9-B

For: 438


GUE/NGL: Agnoletto, Aita, Brie, Catania, Flasarová, Kaufmann, Maštálka, Musacchio, Zimmer

NI: Battilocchio, Belohorská, Bobošíková, De Michielis, Mussolini, Rivera


Wednesday, 13 December 2006

**UEN**: Angelilli, Berlato, Borghezio, Foglietta, Kuc, La Russa, Muscardini, Musumeci

**Verts/ALE**: Aubert, Auken, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Hassi, Horáček, Jonckheer, Kallenbach, Konrad, Lambert, Lichtenberger, Lipietz, Ozdemir, Onesta, Romeva i Rueda, Rühle, Staes, Turmes, Voggenhuber, Ždanoka

**Against**: 107

**ALDE**: Takkula, Väyrynen, Virrankoski

**GUE/NGL**: de Brún, Figueiredo, Guerreiro, Guidoni, Holm, Kohlíček, Liotiard, McDonald, Manolakou, Meijer, Pafilis, Pflüger, Ransdorf, Remek, Seppänen, Štěrka, Svensson, Triantaphyllides

**IND/DEM**: Batten, Belder, Blokland, Bonde, Clark, Coûteaux, Goudin, Krupa, Louis, Lundgren, Sinnott, Tomczak, de Villiers, Železný

**NI**: Chruszcz, Claeys, Dillen, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Martinez, Mote, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr

**PPE-DE**: Atkins, Beazley, Cabrnoch, Callanan, Deva, Dover, Duchoň, Evans Jonathan, Hannan, Harbour, Heaton-Harris, Jackson, Kamall, Kirkhope, Ouzký, Parish, Purvis, Škottová, Stevenson, Strejček, Sturdy, Tannock, Van Orden, Vernola, Vlasák, Zahradil, Zvěřina

**PSE**: Paasilinna

**UEN**: Aylward, Bielan, Camre, Crowley, Czarnecki Marek Aleksander, Czarnecki Ryszard, Didziokas, Foltyn-Kubińska, Grabowski, Janowska, Kristovskis, Kužmík, Libicki, Maldeikis, Masiel, Ō Neachtain, Pék, Piotrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Ryan, Szymański, Tatraella, Vaidere, Wojciechowski Janusz, Zapalowski, Żił

**Verts/ALE**: Schlyter

**Abstention**: 25

**ALDE**: Budreikaitė

**GUE/NGL**: Henin, Meyer Pleite, Wurtz

**NI**: Martin Hans-Peter

**PSE**: Cashman, Evans Robert, Gill, Howitt, Hughes, McAvan, McCarthy, Martin David, Morgan, Muscat, Simpson, Skinner, Stühler, Titley, Willmott

**Verts/ALE**: van Buitenen, Evans Jill, Isler Béguin, Joan i Marí, Smith


**Paragraph 9-C**

**For**: 451


**GUE/NGL**: Agnoletto, Aita, Brie, Flasarová, Henin, Kaufmann, Liotiard, Maštálka, Meijer, Musacchio, Ransdorf, Remek, Wurtz, Zimmer

**IND/DEM**: Tomczak

**NI**: Battilocchio, Belohorská, Bobošíková, De Michielis, Martin Hans-Peter, Mussolini, Rivera
Against: 76

ALDE: Takkula, Väyrynen

GUE/NGL: de Brún, Holm, Kohlíček, McDonald, Pflüger, Seppänen, Svensson

IND/DEM: Batten, Belder, Blokland, Bonde, Clark, Goudin, Karatzafes, Krupa, Louis, Lundgren, Sinnott, de Villiers, Železný

NI: Allister, Chruszcz, Claey, Dillen, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Martínez, Mote, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr

PPDE: Atkins, Bonsgnre, Carabin, Callanan, Deva, Dover, Duchoň, Evans Jonathan, Hannan, Harbour, Heathon-Harris, Jackson, Kamall, Kirkhope, Ouzký, Parish, Skottová, Stevenson, Strejček, Styrdy, Tannock, Van Orden, Vlasák, Zahradil, Zvěřina

UEN: Angell, Blerta, Borgezio, Czarniecki Ryszard, Foglietta, Kuc, La Russa, Muscardini, Musumeci, Tataréla


23.12.2006

Wednesday, 13 December 2006
Abstention: 30

GUE/NGL: Figueiredo, Guerreiro, Guidoni, Manolakou, Meyer Pleite, Pafilis, Triantaphyllides

PSE: Cashman, Evans Robert, Gill, Honeyball, Howitt, Hughes, McAvan, McCarthy, Simpson, Skinner, Stipler, Titley, Willmott

UEN: Bielan, Janowski, Libicki, Pék, Piotrowski, Podkasiński, Rutowicz, Wojciechowski Janusz

Verts/ALE: van Buitenen, Schlyter

Corrections to votes

For

Christofer Fjellner


Paragraph 9-E

For: 455


GUE/NGL: Agnoletto, Aita, Brie, Catania, Henin, Kaufmann, Kohlíček, Musacchio, Papadimoulis, Pfüger, Remek, Wurtz, Zimmer

NI: Battilocchio, Belohorská, Bobošíková, De Michielis, Mussolini, Rivera


UEN: Angelilli, Aylward, Berlato, Crowley, Czarnecki Ryszard, Didžiokas, Foglietta, Kristovskis, Kuc, La Russa, Muscardini, O Neachtain, Ryan, Tataru, Wojciechowski Janusz, Žile


Against: 95

ALDE: Takkula, Väyrynen

GUE/NGL: de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Holm, Liotard, McDonald, Manolakou, Maštálka, Meijer, Pafilis, Ransdorf, Seppänen, Ströß, Svensson, Triantaphyllides

IND/DEM: Batten, Belder, Blokland, Bonde, Clark, Coûteaux, Goudin, Karatzafaris, Krupa, Louis, Lundgren, Sinnott, Tomczak, de Villiers, Železný

NI: Allister, Chris, Claes, Driscoll, Giertych, Gollnisch, Helmer, Lang, Le Pen, Marine, Martinez, Mote, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr

PPE-DE: Atkins, Beazley, Cabrnach, Callanan, Deva, Dover, Duchoń, Evans Jonathan, Hannan, Harbour, Heaton-Harris, Jackson, Kamall, Kirkhope, Ouzký, Parish, Purvis, Skottová, Stevenson, Strefjček, Sturdy, Tannock, Van Orden, Vlasko, Zahradil, Zvěřina

UEN: Bielan, Borghiezio, Camre, Czarnecki Marek Aleksander, Foltyn-Kubicka, Grabowski, Janowski, Kužniuk, Libicki, Masiel, Piek, Piotrowski, Podkaiski, Rogalski, Roszkowski, Rutowicz, Szymański, Vaidere, Zapalowski

Verts/ALE: Schlyter

Abstention: 20

ALDE: Budreikaitė

GUE/NGL: Meyer Pleite

NI: Martin Hans-Peter

PSE: Cashman, Evans Robert, Gill, Honeyball, Howitt, Hughes, McAvan, McCarthy, Morgan, Muscat, Simpson, Skinner, Stihler, Titley, Willmott

Verts/ALE: van Buitenen, Lambert
Corrections to votes

For
Emanuel Jardim Fernandes, Christofer Fjellner


Paragraph 9-F

For: 456


GUE/NGL: Agnoletto, Aita, Brie, Catania, Kauffmann, Musacchio, Zimmer

NI: Bottlocchio, Belohorská, Boubišková, De Michielis, Mussolini, Rivera


UEN: Angelilli, Aylward, Berlato, Bielawski, Tarskla, Czarnecki Ryszard, Diakos, Foglietti, Foltyn-Kubicka, Janowska, Kuc, Kuzmiuk, La Russa, Libicki, Maldeikis, Masiel, Muscardini, Musumeci, Ō Neachtain, Pek, Podkański, Rutowicz, Ryan, Tatarella, Wojciechowski Janusz
23.12.2006

Official Journal of the European Union

Wednesday, 13 December 2006


Paragraph 9-G

For: 445


GUE/NGL: Agnoletto, Aita, Bréchot, Catania, Kaufmann, Musacchio, Papadimoulis, Strož, Zimmer


Paragraph 9-G

For: 445


GUE/NGL: Agnoletto, Aita, Bréchot, Catania, Kaufmann, Musacchio, Papadimoulis, Strož, Zimmer
Wednesday, 13 December 2006

NI: Battilocchio, Belohorská, De Michalis, Martin Hans-Peter, Mussolini, Rivera


UEN: Angelilli, Aylward, Belatow, Crowley, Czarnecki Ryszard, Didžiokas, Kuc, La Russa, Maldeikis, Muscardini, Musumeci, O Neachtain, Ryan, Tatarella, Wojciechowski Janusz


Against: 104

ALDE: Bequipy, Bourlanges, Fourtou, Gibault, Griesbeck, Lehideux, Morillon, Takkula, Väyrynen

GUE/NGL: de Brún, Figueiredo, Guerreiro, Guidoni, Henin, Holm, Kohlíček, Liottard, McDonald, Meijer, Pfälzer, Ransdorf, Seppänen, Svensson, Triantaphyllides, Wurtz

IND/DEM: Batten, Belder, Blokland, Clark, Cottigny, Dovlet, Goudin, Karatzaferis, Krupa, Louis, Lundgren, Portnova, Tomczak, de Villiers, Železný

NI: Allister, Chruszczyk, Claey's, Dilien, Giertych, Gollnisch, Helmer, Lang, Le Pen Marine, Martín, Mote, Romagnoli, Shenardi, Vanhecke, Wojciechowski Bernard Piotr

23.12.2006
PPE-DE: Atkins, Beasley, Cabronch, Callanan, Deva, Dover, Dychot, Evans Jonathan, Fjellner, Hannan, Harbour, Heaton-Harris, Hökmark, Ibrisagic, Jackson, Kamall, Kirkhope, Kirkland, Purvis, Seeberg, Skyttová, Stevenson, Strejček, Sturdy, Tannock, Van Orden, Vlasák, Zahradil, Zverina

UEN: Bielan, Camre, Czarnecki Marek Aleksander, Foltyn-Kubicka, Grabowski, Janowski, Kristovskis, Kužmuk, Libicki, Masiel, Pek, Piotrowski, Podkraski, Rogalski, Roszkowski, Rutowicz, Vaidere, Zapalowski, Zile

Verts/ALE: Schlyter

Abstention: 22

ALDE: Toia

GUE/NGL: Flasarová, Manolakou, Maštálka, Meyer Pleite, Papilis, Remek

IND/DEM: Bonde

PSE: Cashman, Evans Robert, Gill, Honeyball, Hughes, McAvan, McCarthy, Martin David, Simpson, Skinner, Titley, Willmott

UEN: Borgiaezio

Verts/ALE: van Buitenen


Paragraph 9-H

For: 439


GUE/NGL: Agnoletto, Aita, Brie, Catania, Flasarová, Kaufmann, Maštálka, Papadimoulis, Zimmer

NI: Battilocchio, Belohorská, Boboshiková, De Micheli, Martin Hans-Peter, Mussolini, Rivera


Amendment 4

For: 93

ALDE: Beaupuy, Bourlanges, Deprez, Fourtou, Gibault, Griesbeck, Laperrrouze, Lehideux, Morillon

GUE/NGL: Wurtz
IND/DEM: Krupa, Tomczak

NI: Belohorská, De Michelis, Martin Hans-Peter

PPE-DE: Audy, Bachelot-Narquin, Brepols, Castiglione, Descamps, Ferber, Galeote, Gaubert, Gauzès, Grossetête, Guillec, Hatzidakis, Korhola, Langendries, Mathieu, Oomen-Ruijten, Posselt, Saïfi, Sudre, Toubon, Vlasto

PSE: Andersson, Arif, Berès, Bono, Bourzai, Carlotti, Castex, Cottigny, Désir, Douay, Fruteau, Hamon, Moscovici, Napoletano, Navarro, Poignant, Reynaud, Roure, Savary, Schapira, Trautmann, Vaugrenard, Vergnaud

UEN: Czarnecki Ryszard, Grabowski, Piek, Piotrowski, Rogalski, Zapalowski


Against: 472

Wednesday, 13 December 2006


**Verts/ALE**: Schlyter

**Abstention**: 18

**ALDE**: Toia

**GUE/NGL**: Aita, Manolakou, Paflis

**NI**: Rivera

**PSE**: Evans Robert, Gill, Honeyball, Howitt, McCarthy, Martin David, Stihler, Willmott

**Verts/ALE**: van Buitenen, Evans Jill, Joan i Marí, Lucas, Smith

**Corrections to votes**

*For*

Anne Ferreira, Henri Weber

*Against*

Jan Andersson, Konstantinos Hatzidakis


**Paragraph 18**

*For*: 393


**GUE/NGL**: Kaufmann

**NI**: Battilocchio, Belohorská, De Michalis, Mussolini
Wednesday, 13 December 2006

PSE: Arif, Berès, Bono, Bourzai, Castex, Cottigny, Désir, Douay, Ferreira Anne, Frateau, Hamon, Hazan, Patrie, Roure, Schapira, Trautmann, Vaugenard, Vergnaud

UEN: Bień, Borgezio, Camre, Czarnecki Marek Aleksander, Foltyn-Kubicka, Grabowski, Janowski, Kuźmiuk, Libicki, Masiel, Pęc, Potrowski, Podkański, Rogalski, Roszkowski, Rutowicz, Szymański, Wojciechowski Janusz, Zapałowski

Verts/ALE: Joan i Marí, Schlyter, Smith

Abstention: 38

ALDE: Kulakowski

NI: Rivera

PPE-DE: Chmielówka, Handzlik, Jałowicki, Kaczmarek, Klich, Olbrycht, Pleśniewicz, Saryusz-Wolski, Seebb, Siekerka, Zaleski, Zwiefka

PSE: van den Berg, Cashman, Chiesa, Corbey, Evans Robert, Gill, Honeyball, Howitt, Hughes, McAvan, McCarthy, Martin David, Morgan, Simpson, Skinner, Stähler, Titley, Wallis

UEN: Vaidere, Zīle

Verts/ALE: van Buitenen, Romeva i Rueda

Corrections to votes

For:
Konstantinos Hatzidakis

Against:
Henri Weber, Gilles Savary


Resolution

For: 398


UEN: Aylward, Berlato, Crowley, Didžiokas, Kristovskis, Kuc, La Russa, Maldeikis, Muscardini, Musumeci, O’Neill, Ryan, Tatarella, Vaidere

Verts/ALE: Aubert, Auken, Bennahmias, Breyer, Cohn-Bendit, Cramer, Frassoni, de Groen-Kouwenhoven, Hasi, Horáček, Isler Béguin, Jonckheer, Kallenbach, Kunstutscher, Lagendijk, Lambert, Lichtenberger, Lipietz, Özdемир, Onesti, Romeva i Rueda, Rühle, Schroedter, Staes, Turmes, Vöggenhuber

Against: 99

ALDE: Takkula, Väyrynen

GUE/NGL: Agnoletto, Aita, Brie, Catania, de Brún, Figueiredo, Flasarová, Guerreiro, Henin, Holm, Kohlíček, Liotsard, McDonald, Maštálka, Meijer, Meyer Pleite, Musacchio, Pafilis, Papadimoulis, Pflüger, Ransdorf, Remek, Seppänen, Strož, Svensson, Triantaphyllides, Wurtz, Zimmer

IND/DEM: Batten, Belder, Blokland, Bonde, Clark, Goudin, Karatzaferis, Krupa, Louis, Lundgren, Sinnott, Tomczak, de Villiers, Železný

NI: Allister, Chruszcz, Claeyys, Dillen, Giertych, Gollnisch, Helmer, Lang, Martin Hans-Peter, Mote, Romagnoli, Schenardi, Vanhecke, Wojciechowski Bernard Piotr


UEN: Bielan, Camre, Czarnecki Ryszard, Foltyn-Kubicka, Grabowski, Kuźmiuk, Libicki, Piotrowski, Podkański, Rogalski, Roszkowski, Szymański, Wojciechowski Janusz, Zapalowski

Verts/ALE: van Buitenen, Joan i Mari, Schlyter, Smith

Abstention: 36

NI: Martinez

PPE-DE: Chmielewski, Handzlik, Jałowiecki, Kaczmarek, Klich, Olbrycht, Pleštinská, Protasiewicz, Saryusz-Wolski, Seeberg, Siekierski, Záborská, Zaleski, Zwiefka

PSE: Cashman, Chiesa, Evans Robert, Gill, Honeyball, Howitt, Hughes, McAvan, McCarthy, Martin David, Morgan, Simpson, Skinner, Titley, Willmott

UEN: Borghezio, Janowski, Masiel, Rutowicz, Zile

Verts/ALE: Evans Jill
Wednesday, 13 December 2006

Corrections to votes

For

Britta Thomsen

Against

Jean-Claude Martinez
TEXTS ADOPTED

P6_TA(2006)0552
European Chemicals Agency ***II


(Codablecision procedure: second reading)
The European Parliament,
— having regard to the Council common position (7524/8/2006 — C6-0267/2006) (1),
— having regard to its position at first reading (2) on the Commission proposal to Parliament and the Council (COM(2003)0644) (3),
— having regard to Article 251(2) of the EC Treaty,
— having regard to Rule 62 of its Rules of Procedure,
— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Food Safety (A6-0352/2006),
— having regard to the Commission statements which are annexed to this legislative resolution and which will be published together with the legislative act in the Official Journal;
1. Approves the common position as amended;
2. Instructs its President to forward its position to the Council and the Commission.

(3) Not yet published in the OJ.

P6_TC2-COD(2003)0256


(As an agreement was reached between Parliament and Council, Parliament’s position at second reading corresponds to the final legislative act, Regulation (EC) No 1907/2006).
ANNEX

Commission Statement on Alternative Methods

As part of the Community’s strategy to promote alternative test methods, the development of methods covering computer supported, in vitro and other methodologies, including refinement of current methods, has been a priority for decades. Between 1999 and 2002 (Fifth Framework Programme), the EU supported 43 research projects worth 6.5 million euro, several of which are still ongoing. In the current Research Framework Programme (Sixth Framework Programme: 2003-2006), the European Union is investing more than 90 million euro to develop robust, effective, non-animal testing methods that will withstand the requirements of international validation.

Research activities will continue in the forthcoming Seventh Framework Programme (2007-2013) through coordinated activities on alternative methods and strategies for safety testing focused on pharmaceuticals (under the Health theme) and industrial chemicals (under the Environment theme). Consideration has been given to which methods could make the most contribution to reducing animal testing within REACH, taking due account of the time needed to develop tests and the relevant registration deadlines in REACH. As a result, the Seventh Framework Programme includes the development of methods that could directly support the reduction of the use of animals in testing within REACH. Involvement of stakeholders is being sought through initiatives such as the European Partnership for Alternative Approaches to Animal Testing, launched on 7 November 2005 by Commissioners Potocnik and Verheugen together with industry. By effectively pooling Commission and industry experience, expertise and resources, a common coordinated Partnership at EU level and across sectors will be more effective than historically fragmented initiatives in this area.

The validation of alternative testing methods has been a priority for the Commission since 1991. To this end, the Commission set up the European Centre for the Validation of Alternative Methods (ECVAM), a specific unit within the Joint Research Centre with the task of coordinating the validation of alternative test methods at European Union level, and promoting the development, validation and international recognition of alternative test methods. The Commission will continue to validate appropriate methods and will consider the application of validated methods in Community legislation. Today, suitable methods are used in the context of the Community legislation on chemicals, to adapt Annex V of Directive 67/548/EEC. The Commission recognises the importance of securing regulatory acceptance for such methods as rapidly as possible and has adopted several validated alternative test methods in Annex V of Directive 67/548/EEC ahead of their eventual international acceptance. The Commission will give a high priority to ensuring that the REACH testing regulation is adapted as soon as possible after appropriate validated methods become available.

The Commission will continue to be active in international fora, particularly the OECD where it contributes to the development of new standards for tests and with especial focus on newly validated methods as mentioned above.

The regulatory framework in which test methods are used is as important as the specific methods. Since its very beginning, the minimisation of animal testing has been a key element of the design of REACH and the Commission has consistently worked to improve this aspect of the proposal. This can be seen in terms of significant changes throughout the process such as adding the pre-registration phase as a result of feedback on the White Paper in 2001 and accepting a single pre-registration date as proposed in both Parliament’s First Reading Opinion and the Council Common Position. Minimisation of animal testing is also apparent in the detailed legislative text, including encouragement for grouping of substances, evaluation of testing proposals and use of read across. Important work related to reducing the use of animals is on-going in the RIPs (REACH Implementation Projects) with the development of intelligent testing strategies. The Commission is committed to continuing this work after the adoption of REACH. For example the development and maintenance of guidelines and Agency procedures will offer further opportunities to address concerns over animal testing.

The Commission will also consider relevant aspects in the review of Directive 86/609/EEC, specifically in relation to the ways in which the development, validation and regulatory acceptance of alternative methods in accordance with the ‘Three Rs’ principle could be further promoted.
Commission Statement on tobacco additives in the context of the negotiations on REACH and addressing the EP amendments on tobacco additives

The REACH Regulation covers chemical ingredients in tobacco products like any other chemical substance. As such, they will need to be registered and be subject to evaluation, restriction or authorisation under the REACH system. Some of their effects in burnt form should be covered by any required chemical safety assessments.

Once the REACH system is in operation, it will be necessary to summarise and to take into account the information made available under REACH on tobacco ingredients in order to benefit better from the synergies with the ongoing work in the context of Directive 2001/37/EC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products.

In the context of Directive 2001/37/EC, the Commission is committed to promote:

— the development and application of a harmonised reporting format for tobacco ingredients in order to create a precondition for systematic assessment of tobacco ingredients. This could evolve, at a later stage, into the setting up of a European data bank on tobacco ingredients and their effects;
— the assessment of tests for toxicological and addictive effects from a public health perspective;
— cooperation of independent tobacco laboratories within the EU in order to create the operational basis for a shared analysis and assessment of tobacco ingredients and/or smoke emissions by the Member States, and subsequent consideration on the form of a possible proposal for a common list of ingredients.

The Commission will also:

— participate in the process of developing guidelines on testing and measuring of the contents and emissions of tobacco products in the context of the Framework Convention on Tobacco Control (FCTC), and
— consider co-financing research on toxicity and in particular addictiveness of tobacco ingredients and/or smoke emissions in the context of the Research Framework Programme.

By the next review of Directive 2001/37/EC, which will be based on the report on its implementation due at the end of 2007, the Commission will consider further development of the framework for the assessment of tobacco ingredients in the light of the experience gathered and impact assessments on different options.

The burden of proof on the health effects of the contents and emissions of tobacco products should lie fully with the industry, which should be responsible for the financing of the development, validation and carrying out of the appropriate toxicological and addictiveness tests. This process must be led by the public health authorities to ensure that all the methodologies developed properly address public health concerns.

On the basis of the principle established in the previous paragraph concerning the role of the industry in financing the tests, the Commission will examine the concrete options for raising adequate human and financial resources in order to fund any substantial work programme on evaluating ingredients and smoke emissions in order to assess properly the results from a health perspective.

The Commission is aware that the development and validation of methodologies and the evaluation of substances is a demanding task that will take several years.
Amendment of Directive 67/548/EEC on dangerous substances (REACH) **II


(Codecision procedure: second reading)

The European Parliament,
— having regard to the Council common position (7525/3/2006 — C6-0268/2006) (1),
— having regard to its position at first reading (2) on the Commission proposal to Parliament and the Council (COM(2003)0644) (3),
— having regard to Article 251(2) of the EC Treaty,
— having regard to Rule 67 of its Rules of Procedure,
— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Food Safety (A6-0345/2006);
1. Approves the common position;
2. Notes that the act is adopted in accordance with the common position;
3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Union;
5. Instructs its President to forward its position to the Council and Commission.

(3) Not yet published in OJ.

P6_TA(2006)0554

Inclusion of Bulgarian and Romanian among the languages of procedure for the Court of Justice *

European Parliament legislative resolution on the draft Council Decision amending the Rules of Procedure of the Court of Justice of the European Communities as regards the language arrangements, in order to include Bulgarian and Romanian among the languages of cases as laid down in the Rules of Procedure (15712/2006 — C6-0434/2006 — 2006/0813(CNS))

(Consultation procedure)

The European Parliament,
— having regard to the Council draft (15712/2006),
— having regard to Article 245 (2) of the EC Treaty and Article 160(2) of the EAEC Treaty, pursuant to which the Council consulted Parliament (C6-0434/2006),
having regard to Rules 51 and 43(1) of its Rules of Procedure,
having regard to the report of the Committee on Legal Affairs (A6-0463/2006);
1. Approves the draft Council decision;
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 text submitted for consultation substantially;
4. Instructs its President to forward its position to the Council and the Commission.

P6_TA(2006)0555

Inclusion of Bulgarian and Romanian among the languages of procedure for the Court of First Instance *

European Parliament legislative resolution on the draft Council Decision amending the Rules of Procedure of the Court of First Instance of the European Communities with regard to languages, in order to include Bulgarian and Romanian among the languages of cases as laid down in the Rules of Procedure (15715/2006 — C6-0435/2006 — 2006/0814(CNS))

(Consultation procedure)

The European Parliament,
— having regard to the Council draft (15715/2006),
— having regard to Article 245(2) of the EC Treaty and Article 160(2) of the EAEC Treaty, pursuant to which the Council consulted Parliament (C6-0435/2006),
— having regard to Rules 51 and 43(1) of its Rules of Procedure,
— having regard to the report of the Committee on Legal Affairs (A6-0462/2006);
1. Approves the draft Council decision;
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 text submitted for consultation substantially;
4. Instructs its President to forward its position to the Council and the Commission.

P6_TA(2006)0556

European Year of Intercultural Dialogue (2008) ***II


(Codecision procedure: second reading)

The European Parliament,
— having regard to the Council common position (14153/2/2006 – C6-0422/2006),
— having regard to its position at first reading (1) on the Commission proposal to Parliament and the
Council (COM(2005)0467) (2),
— having regard to the amended Commission proposal (COM(2006)0492) (3),
— having regard to Article 251(2) of the EC Treaty,
— having regard to Rule 67 of its Rules of Procedure,
— having regard to the recommendation for second reading of the Committee on Culture and Education
(A6-0435/2006);
1. Approves the common position;
2. Notes that the act is adopted in accordance with the common position;
3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the
EC Treaty;
4. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have
been duly completed, and, in agreement with the Secretary-General of the Council, to have it published in
the Official Journal of the European Union;
5. Instructs its President to forward its position to the Council and the Commission.

(2) Not yet published in OJ.
(3) Not yet published in OJ.

P6_TA(2006)0557

Financial Regulation applicable to the general budget of the European Communities *

European Parliament legislative resolution on the joint guideline adopted by the Council with a
view to adopting a Council regulation amending Regulation (EC, Euratom) No 1605/2002 on the
Financial Regulation applicable to the general budget of the European Communities (14259/2006 —
C6-0431/2006 — 2005/0090(CNS))

(Consultation procedure)

The European Parliament,
— having regard to the Council joint guideline of 7 November 2006 (14259/2006),
— having regard to the Commission proposal to the Council (COM(2005)0181) (4) and the amended
proposal (COM(2006)0213) (5),
— having regard to its positions of 15 March 2006 (6) and 6 July 2006 (7) on the Commission proposal
and of 6 September 2006 on the Commission's amended proposal (8),
— having regard to Article 279 of the EC Treaty, pursuant to which the Council consulted Parliament
(C6-0431/2006),
— having regard to Rules 51 and 56 of its Rules of Procedure,
— having regard to the report of the Committee on Budgets and the opinion of the Committee on
Budgetary Control (A6-0447/2006);
1. Accepts the conciliation conclusions of 21 November 2006 and declares closed the conciliation proce-
dure provided for in Article 184 of the Financial Regulation;
2. Instructs its President to forward its position as annexed to this legislative resolution to the Council and
Commission.

(4) Not yet published in OJ.
(5) Not yet published in OJ.
ANNEX

Council Regulation amending Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 279 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 183 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Court of Auditors (1),

Whereas:

(1) Council Regulation (EC, Euratom) No 1605/2002 (2), hereinafter ‘the Financial Regulation’, lays down the legal foundations of the financial management reform. As such, its essential elements should be maintained and strengthened. Transparency, in particular, should be reinforced by providing for information on beneficiaries of Community funds. Moreover, the budgetary principles established by the Financial Regulation should be respected by all legislative acts and derogations should be kept to a strict minimum.

(2) In the light of practical experience, certain amendments should be made in order to facilitate budget implementation and the realisation of the underlying policy objectives and to adjust some procedural and documentary requirements so as to make them more proportionate to the risks and cost involved, in accordance with the principle of proportionality as set out in the third subparagraph of Article 5 of the EC Treaty.

(3) All amendments should contribute to achieving the objectives of the Commission’s reforms and help improve or ensure sound financial management, thus contributing to obtaining a reasonable assurance of the legality and regularity of financial operations.

(4) Account should be taken of provisions implementing the revenue and expenditure of the budget, contained in the basic legal acts adopted for the period 2007 to 2013, in order to ensure coherence between those acts and the Financial Regulation.

(5) It should be clarified that sound financial management requires effective and efficient internal control, and the main features and objectives of internal control systems should be defined.

(6) In order to ensure the transparency of the use of funds deriving from the budget, it is necessary to make available information on the beneficiaries of these funds within certain limits necessary to protect legitimate public and private interests and taking into account the specificity of European Agricultural Guarantee Fund year.

(7) As regards the principle of unity of the budget, the rule governing interest generated by pre-financing should be simplified. The administrative burden involved in the recovery of that interest is disproportionate to the objective pursued and it would be more efficient to allow interest to be set off against the final payment to the beneficiary.

(8) With regard to the principle of annuality, more flexibility and transparency should be introduced to respond to functional needs. The carry-over of appropriations should exceptionally be permitted in the case of expenditure on direct payments to farmers under the new European Agricultural Guarantee Fund (EAGF).

Payment requests from the Member States under the new agricultural regulations will be concentrated overwhelmingly at the beginning of the budget year \( n \). Therefore, the maximum threshold for advance commitments against the EAGF (from 15 November of year \( n - 1 \)) to cover routine management expenditure (charged to the budget of year \( n \)) should be increased to three quarters of corresponding appropriations in the last adopted agricultural budget. As regards the limit on advance commitment of administrative expenditure, the text should be amended so that it refers to appropriations decided by the budget authority, excluding therefore transfers of appropriations.

The use of non-differentiated appropriations for veterinary measures, charged against the EAGF, unduly hampers the implementation of such actions, especially in respect of the limits placed on the possibilities for carry-overs. The use of differentiated appropriations for such expenditure should therefore be permitted, as this is more in keeping with the multi-annual nature of the actions.

As regards the principle of universality, two points should be added to the list of assigned revenue. First, as is currently possible under specific research programmes, it should be possible for the Member States to make ad hoc contributions, as assigned revenue, for projects under external relations programmes managed by the Commission. Secondly, proceeds from the sale of vehicles, equipment, installations, materials, and scientific and technical apparatus which are being replaced or scrapped should be treated as assigned revenue, as an encouragement to authorising officers to obtain the best prices for their disposal.

At present, the Commission must be authorised by the budgetary authority before accepting any donations, such as gifts or bequests, which involve a charge. To avoid unnecessary and cumbersome procedures, authorisations should be made compulsory only in the case of donations exceeding a certain value and involving significant charges.

The rules governing transfers of appropriations should be simplified and clarified on certain points because in practice they have proved cumbersome or unclear.

For reasons of efficiency, the Commission should be allowed to decide autonomously on transfers from the reserve in cases where no basic act exists for the action concerned at the time when the budget is established, but where the basic act is adopted in the course of the year.

The rules on the Commission's administrative transfers should be adapted to the new Activity-Based Budgeting (ABB) structure. Thus, an exemption from the ‘notification procedure’ should be foreseen. During the last month of the financial year, the Commission should be allowed to decide autonomously on transfers of appropriations concerning staff expenditure, within the limit of 3% of the appropriations of the year.

Articles 26, 45 and 46 of the Financial Regulation should be amended because of the abolition of the reserve relating to Community loans and loan guarantees to third countries and the adoption of a new provisioning mechanism for the Guarantee Fund for external actions.

In order to accelerate the mobilisation of funds in exceptional cases of international humanitarian disasters and crises occurring at the end of the budgetary year, the Commission should be allowed to autonomously transfer unused budgetary appropriations available under Heading 4 of the multi-annual financial framework to the budget titles concerned.

As regards the budget procedure, the requirement laid down in Article 29 of the Financial Regulation that the budget be published within two months of adoption has proven unrealistic: three months would be more practicable. The concept of ‘Activity Statement’ should be inserted in Article 33 of the Financial Regulation in order to render official one of the key elements of ABB, and their content should be defined more precisely in order to make them operational. The payment schedules should be included in the working documents accompanying the preliminary draft budget listed in Article 33 of the Financial Regulation instead of in the budget itself, as they are not relevant to the budgetary procedure and are unnecessarily burdensome.
(19) As regards the implementation of the budget, some adjustments appear necessary in order to better reflect the specific features of the Common Foreign and Security Policy (CFSP). For reasons of legal clarity, the types of basic acts applicable under the EC Treaty and under Title V and VI of the TEU should be identified in Article 49 of the Financial Regulation instead of in the implementing rules. In addition, a specific provision should be added in order to properly reflect the types of preparatory measures that may be undertaken in the field of the CFSP.

(20) As regards methods of management, Article 53 of the Financial Regulation should be restructured for the purpose of clarity. It is also necessary to remove the limitation of shared management to the European Agricultural Guidance and Guarantee Fund (EAGGF) and Structural Funds, because additional programmes will now operate under shared management. The requirements for joint management need to be made clearer. Article 54(2)(b) should be completed to include in particular the European Investment Bank and the European Investment Fund as Community bodies to which tasks can be delegated by the Commission. The criteria set out in Article 54 of the Financial Regulation for using national public-sector bodies should be simplified in order to facilitate their use and to respond to growing operational needs, and the scope of the provision should be extended to international public bodies. Article 54 should also clarify the position of special advisors or heads of mission appointed by the Council to manage certain actions in the context of the common foreign and security policy.

(21) The responsibilities of the Member States under shared management should be set out in more detail, to take account of the ongoing discussions between the institutions concerning the discharge procedure and the appropriate control systems to put in place, reflecting the mutual responsibilities of the Member States and the Commission. Following the new interinstitutional agreement (point 44), Member States should be obliged to produce an annual summary of the available audits and declarations in relation to the funds under shared management.

(22) The prohibition on delegating implementation tasks to private bodies should be modified in Article 57 of the Financial Regulation because the terms of that prohibition have turned out to be unnecessarily strict. It should be possible, for example, for the Commission to engage the services of a travel agency or a conference organiser to take charge of reimbursing the costs of participants at conferences, provided that no discretionary powers are exercised by the private company.

(23) The establishment by several institutions of joint financial irregularities panels should be made possible.

(24) The accounting officer's responsibility for certifying the accounts on the basis of the financial information supplied to him by the authorising officers should be clarified. To this end, the accounting officer should be empowered to check the information received by the authorising officer by delegation and to enter reservations, if necessary.

(25) The relationship between the Commission's internal auditor and bodies set up by the Communities should be clarified. Those bodies should have their own internal audit function reporting to their own management boards, whereas the Commission's internal auditor reports to the College on the procedures and systems of the Commission. It should be necessary for the Commission's internal auditor only to confirm that the bodies' internal audit functions meet international standards, and for that purpose he should be able to conduct assessments of the quality of the internal audit activity.

(26) A period of limitation on the validity of claims should be introduced. The Community, unlike many of its Member States, is not subject to a period of limitation under which financial claims are extinguished after a certain period of time. Nor is the Community restricted by a period of limitation in the pursuit of its claims against third persons. The introduction of such a period of limitation corresponds to sound financial management.
(27) The Financial Regulation should reflect the importance of framework contracts in the management of public procurement. It should encourage the use of interinstitutional procurement procedures and allow for the possibility of joint procurement procedures between an institution and a contracting authority from a Member State.

(28) Certain technical adjustments should be made to ensure that the terminology of the Financial Regulation is fully in line with that of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (1). The possibility open to Member States under that Directive to determine specific procedures for contracts declared secret, when their performance must be accompanied by special security measures, or when the protection of the Member State so requires should be made available to the Community institutions.

(29) In line with Directive 2004/18/EC, the rules on exclusion from a procurement procedure need to be clarified. In addition, for reasons of legal certainty and proportionality, a maximum period of exclusion should be specified in the Financial Regulation. In the light of Directive 2004/18/EC, an exception to the rules on exclusion should be made for the purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, an arrangement with creditors, or a similar procedure under national law.

(30) It should be made obligatory under Article 93 of the Financial Regulation for candidates or tenderers in procurement procedures to certify, if so requested, the ownership or the management, control and power of representation of the legal entity submitting a tender or that their subcontractors are not in one of the situations referred to in Article 93 of the Financial Regulation. Tenderers should not be required to certify that they are not in one of the situations giving rise to exclusion when they participate in a procurement procedure for the award of very low-value contracts.

(31) In order to enhance the effectiveness of procurement procedures, the database of candidates or tenderers in situations of exclusion should be common to the institutions, executive agencies and bodies referred to in Article 185.

(32) In order to take account of the interests of unsuccessful tenderers, it is appropriate to provide that a contract covered by Directive 2004/18/EC cannot be signed before the end of a reasonable standstill period.

(33) The obligations of the institutions to suspend a procurement procedure or a contract under Article 103 in cases of fraud and irregularities should be clarified in order to make this provision more operational.

(34) As regards grants, simplification of the rules is needed. Requirements for checks and guarantees should be more proportionate to the financial risks involved. The definition of grants needs to be clarified, in particular as regards financing related to loan activities or shareholdings and expenditure relating to fisheries markets. To improve the management of grants and to simplify procedures, it should be possible to award grants either by a decision of the institution or by a written agreement with the beneficiary.

(35) For reasons of clarity and transparency, the use of lump sum and flat-rate payments should be authorised alongside the more traditional method of reimbursing costs actually incurred.

(36) For reasons of legal clarity, the exceptions to the non-profit rule which are currently provided for in the implementing rules should be included in the Financial Regulation. Furthermore, it should be made clear that the purpose of awarding grants to certain actions is to help reinforce financial capacity or generate an income.

(37) The rule that grants should be awarded on the basis of calls for proposals has proved its worth. Experience has shown, however, that in certain cases the nature of the action leaves no choice in the selection of beneficiaries which should thus be exempted from this rule.

(38) The rule that the same action should not give rise to more than one grant to any one beneficiary should be adjusted. Some basic legal acts do permit Community funding from different sources to be combined, and such cases may increase in future in order to ensure the effectiveness of expenditure. However, it should be made clear in Article 111 of the Financial Regulation that the same costs cannot be financed twice by the Community budget.

(39) The rule that the agreement on an operating grant may not be signed more than four months after the start of the beneficiary's financial year has proven unnecessarily rigid. This deadline should thus be extended to six months.

(40) For reasons of simplification, in the case of operating grants taking the form of lump-sums or flat-rate financing, the rule that grants shall gradually decrease should be removed.

(41) Certain restrictions on the eligibility of beneficiaries should be removed in order to allow for grants to natural persons and certain types of entity which lack legal personality. In line with the principle of proportionality, for very low-value grants, the authorising officer may refrain from requesting applicants to certify that they are not in one of the situations of exclusion under Articles 93, 94 or 96 of the Financial Regulation.

(42) While grants will continue to be awarded on the basis of selection and award criteria, there is no need in practice to have those criteria evaluated by a committee specifically set up for that purpose, and that requirement should therefore be removed.

(43) As regards the procurement standards to be applied by beneficiaries of grants, the current rule in Article 120 is unclear and needs to be simplified. Moreover, the case in which the implementation of an action necessitates financial support to third parties should be expressly provided for.

(44) As regards the rules on accounting and the accounts, Article 121 of the Financial Regulation should make it possible for the Commission's accounting officer to determine, in compliance with international standards, which other bodies in addition to those receiving Community subsidies fall within the scope of the consolidation, it being understood that the consolidation of accounts neither entails any transfer of funds from self-financed bodies to the general budget of the European Union nor influences their financial and operational autonomy and the discharge procedures for their accounts.

(45) In view of the coming into existence of the EAGF, which replaces the EAGGF from 2007, terminology needs to be adjusted in title of Title I of Part Two, and in Articles 26 and 148 to 151, of the Financial Regulation. Clarification is required in Article 151 to the effect that provisional commitments may be made after the normal two-month deadline following receipt of the Member States' statements of expenditure in cases where a decision on a transfer of appropriations is expected. Article 153 concerning transfers needs clarification.

(46) In Title II of Part Two and Article 155, the terminology should be adjusted so that reference is made only to the structural funds, the cohesion fund, the fisheries fund and the rural development fund. References to pre-accession structural measures (ISPA) and agricultural measures (SAPARD) should be removed, since they involve management by third countries on a decentralised basis in accordance with Article 164 and will continue to be implemented largely in the same way as at present. As regards the making available again of decommitted appropriations, in line with the new basic acts for structural actions in the period 2007 to 2013 which cover the case of force majeure, provision should be maintained in the Financial Regulation only for cases where a manifest error is attributable to the Commission.
In Article 160 of the Financial Regulation, a provision needs to be added to cover the assigned revenue generated by the winding-up of the European Coal and Steel Community and the making available of the corresponding appropriations.

It is necessary to allow appropriations which have been decommitted as a result of total or partial non-implementation of the projects for which they were earmarked to be made available again. However, that should be possible only under strict conditions, and only in the area of research, since research projects present a higher financial risk than those in other policy areas.

As regards external actions, it should be clarified that, in line with existing practice, the grant procedures to be applied by third countries in the case of decentralised management have to be specified in the financing agreements concluded with those countries. It should be specified that the ‘n + 3 rule’ according to which individual contracts and agreements which implement such financing agreements have to be concluded no later than three years following the date of conclusion of the financing agreement shall apply. Specific rules should be foreseen for the case of decentralised management of multi-annual programmes under Council Regulations (EC) … (IPA and ENPI).

It should be made possible for the institutions to delegate authorising officer power to directors of inter-institutional European Offices for the management of appropriations entered in their respective sections of the budget, in order to facilitate management. While their content should remain unchanged, Articles 171, 173 and 176 of the Financial Regulation should be slightly re-structured in order to clarify the sub-delegation of authorising powers by the directors of Offices.

The procedure under which the budgetary authority may issue an opinion on a building project should be clarified.

Successive framework research programmes have facilitated the work of the Commission by laying down simplified rules for the selection of external experts for evaluation of proposals or grant applications and technical assistance for the follow-up and evaluation of projects funded. This procedure should be made available in respect of all other programmes.

Transitional provisions should be added. First, in Article 181(1), as regards the making available again of decommitted appropriations corresponding to commitments made during the 2000-2006 Structural Funds programming period, the case of force majeure should continue to be applied as provided in the Financial Regulation of 25 June 2002 until the closure of the assistance. This is in order to avoid disruption of the current system since force majeure is treated differently in the new Regulation governing the Structural Funds. Second, in Article 181(2), to deal with the implementation of the provisions on the central database for exclusion from participation in procurement and grant procedures. Finally, in Article 181(3) to deal with the outstanding Community commitments to be financially settled in order to close the assistance provided for in the Regulations governing the Structural Funds and the Cohesion Fund for the 2000-2006 programming period. For the appropriations concerning operational expenditure, the possibility for the Commission to make transfers from one title to another must be preserved, provided that the appropriations in question are for the same objective. Similarly, the Commission may continue to make transfers from one title to another when the appropriations in question relate to Community initiatives or technical assistance and innovative measures, provided that they are transferred to measures of the same nature. This means for instance transferring appropriations relating to one Community initiative to another, in a different title.

Regulation (EC, Euratom) No 1605/2002 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC, Euratom) No 1605/2002 is amended as follows:

(1) In Article 1, the first paragraph is replaced by the following:

‘This Regulation lays down the rules for the establishment and implementation of the general budget of the European Communities, hereinafter “the budget”, and the presentation and auditing of the accounts.’
(2) Article 3 is replaced by the following:

‘Article 3

The budget shall be established and implemented in compliance with the principles of unity, budgetary accuracy, annuality, equilibrium, unit of account, universality, specification, sound financial management which requires effective and efficient internal control, and transparency as set out in this Regulation.’

(3) In Article 5, paragraph 4 is replaced by the following:

‘4. Subject to Articles 5a, 18 and 74, interest yielded by the funds which are the property of the Communities shall be entered in the budget as miscellaneous revenue.’

(4) The following Article 5a is added in Chapter 1 of Title II of Part One:

‘Article 5a

1. Interest generated by pre-financing payments shall be assigned to the programme or the action concerned and deducted from the payment of the balance of the amounts due to the beneficiary.

The Regulation laying down the rules for implementing this Regulation, hereinafter “the implementing rules”, shall specify the cases in which the authorising officer responsible shall, by way of exception, recover annually such interest. That interest shall be entered in the budget as miscellaneous revenue.

2. Interest shall not be due to the Communities in the following cases:

(a) pre-financing which does not represent a significant amount, as determined in the implementing rules;

(b) pre-financing paid under a procurement contract within the meaning of Article 88;

(c) pre-financing paid to Member States;

(d) pre-financing paid under the pre-accession aid;

(e) advances paid to members of the institutions and to staff in accordance with the Staff Regulations of Officials of the European Communities and the Conditions of employment of other servants of the European Communities, hereinafter “the Staff Regulations”;

(f) pre-financing paid in the framework of joint management as referred to in point (c) of Article 53(1).’

(5) Article 9 is amended as follows:

(a) in the introductory phrase of paragraph 2, ‘Appropriations for commitment of differentiated appropriations’ is replaced by ‘Commitment appropriations’;

(b) in the first sentence of paragraph 3, ‘Appropriations for payment of differentiated appropriations’ is replaced by ‘Payment appropriations’.

(6) In Article 11, ‘Article 157’ is replaced by ‘Articles 157 and 160a’.

(7) In Article 16, the second paragraph is replaced by the following:

‘However, for the cash-flow purposes referred to in Article 61, the accounting officer and, in the case of imprest accounts, the imprest administrators, and, for the needs of the administrative management of the Commission’s External Service, the authorising officer responsible shall be authorised to carry out operations in national currencies as laid down in the implementing rules.’

(8) Article 18(1) is amended as follows:

(a) the introductory phrase is replaced by the following:

‘Without prejudice to Article 160(1a) and Article 161(2), the following items of revenue shall be used to finance specific items of expenditure:’
(b) the following point (aa) is inserted:

'(aa) financial contributions from Member States and other donor countries, including in both cases their public and parastatal agencies, or from international organisations to certain external aid projects or programmes financed by the Community and managed by the Commission on their behalf, pursuant to the relevant basic act;'

(c) the following point (ea) is inserted:

'(ea) proceeds from the sale of vehicles, equipment, installations, materials, and scientific and technical apparatus which are being replaced or scrapped when the book value is fully depreciated;'

(9) In Article 19(2), the first sentence is replaced by the following:

'Acceptance of donations of a value of 50 000 euro or more which involve a financial charge, including follow-up costs, exceeding 10% of the value of the donation made, shall be subject to the authorisation of the European Parliament and the Council, both of which shall act on the matter within two months of the date of receipt of the request from the Commission.'

(10) Article 22 is replaced by the following:

'Article 22

1. Any institution other than the Commission may, within its own section of the budget, transfer appropriations:

(a) from one title to another up to a maximum of 10% of the appropriations for the year shown on the line from which the transfer is made;

(b) from one chapter to another and from one article to another without limit.

2. Three weeks before making the transfers referred to in paragraph 1, the institutions shall inform the budgetary authority of their intentions. In the event of duly substantiated reasons being raised within this period by either branch of the budgetary authority, the procedure laid down in Article 24 shall apply.

3. Any institution other than the Commission may propose to the budgetary authority, within its own section of the budget, transfers from one title to another exceeding the limit of 10% of the appropriations for the financial year on the line from which the transfer is to be made. Those transfers shall be subject to the procedure laid down in Article 24.

4. Any institution other than the Commission may, within its own section of the budget, make transfers within articles without prior information of the budgetary authority.'

(11) Article 23 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) point (b) is replaced by the following:

'(b) as regards expenditure on staff and administration, transfer appropriations from one title to another up to a maximum of 10% of the appropriations for the year shown on the line from which the transfer is made, and up to a maximum of 30% of the appropriations for the year shown on the line to which the transfer is made;'

(ii) the following point (d) is added:

'(d) transfer appropriations, as soon as the basic act is adopted pursuant to the procedure laid down in Article 251 of the EC Treaty, from the "provisions" title referred to in Article 43 for the cases where no basic act existed for the action concerned when the budget was established.'

(iii) the second subparagraph is replaced by the following:

'Three weeks before making the transfers referred to in points (b) and (c) of the first subparagraph, the Commission shall inform the budgetary authority of its decision. In the event of duly substantiated reasons being raised within that three-week period by either branch of the budgetary authority, the procedure laid down in Article 24 shall apply.'
(iv) the following third and fourth subparagraphs are added:

‘However, during the last two months of the financial year, the Commission may autono-
mously transfer appropriations concerning expenditure on staff, external staff and other
agents from one title to another within the total limit of 5% of the appropriations of the
financial year. The Commission shall inform the budgetary authority within two weeks after
its decision on those transfers.

The Commission shall inform the budgetary authority within two weeks after its decision on
transfers referred to in point (d) of the first subparagraph.’

(b) in paragraph 2, ‘paragraph 1(c)’ is replaced by ‘paragraph 1’.

(12) Article 26 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Transfers within the titles of the budget devoted to the European Agricultural Guarantee
Fund (EAGF), the Structural Funds, Cohesion Fund, Fisheries Fund, the European Agricultural
Fund for Rural Development (EAFRD) and Research shall be the subject of special provisions
under Titles I, II and III of Part Two.’

(b) in paragraph 2, the first subparagraph is replaced by the following:

‘Decisions on transfers to allow the utilisation of the reserve for emergency aid shall be taken by
the budgetary authority on a proposal from the Commission. A separate proposal must be
submitted for each individual operation.’

(c) the following paragraph 3 is added:

‘3. In duly substantiated exceptional cases of international humanitarian disasters and crises,
occurring after 15 December of the budgetary year, the Commission may transfer unused
budgetary appropriations for the current budgetary year still available in the budget titles falling
under heading 4 of the multiannual financial framework to the budget titles concerning the crisis
management aid and humanitarian aid operations. The Commission shall inform the two
branches of the budgetary authority immediately after making such transfers.’

(13) Article 28 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Any proposal or initiative submitted to the legislative authority by the Commission or by a
Member State in conformity with the relevant provisions of the EC Treaty or the Treaty on
European Union (TEU), which may have an impact on the budget, including changes in the
number of posts, must be accompanied by a financial statement and the evaluation provided for
in Article 27(4) of this Regulation.

Any amendment to a proposal or initiative submitted to the legislative authority which may have
appreciable implications for the budget, including changes in the number of posts, must be
accompanied by a financial statement prepared by the institution proposing the amendment.’

(b) paragraph 3 is replaced by the following:

‘3. In order to prevent the risk of fraud and irregularities, the financial statement referred to in
paragraph 1 shall record any information regarding existing and planned fraud prevention and
protection measures.’

(14) After Article 28, the following Article is inserted:

‘Article 28a

1. The budget shall be implemented in compliance with effective and efficient internal control as
appropriate in each management mode, and in accordance with the relevant sector-specific
regulations.'
2. For the purposes of the implementation of the budget, internal control is defined as a process applicable at all levels of the management and designed to provide reasonable assurance on the achievement of the following objectives:

(a) effectiveness, efficiency and economy of operations;
(b) reliability of reporting;
(c) safeguarding of assets and information;
(d) prevention and detection of fraud and irregularities;
(e) adequate management of the risks relating to the legality and regularity of the underlying transactions, taking into account the multi-annual character of programmes as well as the nature of the payments concerned.

In Article 29, paragraph 2 is replaced by the following:

‘2. The President of the European Parliament shall have the budget and amending budgets, as finally adopted, published in the [Official Journal of the European Union].

The budget shall be published within three months following the date on which the budget is declared finally adopted.

The consolidated annual accounts and the report on budgetary and financial management drawn up by each institution shall be published in the [Official Journal of the European Union].’

In Article 30, the following paragraph 3 is added:

‘3. The Commission shall make available, in the appropriate manner, the information on the beneficiaries of funds deriving from the budget held by it when the budget is implemented on a centralised basis and directly by its departments, and the information on the beneficiaries of funds as provided by the entities to which budget implementation tasks are delegated under other modes of management.

This information shall be made available with due observance of the requirements of confidentiality, in particular the protection of personal data as laid down in Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data (1) and Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (2), and of the requirements of security, taking into account the specificities of each management mode referred to in Article 53 and where applicable in conformity with the relevant sector-specific rules.’

Article 33(2) is amended as follows:

(a) point (d) is replaced by the following:

‘(d) the activity statements containing the following:

— information on the achievement of all previously set specific, measurable, achievable, relevant and timed objectives for the various activities as well as new objectives measured by indicators;
— full justification and cost-benefit approach for proposed changes in the level of appropriations;
— clear rationale for intervention at the EU level in keeping, inter alia, with the principle of subsidiarity;
— information on the implementation rates of the previous year’s activity and implementation rates for the current year.

Evaluation results shall be consulted and referred to as evidence of the likely merits of proposed budget changes.’

(b) the following point (e) is added: ‘(e) a summary statement of the schedule of payments due in subsequent financial years to meet budgetary commitments entered into in earlier financial years.’

(18) In Article 37(1), the following new third subparagraph is added: ‘Before presenting a preliminary draft amending budget, the Commission and institutions other than the Commission shall examine the scope for reallocation of the relevant appropriations, taking into account any expected under-implementation of appropriations.’

(19) In Article 40, point (a) is replaced by the following: ‘(a) a general statement of revenue and expenditure;’

(20) In Article 43(1), the second subparagraph is replaced by the following: ‘The appropriations in this title may be used only after transfer in accordance with the procedure laid down in Article 23(1)(d) in the cases where the adoption of the basic act is subject to the procedure laid down in Article 251 of the EC Treaty, and that of Article 24 for the other cases.’

(21) In the second paragraph of Article 44, ‘Articles 22, 23 and 25’ is replaced by ‘Articles 23 and 25’.

(22) Article 45 is replaced by the following: ‘Article 45
1. The Commission section of the budget shall include a reserve for emergency aid for third countries.
2. The reserve referred to in paragraph 1 shall be drawn upon before the end of the financial year by means of transfer in accordance with the procedure laid down in Articles 24 and 26.’

(23) Article 46(1) is amended as follows:
(a) point (1) is amended as follows:
   (i) the introductory phrase is replaced by the following: ‘in the general statement of revenue and expenditure;’;
   (ii) point (f) is deleted;
   (iii) point (g) is replaced by the following: ‘(g) appropriate remarks on each subdivision, as set out in Article 41(1);’
(b) point (2) is replaced by the following: ‘2) in the section for each institution, the revenue and expenditure shall be shown in the same structure as in point (1);’
(c) in point (3), point (c) is replaced by the following: ‘(c) as regards scientific and technical staff, the classification may be based on groups of grades, in accordance with the conditions laid down in each budget; the establishment plan must specify the number of highly qualified technical or scientific personnel who are accorded special advantages under the specific provisions of the Staff Regulations;’
(d) point (5) is replaced by the following: ‘(5) the budget lines under revenue and expenditure necessary for implementing the Guarantee Fund for external actions.’

(24) In the second subparagraph of Article 47(1), ‘grades A1, A2 and A3’ is replaced by ‘grades AD 16, AD 15 and AD 14’.
Article 49 is replaced by the following:

‘Article 49

1. A basic act shall first be adopted before the appropriations entered in the budget for any action by the Communities or by the European Union may be used.

A basic act is a legal act which provides a legal basis for the action and for the implementation of the corresponding expenditure entered in the budget.

2. In application of the EC Treaty and the Euratom Treaty, a basic act is an act adopted by the legislative authority and may take the form of a regulation, a directive, a decision within the meaning of Article 249 of the EC Treaty or a decision sui generis.

3. In application of Title V of the TEU (concerning Common Foreign and Security Policy — CFSP), a basic act may take one of the forms specified in Articles 13(2) and (3), 14, 18(5), 23(1) and (2) and 24 of the TEU.

4. In application of Title VI of the TEU (concerning Police and Judicial Cooperation in Criminal Matters), a basic act may take one of the forms referred to in Article 34(2) of the TEU.

5. Recommendations and opinions do not constitute basic acts within the meaning of this article, nor do resolutions, conclusions, declarations or other acts which have no legal effects.

6. By way derogation of paragraphs 1 to 4, the following may be implemented without a basic act as long as the actions which they are intended to finance fall within the competence of the Communities or the European Union:

(a) appropriations for pilot schemes of an experimental nature designed to test the feasibility of an action and its usefulness. The relevant commitment appropriations may be entered in the budget for only two successive financial years;

(b) appropriations for preparatory actions in the fields of application of the EC Treaty and the Euratom Treaty and of Title VI of the TEU, designed to prepare proposals with a view to the adoption of future actions. The preparatory actions are to follow a coherent approach and may take various forms. The relevant commitment appropriations may be entered in the budget for only three successive financial years at most. The legislative procedure must be concluded before the end of the third financial year. In the course of the legislative procedure, the commitment of appropriations must correspond to the particular features of the preparatory action as regards the activities envisaged, the aims pursued and the persons benefited. Consequently, the means implemented cannot correspond in volume to those envisaged for financing the definitive action itself;

When the preliminary draft budget is presented, the Commission shall submit a report to the budgetary authority on the actions referred to in points (a) and (b) which shall also cover an assessment of results and the follow-up envisaged;

(c) appropriations for preparatory measures in the field of Title V of the TEU (concerning CFSP). These measures shall be limited to a short period of time and shall be designed to establish the conditions for European Union action in fulfilment of the objectives of the CFSP and for the adoption of the necessary legal instruments;

For the purpose of EU crisis management operations, preparatory measures are designed inter alia to assess the operational requirements, to provide for a rapid initial deployment of resources, or to establish the conditions on the ground for the launching of the operation.

Preparatory measures shall be agreed by the Council, in full association with the Commission. To this end, the Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP, shall inform the Commission as early as possible on the Council’s intention to launch a preparatory measure and in particular on the estimated resources required for this purpose. In conformity with the provisions of this Regulation, the Commission shall take all the necessary measures to ensure a rapid disbursement of the funds.
(d) appropriations for one-off actions, or even actions for an indefinite duration, carried out by
the Commission by virtue of tasks resulting from its prerogatives at institutional level pursuant to
the EC Treaty and the Euratom Treaty other than its right of legislative initiative referred to in
point (b) and under specific powers directly conferred on it by those Treaties, a list of which is
given in the implementing rules;

(e) appropriations for the operation of each institution under its administrative autonomy.

(26) In Article 50, the following second paragraph is added:

‘Each institution shall exercise these powers in accordance with this Regulation and within the limits
of the appropriations authorised.’

(27) Article 52 is replaced by the following:

‘Article 52

1. All financial actors and any other person involved in budget implementation, management,
audit or control shall be prohibited from taking any action which may bring their own interests into
conflict with those of the Communities. Should such a case arise, the person in question must refrain
from such actions and refer the matter to the competent authority.

2. There is a conflict of interests where the impartial and objective exercise of the functions of a
financial actor or other person, as referred to in paragraph 1, is compromised for reasons involving
family, emotional life, political or national affinity, economic interest or any other shared interest with
the beneficiary.’

(28) Article 53 is replaced by the following:

‘Article 53

The Commission shall implement the budget in accordance with the provisions set out in Articles 53a
to 53d in any of the following ways:

(a) on a centralised basis;

(b) by shared or decentralised management;

(c) by joint management with international organisations.’

(29) The following Articles 53a to 53d are inserted:

‘Article 53a

Where the Commission implements the budget on a centralised basis, implementation tasks shall be
performed either directly by its departments or indirectly, in accordance with Articles 54 to 57.

Article 53b

1. Where the Commission implements the budget by shared management, implementation tasks
shall be delegated to Member States. That method shall apply in particular to the actions referred to
in Titles I and II of Part Two.

2. Without prejudice to complementary provisions included in relevant sector-specific regulations,
and in order to ensure in shared management that the funds are used in accordance with the applic-
able rules and principles, the Member States shall take all the legislative, regulatory and administrative
or other measures necessary for protecting the Communities’ financial interests. To this effect they
shall in particular:

(a) satisfy themselves that actions financed from the budget are actually carried out and to ensure
that they are implemented correctly;

(b) prevent and deal with irregularities and fraud;

(c) recover funds wrongly paid or incorrectly used or funds lost as a result of irregularities or errors;
(d) ensure, by means of relevant sector-specific regulations and in conformity with Article 30(3), adequate annual *ex post* publication of beneficiaries of funds deriving from the budget.

To that effect, the Member States shall conduct checks and shall put in place an effective and efficient internal control system, according to the provisions laid down in Article 28a. They shall bring legal proceedings as are necessary and appropriate.

3. Member States shall produce an annual summary at the appropriate national level of the available audits and declarations.

4. In order to ensure that the funds are used in accordance with the applicable rules, the Commission shall apply clearance-of-accounts procedures or financial correction mechanisms which enable it to assume final responsibility for the implementation of the budget.

**Article 53c**

1. Where the Commission implements the budget by decentralised management, implementation tasks shall be delegated to third countries in accordance with Article 56 and Title IV of Part Two, without prejudice to delegation of residual tasks to bodies referred to in Article 54(2).

2. In order to ensure that the funds are used in accordance with the applicable rules, the Commission shall apply clearance-of-accounts procedures or financial correction mechanisms which enable it to assume final responsibility for the implementation of the budget.

3. Third countries to which implementation tasks are delegated shall ensure, in conformity with Article 30(3), adequate annual *ex post* publication of beneficiaries of funds deriving from the budget.

**Article 53d**

1. Where the Commission implements the budget by joint management, certain implementation tasks shall be delegated to international organisations, in accordance with the implementing rules, in the following cases:

   (a) wherever the Commission and the international organisation are bound by a long-term framework agreement laying down the administrative and financial arrangements for their cooperation;

   (b) wherever the Commission and the international organisation elaborate a joint project or programme;

   (c) where the funds of several donors are pooled and are not earmarked for specific items or categories of expenditure, that is to say, in the case of multi-donor actions.

   These organisations shall, in their accounting, audit, internal control and procurement procedures, apply standards which offer guarantees equivalent to internationally accepted standards.

2. The individual agreement concluded with the international organisation for the award of the financing shall contain detailed provisions for the implementation of the tasks entrusted to the international organisation.

3. International organisations to which implementation tasks are delegated shall ensure, in conformity with Article 30(3), adequate annual *ex post* publication of beneficiaries of funds deriving from the budget.

(30) Article 54 is amended as follows:

(a) paragraph 1 is replaced by the following:

   ‘1. The Commission may not delegate to third parties the executive powers it enjoys under the Treaties where they involve a large measure of discretion implying political choices. The implementing tasks delegated must be clearly defined and fully supervised as to the use made of them.'
The delegation of budget-implementation tasks shall comply with the principle of sound financial management which requires effective and efficient internal control and shall ensure compliance with the principle of non-discrimination, and the visibility of Community action. No implementing tasks delegated in this way may give rise to conflicts of interests.'

(b) paragraph 2 is amended as follows:

(i) the introductory phrase is replaced by the following:

'Within the limits laid down in paragraph 1, the Commission may, when implementing the budget by indirect centralised management or by decentralised management under Articles 53a or 53c, delegate tasks of public authority and in particular budget implementation tasks to: […]'

(ii) point (b) is replaced by the following:

'(b) bodies set up by the Communities as referred to in Article 185 and other specialised Community bodies, such as the European Investment Bank or the European Investment Fund, provided that to do so is compatible with the tasks of each body as defined in the basic act;'

(iii) point (c) is replaced by the following:

'(c) national or international public-sector bodies or bodies governed by private law with a public-service mission providing adequate financial guarantees and complying with the conditions provided for in the implementing rules.'

(iv) the following point (d) is added:

'(d) persons entrusted with the implementation of specific actions pursuant to Title V of the TEU, and identified in the relevant basic act within the meaning of Article 49.'

(c) in paragraph 3, the second subparagraph is replaced by the following:

'Such bodies or persons shall take appropriate measures to prevent irregularities and fraud and if necessary bring legal proceedings to recover funds wrongly paid or incorrectly used.'

(31) Articles 55 and 56 are replaced by the following:

'Article 55

1. The executive agencies shall be legal persons under Community law created by Commission Decision to which powers may be delegated to implement all or part of a Community programme or project on behalf of the Commission and under its responsibility in accordance with Council Regulation (EC) No 58/2003 (1).

2. Implementation of the corresponding operational appropriations shall be carried out by the director of the agency:

Article 56

1. Where the Commission implements the budget by indirect centralised management, it shall first obtain evidence of the existence and proper operation within the entities to which it entrusts implementation of the following:

(a) transparent procurement and grant-award procedures which are non-discriminatory and exclude any conflict of interest and which are in accordance with the provisions of Titles V and VI respectively;

(b) an effective and efficient internal control system for the management of operations, which includes effective segregation of the duties of authorising officer and accounting officer or of the equivalent functions;

(c) an accounting system that enables the correct use of Community funds to be verified and the use of funds to be reflected in Community accounts;

(d) an independent external audit;

(e) public access to information at the level provided for in Community Regulations;

(f) adequate annual ex post publication of beneficiaries of funds deriving from the budget in conformity with Article 30(3).

The Commission may accept that the audit, accounting and procurement systems of the entities referred to in Paragraphs 1 and 2 are equivalent to its own, with due account for internationally accepted standards.

2. In the case of decentralised management, the criteria laid down in paragraph 1 with the exception of the criterion provided in point (e), shall apply, in full or in part, depending on the degree of decentralisation, agreed between the Commission and the third country, national or international public-sector bodies concerned.

Notwithstanding paragraph (1)(a) and Article 169a, the Commission may decide:

— in the case of pooling of funds, and
— under the conditions provided in the basic act,

to use the procurement or grant procedures of the beneficiary partner country or as agreed among donors.

Before taking such a decision, the Commission shall first obtain evidence on a case by case basis that such procedures satisfy the principles of transparency, equal treatment and non-discrimination, prevent any conflict of interest, offer guarantees equivalent to internationally accepted standards and ensure compliance with the provisions of sound financial management which requires effective and efficient internal control.

The third country, national or international public-sector bodies concerned shall undertake to fulfil the following obligations:

(a) to comply, subject to the first subparagraph of this paragraph, with the criteria laid down in paragraph 1;

(b) to ensure that the audit referred to in point (d) of paragraph 1 is exercised by a national institution for independent external auditing;

(c) to conduct regular checks to ensure that the actions to be financed from the budget have been implemented correctly;

(d) to take appropriate measures to prevent irregularities and fraud and, if necessary, to bring legal proceedings to recover funds wrongly paid.

3. The Commission shall ensure supervision, evaluation and control of the implementation of the tasks entrusted. It shall take the equivalence of control systems into account when it carries out controls using its own control systems.

(32) In Article 57, paragraph 1 is replaced by the following:

‘1. The Commission may not entrust measures of implementation of funds deriving from the budget, including payment and recovery, to external private-sector entities or bodies, except in the case referred to in Article 54(2)(c) or in specific cases where the payments involved are to be made to beneficiaries determined by the Commission, are subject to conditions and amounts fixed by the Commission and do not involve the exercise of discretion by the entity or body making the payments.’

(33) Article 59 is amended as follows:

(a) the following paragraph 1a is inserted:

‘1a. For the purposes of this Title, the term “staff” refers to persons covered by the Staff Regulations.’
(b) paragraph 2 is replaced by the following:

‘2. Each institution shall lay down in its internal administrative rules the staff of an appropriate level to whom it delegates in compliance with the conditions in its rules of procedure the duties of the authorising officer, the scope of the powers delegated and the possibility for the persons to whom these powers are delegated to subdelegate them.’

(c) paragraph 3 is replaced by the following:

‘3. The powers of authorising officer shall be delegated or subdelegated only to staff.’

(34) In Article 60, paragraph 7 is replaced by the following:

‘7. The authorising officer by delegation shall report to his institution on the performance of his duties in the form of an annual activity report together with financial and management information confirming that the information contained in the report presents a true and fair view except as otherwise specified in any reservations related to defined areas of revenue and expenditure.

That report shall indicate the results of the operations by reference to the objectives set, the risks associated with these operations, the use made of the resources provided and the efficiency and effectiveness of the internal control system. The internal auditor shall take note of the annual report and any other pieces of information identified. No later than 15 June each year, the Commission shall send to the budgetary authority a summary of the annual reports for the previous year.’

(35) Article 61 is amended as follows:

(a) in paragraph 1, point (e), the following sentence is added:

‘the accounting officer shall be empowered to verify the respect of validation criteria;’

(b) the following paragraphs 2a, 2b and 2c are inserted:

‘2a. Before the adoption of the accounts by the institution, the accounting officer shall sign them off, thereby certifying that he/she has a reasonable assurance that the accounts present a true and fair view of the financial situation of the institution.

For that purpose the accounting officer shall satisfy himself that the accounts have been prepared in accordance with the accounting rules, methods and accounting systems established under his responsibility as laid down in this Regulation for the accounts of his institution, and that all revenue and expenditure is entered in the accounts.

The authorising officers by delegation shall forward all information that the accounting officer needs in order to fulfil his duties.

The authorising officers shall remain fully responsible for the proper use of the funds they manage as well as the legality and regularity of the expenditure under their control.

2b. The accounting officer shall be empowered to check the information received as well as to carry out any further checks he deems necessary in order to sign off the accounts.

The accounting officer shall make reservations, if necessary, explaining exactly the nature and scope of such reservations.

2c. The accounting officers of the other institutions and agencies shall sign off their annual accounts and send them to the Commission’s accounting officer.’

(c) paragraph 3 is replaced by the following:

‘3. Save as otherwise provided in this Regulation, the accounting officer is alone empowered to manage cash and cash equivalents. He shall be responsible for their safekeeping.’
In Article 62, the first paragraph is replaced by the following:

‘The accounting officer may, in the performance of his duties, delegate certain tasks to subordinate staff.’

Article 63 is replaced by the following:

‘Article 63

1. Imprest accounts may be set up for the collection of revenue other than own resources and for the payment of small sums as defined in the implementing rules. However, in the field of crisis management aid and humanitarian aid operations within the meaning of Article 110, imprest accounts may be used without any limitation on the amount while respecting the level of appropriations decided by the budgetary authority on the corresponding budget line for the current financial year.

2. Imprest accounts shall be endowed by the institution’s accounting officer and shall be placed under the responsibility of imprest administrators designated by the institution’s accounting officer.’

In Article 65, paragraph 1 is replaced by the following:

‘1. The provisions of this Chapter are without prejudice to the criminal-law liability which the financial actors referred to in Article 64 may incur as provided in the applicable national law and in the provisions in force on the protection of the Communities’ financial interests and on the fight against corruption involving officials of the Communities or officials of Member States.’

Article 66 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The authorising officer shall be liable for payment of compensation as laid down in the Staff Regulations.’

(b) the following paragraph 1a is inserted:

‘1a. The obligation to pay compensation shall apply in particular if:

(a) the authorising officer, whether intentionally or through gross negligence on his part, determines entitlements to be recovered or issues recovery orders, commits expenditure or signs a payment order without complying with this Regulation and the implementing rules;

(b) the authorising officer, whether intentionally or through gross negligence on his part, omits to draw up a document establishing an amount receivable, neglects to issue a recovery order or is late in issuing it or is late in issuing a payment order, thereby rendering the institution liable to civil action by third parties.’

(c) paragraph 3 is replaced by the following:

‘3. In the event of subdelegation within his services, the authorising officer by delegation continues to be responsible for the efficiency and effectiveness of the internal management and control systems put in place and for the choice of the authorising officer by subdelegation.’

(d) in paragraph 4, the first subparagraph is replaced by the following:

‘4. Each institution shall set up a specialised financial irregularities panel or participate in a joint panel established by several institutions. The panels shall function independently and determine whether a financial irregularity has occurred and what the consequences, if any, should be.’
(40) Article 73(2) is amended as follows:

(a) the paragraph is replaced by the following:

‘2. Where the responsible authorising officer by delegation is planning to waive or partially waive recovery of an established amount receivable, he/she shall ensure that the waiver is in order and complies with the principle of sound financial management and proportionality in accordance with the procedures and the criteria laid down in the implementing rules. The waiver decision must be substantiated. The authorising officer may delegate the decision only as laid down in the implementing rules.’

(b) the following subparagraph is added:

‘The responsible authorising officer may furthermore cancel or adjust an established amount receivable, in accordance with the conditions set out in the implementing rules.’

(41) The following Article 73a is inserted:

‘Article 73a

Without prejudice to the provisions of specific regulations and the application of the Council Decision relating to the Communities’ own resources system, entitlements of the Communities in respect of third parties and entitlements of third parties in respect of the Communities shall be subject to a limitation period of five years.

The date for calculating the limitation period and the conditions for interrupting this period shall be laid down in the implementing rules.’

(42) In Article 75(2), ‘Article 49(2)’ is replaced by ‘Article 49(6)(e)’.

(43) In Article 77(3), the third subparagraph is replaced by the following:

‘The amount of a budget commitment corresponding to a legal commitment for which no payment within the meaning of Article 81 has been made in a period of three years following the signing of the legal commitment shall be decommitted.’

(44) In Article 80, the following paragraph is added:

‘Where periodic payments are made with regard to services rendered, including rental services, or goods delivered, and subject to his risk analysis, the authorising officer may order the application of a direct debit system.’

(45) In Article 86(1), point (b) is replaced by the following:

‘(b) for assessing the efficiency and effectiveness of the internal control and audit systems applicable to every budgetary implementation operation.’

(46) In Article 87, the second paragraph is replaced by the following:

‘If the internal auditor is a member of staff, he shall assume responsibility as laid down in the Staff Regulations and spelt out in the implementing rules.’

(47) Article 88 is replaced by the following:

‘Article 88

1. Public contracts are contracts for pecuniary interest concluded in writing between one or more economic operators and one or more contracting authorities within the meaning of Articles 104 and 167, in order to obtain, against payment of a price paid in whole or in part from the budget, the supply of movable or immovable assets, the execution of works or the provision of services.’
These contracts comprise:

(a) contracts for the purchase or rental of a building;
(b) supply contracts;
(c) works contracts;
(d) service contracts.

2. Framework contracts are contracts concluded between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged. They shall be governed by the provisions of this Title concerning the award procedure, including advertising.

3. This Title does not relate to grants, without prejudice to Articles 93 to 96.

(48) In Article 89(2), the following subparagraph is added:

‘Contracting authorities may not use framework contracts improperly or in such a way that the purpose or effect is to prevent, restrict or distort competition.’

(49) Article 90 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) the first subparagraph is replaced by the following:

‘1. All contracts exceeding the thresholds provided for in Article 105 or Article 167 shall be published in the Official Journal of the European Union.’

(ii) the second subparagraph is replaced by the following:

‘Contract notices shall be published in advance except in the cases referred to in Article 91(2) of this Regulation, as specified in the implementing rules, and for the service contracts covered by Annex IIB to Directive 2004/18/EC of the European Parliament and of the Council (1).’

(b) paragraph 2 is replaced by the following:

‘2. Contracts with a value below the thresholds provided for in Article 105 or Article 167 and the service contracts referred to in Annex IIB to Directive 2004/18/EC shall be advertised by appropriate means, as specified in the implementing rules.’

(50) Article 91 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Procurement procedures shall take one of the following forms:

(a) the open procedure;
(b) the restricted procedure;
(c) contests;
(d) the negotiated procedure;
(e) the competitive dialogue.

Where a public contract or a framework contract is of interest to two or more institutions, executive agencies or bodies referred to in Article 185, and whenever there is a possibility for realizing efficiency gains, the contracting authorities concerned shall seek to carry out the procurement procedure on an interinstitutional basis.

Where a public contract or framework contract is necessary for the implementation of a joint action between one institution and a contracting authority from a Member State, the procurement procedure may be carried out jointly by the institution and this contracting authority, as specified in the implementing rules.

(b) in paragraph 2, the second subparagraph is deleted;

(c) the following paragraph 4 is added:

‘4. The implementing rules shall define the procurement procedure, referred to in paragraph 1, applicable to service contracts covered by Annex IIB to Directive 2004/18/EC and to contracts which are declared to be secret, whose performance must be accompanied by special security measures, or when the protection of essential interests of the Communities or the European Union so requires.’

(51) Article 92 is replaced by the following:

‘Article 92

The documents relating to the call for tenders shall give a full, clear and precise description of the subject of the contract and specify the exclusion, selection and award criteria applicable to the contract.’

(52) Article 93 is amended as follows:

(a) Paragraph 1 is amended as follows:

(i) the introductory words are replaced by the following:

‘Candidates or tenderers shall be excluded from participation in procurement procedures if:

(ii) point (f) is replaced by the following:

‘(f) they are currently subject to an administrative penalty referred to in Article 96(1).’

(iii) the following subparagraph is added:

‘Points (a) to (d) of the first subparagraph shall not apply in the case of purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, an arrangement with creditors, or a similar procedure under national law.’

(b) paragraph 2 is replaced by the following:

‘2. Candidates or tenderers shall certify that they are not in one of the situations listed in paragraph 1. However, the contracting authority may refrain from requiring such certification for very low value contracts, as specified in the implementing rules.

For the purpose of the correct application of paragraph 1, the candidate or tenderer, whenever requested by the contracting authority, must:

a) where the candidate or tenderer is a legal entity, provide information on the ownership or on the management, control and power of representation of the legal entity;

b) where subcontracting is envisaged, certify that the subcontractor is not in one of the situations referred to in paragraph 1.’

(c) the following paragraph 3 is added:

‘3. The implementing rules shall determine the maximum period during which the situations referred to in paragraph 1 give rise to the exclusion of candidates or tenderers from participation in a procurement procedure. The maximum period shall not exceed ten years.’
Articles 94, 95 and 96 are replaced by the following:

Article 94

A contract shall not be awarded to candidates or tenderers who, during the procurement procedure for this contract:

(a) are subject to a conflict of interest;

(b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;

(c) find themselves in one of the situations of exclusion, referred to in Article 93(1), for this procurement procedure;

Article 95

1. A central database shall be set up and operated by the Commission in compliance with Community rules on the protection of personal data. The database shall contain details of candidates and tenderers which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and (2)(a). It shall be common to the institutions, executive agencies and the bodies referred to in Article 185.

2. The authorities of the Member States and third countries as well as the bodies, other than those referred to in paragraph 1, participating in the implementation of the budget in accordance with Articles 53 and 54, shall communicate to the competent authorising officer information on candidates and tenderers which are in one of the situations referred to in Article 93(1)(e), where the conduct of the operator concerned was detrimental to the Communities' financial interests. The authorising officer shall receive this information and request the accounting officer to enter it into the database. The authorities and bodies mentioned in the first subparagraph shall have access to the information contained in the database and may take it into account, as appropriate and on their own responsibility, for the award of contracts associated with the implementation of the budget.

3. Transparent and coherent criteria to ensure proportionate application of the exclusion criteria shall be laid down in the implementing rules. The Commission shall define standardised procedures and technical specifications for the operation of the database.

Article 96

1. The contracting authority may impose administrative or financial penalties on the following:

(a) candidates or tenderers in the cases referred to in point (b) of Article 94;

(b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

In all cases, however, the contracting authority must first give the person concerned an opportunity to present his observations.

2. The penalties referred to in paragraph 1 shall be proportionate to the importance of the contract and the seriousness of the misconduct, and may consist in:

(a) the exclusion of the candidate or tenderer or contractor concerned from the contracts and grants financed by the budget, for a maximum period of ten years; and/or

(b) the payment of financial penalties by the candidate or tenderer or contractor up to the value of the contract in question.
(54) Article 97 is replaced by the following:

‘Article 97

1. Contracts shall be awarded on the basis of award criteria applicable to the content of the tender after the capability of economic operators not excluded under Articles 93, 94 and 96(2)(a) has been checked in accordance with the selection criteria contained in the documents relating to the call for tenders.

2. Contracts shall be awarded by the automatic award procedure or by the best-value-for-money procedure.’

(55) Article 98 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following:

‘1. The arrangements for submitting tenders shall be such as to ensure that there is genuine competition and that the contents of tenders remain confidential until they are all opened simultaneously.

2. If deemed appropriate and proportionate, the contracting authority may require tenderers, as provided in the implementing rules, to lodge a security in advance as a guarantee that the bids made will not be withdrawn.’

(b) paragraph 4 is replaced by the following:

‘4. All requests to participate or tenders declared by the opening board as satisfying the conditions laid down shall be evaluated, on the basis of the criteria provided in the documents relating to the call for tenders, in order to propose to the contracting authority the award of the contract or to proceed with an electronic auction.’

(56) Articles 102 and 103 are replaced by the following:

‘Article 102

1. The contracting authority shall require contractors to lodge a guarantee in advance in the cases specified in the implementing rules.

2. The contracting authority may if deemed appropriate and proportionate require contractors to lodge such a guarantee in order to:

(a) ensure full performance of the contract;

(b) limit the financial risks connected with payment of pre-financing.

Article 103

Where the award procedure proves to have been subject to substantial errors, irregularities or fraud, the institutions shall suspend the procedure and may take whatever measures are necessary, including the cancellation of the procedure.

Where, after the award of the contract, the award procedure or the performance of the contract prove to have been subject to substantial errors, irregularities or fraud, the institutions may, depending on the stage reached in the procedure, refrain from concluding the contract or suspend performance of the contract or, where appropriate, terminate the contract.

Where such errors, irregularities or fraud are attributable to the contractor, the institutions may in addition refuse to make payments, may recover amounts already paid or may terminate all the contracts concluded with this contractor, in proportion to the seriousness of the errors, irregularities or fraud.

(57) In Article 104, the following sentence is added:

‘They shall delegate, in accordance with Article 59, the necessary powers for the exercise of the function of contracting authority.’
Article 105 is replaced by the following:

'Article 105

1. Subject to Title IV of Part Two of this Regulation, Directive 2004/18/EC shall lay down the thresholds which determine:

(a) the publication arrangements referred to in Article 90;

(b) the choice of procedures referred to in Article 91(1);

(c) the corresponding time limits.

2. Subject to exceptions and conditions specified in the implementing rules, the contracting authority shall not, in the case of contracts covered by Directive 2004/18/EC, sign the contract or framework contract with the successful tenderer until a period of standstill has elapsed.'

The title of Chapter 1 of Title VI of Part One is replaced by the following:

'CHAPTER 1
Scope and form of grants'

Article 108 is amended as follows:

(a) In paragraph 1, the second subparagraph is replaced by the following:

'They shall be covered either by a written agreement or by a Commission decision notified to the successful applicant.'

(b) Paragraph 2 is replaced by the following:

'2. The following shall not constitute grants within the meaning of this Title:

(a) expenditure on the members and staff of the institutions and contributions to the European schools;

(b) loans, risk-bearing instruments of the Community or Community financial contributions to such instruments, the public contracts referred to in Article 88 and aid paid as macro financial assistance and budgetary support;

(c) equity investments on the basis of the private investor principle, quasi-equity financing and shareholdings or equity participations in international financial institutions such as the European Bank for Reconstruction and Development (EBRD) or specialised Community bodies such as the European Investment Fund (EIF);

(d) contributions paid by the Communities as subscriptions to bodies of which they are members;

(e) expenditure implemented as part of shared, decentralised or joint management within the meaning of Articles 53 to 53d;

(f) payments made to bodies to which implementation tasks are delegated in accordance with Article 54(2) and contributions made by virtue of their constitutive basic act to bodies set up by the legislative authority;

(g) expenditure relating to fisheries markets referred to in Article 3(2) point (f) of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy (f);

(b) repayment of travel and subsistence expenses incurred by, or where appropriate any other indemnities paid to persons invited or mandated by the institutions.

(c) the following paragraphs 3 and 4 are added:

3. The following shall be assimilated to grants and shall be governed, as appropriate, by this Title:

(a) the benefit deriving from an interest subsidy on certain loans;

(b) equity investments or participations other than those referred to in point (c) of paragraph 2.

4. Each institution may award grants for communication activities where, for duly justified reasons, the use of public procurement procedures is not appropriate.

(61) The following Article 108a is inserted:

‘Article 108a

1. Grants may take any of the following forms:

(a) reimbursement of a specified proportion of the eligible costs actually incurred;

(b) lump sums;

(c) flat-rate financing;

(d) a combination of the forms referred to in points (a), (b) and (c).

2. Grants shall respect an overall ceiling expressed in terms of absolute value.’

(62) The title of Chapter 2 of Title VI of Part One is replaced by the following:

‘CHAPTER 2
Principles’

(63) Article 109 is replaced by the following:

‘Article 109

1. Grants shall be subject to the principles of transparency and equal treatment.

They may not be cumulative or awarded retrospectively and they must involve co-financing.

On no account may the combined total costs eligible, as specified in the implementing rules, for financing be exceeded.

2. Grants may not have the purpose or effect of producing a profit for the beneficiary.

3. Paragraph 2 shall not apply to the following:

(a) study, research or training scholarships paid to natural persons;

(b) prizes awarded following contests;

(c) actions the objective of which is the reinforcement of the financial capacity of a beneficiary or the generation of an income in the framework of external actions.’
In Article 110, paragraph 1 is replaced by the following:

‘1. Grants shall be subject to an annual work programme, to be published at the start of the year.

That annual work programme shall be implemented through the publication of calls for proposals, save in duly substantiated exceptional cases of urgency or where the characteristics of the beneficiary or of the action leave no other choice for a given action, or where the beneficiary is identified in a basic act as recipient of a grant.

The first subparagraph shall not apply to crisis management aid and humanitarian aid operations.’

Articles 111 and 112 are replaced by the following:

‘Article 111

One action may give rise to the award of only one grant from the budget to any one beneficiary, except where otherwise authorised by the basic acts concerned.

A beneficiary may be awarded only one operating grant from the budget per financial year.

The applicant shall immediately inform the authorising officers of any multiple applications and multiple grants relating to the same action or to the same work programme.

In any case, the same costs shall not be financed twice by the budget.

Article 112

1. A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the grant is awarded.

In such cases, costs eligible for financing may not have been incurred prior to the date of submission of the grant application, save in duly substantiated exceptional cases as provided for in the basic act or in the case of expenditure necessary for the proper implementation of crisis management aid or humanitarian aid operations as provided for in the implementing rules.

No grant may be awarded retrospectively for actions already completed.

2. An operating grant shall be awarded within six months after the start of the beneficiary’s budgetary year. Costs eligible for financing may not have been incurred before the grant application was lodged nor before the start of the beneficiary’s budgetary year.’

In Article 113, paragraph 2 is replaced by the following:

‘2. Unless otherwise specified in the basic act with regard to bodies pursuing an objective of general European interest, when operating grants are renewed, they shall be gradually decreased. This provision shall not apply to grants taking one of the form referred to in points (b) and (c) of Article 108a(1).’

Article 114 is replaced by the following:

‘Article 114

1. Grant applications shall be submitted in writing.

2. Grant applications shall be eligible if submitted by the following:

(a) legal persons; grant applications may be eligible if submitted by entities which do not have legal personality under the applicable national law, provided that their representatives have the capacity to undertake legal obligations on their behalf and assume financial liability.'
(b) natural persons in so far as this is required by the nature or characteristics of the action or the objective pursued by the applicant.

3. Grants may not be awarded to applicants who are, at the time of a grant award procedure, in one of the situations referred to in Articles 93(1), 94 and 96(2)(a).

Applicants must certify that they are not in one of the situations referred to in the first subparagraph. However, the authorising officer may refrain from requiring such certification for very low value grants, as specified in the implementing rules.

4. Administrative and financial penalties which are effective, proportionate and dissuasive may be imposed on applicants by the authorising officer, in accordance with Article 96.

Such penalties may also be imposed on beneficiaries who at the moment of the submission of the application or during the implementation of the grant, have made false declarations in supplying the information required by the authorising officer or fail to supply this information.'

(68) In Article 116, paragraph 1 is replaced by the following:

'1. Proposals shall be evaluated, on the basis of pre-announced selection and award criteria, with a view to determining which proposals may be financed.'

(69) Article 118 is replaced by the following:

'Article 118

1. The authorising officer responsible may if deemed appropriate and proportionate require the beneficiary to lodge a guarantee in advance in order to limit the financial risks connected with the payment of pre-financing.

2. The authorising officer shall require the beneficiary to lodge such a guarantee in advance in the cases specified in the implementing rules.'

(70) In Article 119, paragraph 2 is replaced by the following:

'2. Should the beneficiary fail to comply with his obligations, the grant shall be suspended or reduced or terminated in the cases provided for by the implementing rules after the beneficiary has been given the opportunity to make his observations.'

(71) Article 120 is replaced by the following:

'Article 120

1. Where implementation of the action requires the award of procurement contracts by the beneficiary, the relevant procedures shall be as set out in the implementing rules.

2. Where implementation of the action requires financial support to be given to third parties, the beneficiary of a Community grant may give such financial support provided that the following conditions are met:

(a) the financial support is not the primary aim of the action;

(b) the conditions for the giving of such support are strictly defined in the grant decision or agreement between the beneficiary and the Commission, with no margin for discretion;

(c) the amounts concerned are small.

For the purpose of point (c), the maximum amount of financial support that can be paid to a third party by a beneficiary shall be determined in the implementing rules.
3. Each grant decision or agreement shall provide expressly for the Commission and the Court of Auditors to exercise their powers of control, on documents and on the premises, over all contractors and subcontractors who have received Community funds.

(72) Article 121 is amended as follows:

(a) point (a) is replaced by the following:

'(a) the financial statements of the institutions as set out in Article 126, those of the bodies referred to in Article 185 and of other bodies whose accounts need to be consolidated in accordance with Community accounting rules;

(b) point (d) is replaced by the following:

'(d) the aggregated reports on implementation of the budget which present the information contained in the reports referred to in point (a).

(73) Article 122 is amended as follows:

(a) the first paragraph is replaced by the following:

'The accounts of the institutions and bodies referred to in Article 121 shall be accompanied by a report on budgetary and financial management of the financial year.

(b) the following second paragraph is added:

'The report referred to in the first paragraph shall give an account, inter alia, of the rate of implementation of the appropriations together with summary information on the transfers of appropriations among the various budget items.

(74) Article 128 is replaced by the following:

'Article 128

The accounting officers of the other institutions and bodies referred to in Article 121 shall send to the Commission’s accounting officer and to the Court of Auditors by 1 March of the following year at the latest their provisional accounts together with the report on budgetary and financial management during the year.

The Commission’s accounting officer shall consolidate these provisional accounts with the Commission’s provisional accounts and shall send to the Court of Auditors, by 31 March of the following year at the latest, the Commission’s provisional accounts accompanied by its report on budgetary and financial management during the year together with the provisional consolidated accounts.

The accounting officer of each institution and body referred to in Article 121 shall also send the report on budgetary and financial management to the European Parliament and the Council by the date specified in the second paragraph.

(75) Article 129 is amended as follows:

(a) in paragraph 1, ‘Article 185’ is replaced by ‘Article 121’;

(b) paragraph 2 is replaced by the following:

'2. The institutions other than the Commission, and each of the bodies referred to in Article 121, shall draw up their final accounts in accordance with Article 61 and send them to the Commission’s accounting officer and the Court of Auditors by 1 July of the following year at the latest with a view to drawing up the final consolidated accounts.'
c) the following paragraph 2a is inserted:

‘2a. The Commission’s accounting officer shall prepare the final consolidated accounts on the basis of the information presented by the other institutions under paragraph 2. The final consolidated accounts shall be accompanied by a note established by the Commission’s accounting officer, by which he/she declares that they were prepared in accordance with Title VII and with the accounting principles, rules and methods set out in annex to the financial statements.’

(d) paragraph 3 is replaced by the following:

‘3. After approving the final consolidated accounts and its own final accounts, the Commission shall send them both to the European Parliament, the Council and the Court of Auditors before 31 July of the following financial year;’

(e) in paragraph 4, ‘31 October’ is replaced by ‘15 November’.

(76) Article 131 is amended as follows:

(a) in paragraph 1, ‘the Commission’ is replaced by ‘the Commission’s accounting officer’;

(b) in paragraph 2, ‘the Commission’ is replaced by ‘the Commission’s accounting officer’.

(77) In Article 133(1), ‘Article 185’ is replaced by ‘Article 121’.

(78) In Article 134, ‘Article 185’ is replaced by ‘Article 121’.

(79) In Article 138(1), ‘Article 185’ is replaced by ‘Article 121’.

(80) In Article 139, paragraph 2 is replaced by the following:

‘2. Each institution shall inform the Court of Auditors and the two arms of the budgetary authority of any internal rules they adopt in respect of financial matters.’

(81) Article 143 is amended as follows:

(a) in paragraph 2, ‘15 June’ is replaced by ‘30 June’, and ‘30 September’ is replaced by ‘15 October’;

(b) paragraph 5 is replaced by the following:

‘5. The Court of Auditors shall transmit to the authorities responsible for giving discharge and to the other institutions, by 15 November at the latest, its annual report accompanied by the replies of the institutions and shall ensure publication thereof in the Official Journal of the European Union.’

(c) in paragraph 6, ‘15 February’ is replaced by ‘28 February’.

(82) Article 144 is amended as follows:

(a) in paragraph 1, the fifth subparagraph is replaced by the following:

‘Should the Court of Auditors decide to have any such special reports published in the Official Journal of the European Union, they shall be accompanied by the replies of the institutions concerned.’

(b) in paragraph 2, the first sentence is replaced by the following:

‘The opinions referred to in Article 248(4) of the EC Treaty and Article 160c(4) of the Euratom Treaty which do not relate to proposals or drafts covered by the legislative consultation procedure may be published by the Court of Auditors in the Official Journal of the European Union.’

(83) In Article 145(1), ‘30 April’ is replaced by ‘15 May’.
In Title I of Part Two, the title is replaced by the following:

‘TITLE I
EUROPEAN AGRICULTURAL GUARANTEE FUND’

In Article 148, paragraph 1 is replaced by the following:

‘1. Parts One and Three of this Regulation shall apply to expenditure effected by the authorities and bodies referred to in the rules relating to the EAGF, and to revenue, save as otherwise provided in this Title.’

Article 149 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. For each financial year, the EAGF shall include non-differentiated appropriations, with the exception of the expenditure related to the measures referred to in Article 3(2) of Council Regulation (EC) No 1290/2005 (1), which shall be covered by differentiated appropriations.’

(b) paragraph 3 is replaced by the following:

‘3. Non-committed appropriations relating to the actions referred to in Article 3(1) of Regulation (EC) No 1290/2005 may be carried over to the next financial year only.

Such carryover shall not exceed, within the limit of 2% of the initial appropriations referred to in the first subparagraph, the amount of the adjustment of direct payments referred to in Article 11 of Council Regulation (EC) No 1782/2003 (2) and which was applied during the last financial year.

Appropriations which are carried over shall be returned exclusively to the budgetary lines which cover the actions referred to in Article 3(1)(c) of Regulation (EC) No 1290/2005.

Such carryover may lead to an additional payment only to the final beneficiaries who have been subject, in the last financial year, to the adjustment of direct payments in accordance with Article 11 of Regulation (EC) No 1782/2003.

The carryover decision shall be taken, at the latest on 15 February of the year to which the carryover is being made, by the Commission, which shall inform the budgetary authority.’

In Article 150, paragraphs 2 and 3 are replaced by the following:

‘2. The Commission decisions fixing the amounts of these payments shall constitute global provisional commitments, which may not exceed the total appropriations entered for the EAGF.

3. As from 15 November, routine management expenditure for the EAGF may be committed in advance against the appropriations provided for the following financial year. Such commitments may not, however, exceed three quarters of the total corresponding appropriations for the current financial year. They may apply only to expenditure for which the principle is laid down in an existing basic act.’

In Article 151(1), the first subparagraph is replaced by the following:

‘Expenditure effected by the authorities and bodies referred to in the rules relating to the EAGF shall, within two months following receipt of the statements sent in by Member States, be the subject of a commitment by chapter, article and item. Such commitment may be made after the elapse of that two-month period whenever a procedure for a transfer of appropriations concerning the budget lines in question is necessary. Save where payment has not yet been made by the Member States or where eligibility is in doubt, the amounts shall be charged as payments within the same two-month period.’

Article 152 is replaced by the following:

'Article 152

In budgetary accounting, expenditure shall be booked to the accounts for a financial year on the basis of the repayments made by the Commission to the Member States by 31 December of the year concerned at the latest, provided that the payment order has reached the accounting officer by 31 January of the following financial year at the latest.'

In Article 153, paragraph 1 is replaced by the following:

'1. Where the Commission may transfer appropriations pursuant to Article 23(1), it shall take its decision by 31 January of the following financial year at the latest and shall inform the budgetary authority as provided for in Article 23(1).'</n
Article 154 is replaced by the following:

'Article 154

1. Assigned revenue under this Title shall be assigned according to origin in accordance with Article 18(2).

2. The result of decisions on clearance of accounts, as referred to in Article 30 of Council Regulation (EC) No 1290/2005 shall be entered in a single Article.'

The title of Title II of Part Two is replaced by the following:

'TITLE II

STRUCTURAL FUNDS, COHESION FUND, FISHERIES FUND, AND AGRICULTURAL FUND FOR RURAL DEVELOPMENT'

Article 155 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Parts One and Three of this Regulation shall apply to expenditure effected by the authorities and bodies referred to in the Regulations governing the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Fisheries Fund (EFF), and the EAFRD, hereinafter “the Funds”, and to their revenue, save as otherwise provided in this Title.'

(b) paragraph 3 is deleted.

In Article 157, the second paragraph is replaced by the following:

'The decommitted appropriations may be made available again in the event of a manifest error attributable solely to the Commission.'

Article 158 is replaced by the following:

'Article 158

With regard to the operational expenditure referred to in this Title, the Commission may, except in the case of the EAFRD, make transfers from one title to another, provided that the appropriations in question are for the same objective within the meaning of the Regulations governing the Funds referred to in Article 155, or are Technical Assistance expenditure.'

In Article 160, the following paragraph 1a is inserted:

'1a. The appropriations relating to the revenue generated by the Research Fund for Coal and Steel established by the Protocol annexed to the EC Treaty on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel shall be treated as assigned revenue within the meaning of Article 18. The commitment appropriations generated by this revenue shall be made available as soon as the amount receivable has been estimated and the payment appropriations as soon as the revenue has been received.'
The following Article 160a is inserted:

'Article 160a

1. The commitment appropriations corresponding to the amount of the commitment decommitted as a result of total or partial non-implementation of the projects relating to research for which they were earmarked may, exceptionally and in duly substantiated cases, be made available again where it is essential to carry out the programme originally planned, unless the budget for the current financial year contains funds for this purpose.

2. For the purposes of paragraph 1, the Commission shall, at the beginning of each financial year, examine decommitments made during the previous financial year and assess, in the light of the requirements, the need for making the appropriations available again.

On the basis of this assessment, the Commission may submit appropriate proposals to the budgetary authority, by 15 February of each financial year, stating for each budget item the reasons for making these appropriations available again.

3. The budgetary authority shall decide on the Commission’s proposals within six weeks. Where no decision is taken within this time limit, the proposals shall be deemed to be approved.

The amount of commitment appropriations to be made available again in year n shall in no case exceed 25% of the total amount decommitted on the same budget line in year n - 1.

4. Commitment appropriations made available again shall not be carried over.

Legal commitments relating to the commitment appropriations which have been made available again shall be concluded by 31 December of year n.

At the end of year n, the unused balance of the commitment appropriations made available again shall be definitively decommitted by the authorising officer responsible.

In Article 163, the first sentence is replaced by the following:

'The actions referred to in this Title may be implemented on a centralised basis by the Commission, by shared management, on a decentralised basis by the beneficiary third country or countries, or jointly with international organisations in compliance with the relevant provisions of Articles 53 to 57.'

Article 164 is deleted.

Article 166 is amended as follows:

a) paragraph 1 is amended as follows:

(i) points (a) and (b) of the first subparagraph are replaced by the following:

'(a) a financing agreement drawn up between the Commission, acting for the Communities, and the beneficiary third country or countries or the bodies they have designated, hereinafter: “the beneficiaries”

(b) a contract or a grant agreement between the Commission and national or international public-sector bodies or between the Commission and natural or legal persons responsible for carrying out the actions.'

(ii) the second subparagraph is replaced by the following:

'The terms on which the external aid is given shall be laid down in the instrument by which the contracts or the grants provided for in points (a) and (b) of this paragraph shall be managed.'

(b) Paragraph 2 is replaced by the following:

'2. Financing agreements with the beneficiary third countries referred to in paragraph 1(a) shall be concluded by 31 December of year n + 1 at the latest, year n being the one in which the budgetary commitment was made.'
The individual contracts, grant decisions and agreements which implement such financing agreements shall be concluded or adopted no later than three years following the date of conclusion of the financing agreement.

Individual contracts and agreements relating to audit and evaluation may be concluded later.

(c) the following paragraph 3 is added:

3. The provision under paragraph 2 shall not apply to the multi-annual programmes in the following cases:

— the cross-border cooperation, regional development, human resources development and rural development components of Regulation …/2006 establishing an Instrument for Pre-Accession Assistance;

— the cross-border cooperation component of Regulation …/2006 establishing a European Neighbourhood and Partnership Instrument.

In these cases, the following rules shall apply:

(a) Any portion of a budget commitment for such a multi-annual programme shall be automatically decommitted where, by 31 December of the third year following year n being the one in which the budget commitment was made:

(i) it has not been used for the purpose of pre-financing; or

(ii) it has not been used for making intermediate payments; or

(iii) no declaration of expenditure meeting the conditions laid down in Article … of the IPA Regulation or Article … of the ENPI Regulation has been presented in relation to it.

(b) That part of budget commitments still open on 31 December 2017 for which a declaration of expenditure has not been made by 31 December 2018 shall be automatically decommitted.

(101) Article 167 is amended as follows:

(a) In paragraph 1, point (c) is replaced by the following:

‘(c) a national or international public-sector body or natural or legal persons who are beneficiaries of a grant for the implementation of an external action.’

(b) Paragraph 2 is replaced by the following:

‘2. The procurement procedures must be laid down in the financing agreements or in the grant decision or grant agreement provided for in Article 166.’

(102) In Title IV of Part Two, the title of Chapter 4 is replaced by the following:

‘CHAPTER 4

Grants’

(103) The following Article 169a is inserted:

‘Article 169a

Grant procedures to be applied in decentralised management by beneficiary third countries shall be laid down in the financing agreements referred to in Article 166. They shall be based on the rules laid down in Title VI of Part One.’

(104) Article 170 is replaced by the following:

‘Article 170

Each financing agreement or grant agreement or grant decision must expressly provide for the Commission and the Court of Auditors to have the power of audit, on the basis of documents and on the spot, over all contractors and subcontractors who have received Community funds.’
In Article 171, paragraph 2 is replaced by the following:

‘2. This Title shall apply to the operation of the European Anti-fraud Office (OLAF), with the exception of Articles 174, 174a and 175(2).’

Article 173 is replaced by the following:

‘Article 173

The Commission shall, in respect of the appropriations entered in the Annex for each European office, delegate the powers of authorising officer to the Director of the European office concerned, in accordance with Article 59.’

In Article 174(1), the second sentence is replaced by the following:

‘The Director of the European office concerned shall adopt, after approval by its Management Committee, the criteria on which the accounting system shall be based.’

The following Article 174a is inserted:

‘Article 174a

1. Each institution may delegate authorising officer powers to the director of an interinstitutional European office for the management of appropriations entered in its section and shall set the limits and conditions for this delegation of powers.

2. The internal auditor of the Commission shall exercise all responsibilities laid down in Title IV, Chapter 8 of Part One.’

Article 175 is amended as follows:

(a) paragraph 1 is deleted;

(b) paragraph 2 is replaced by the following:

‘2. Should the remit of a European office involve supplies to third parties for pecuniary interest, its Director shall, after approval of the Management Committee, lay down the specific provisions governing how these supplies are to be made and the keeping of the corresponding accounts.’

Article 176 is deleted.

Article 178 is amended as follows:

(a) in paragraph 1, the second sentence is replaced by the following:

‘Such commitments may not, however, exceed one quarter of the appropriations decided by the budgetary authority on the corresponding budget line for the current financial year.’

(b) in paragraph 2, the following sentence is added:

‘In this case, the limit referred to in paragraph 1 shall not apply.’

In Article 179(3), the second and third subparagraphs are replaced by the following:

‘If either branch of the budgetary authority intends to issue an opinion, it shall within two weeks after receipt of the information on the building project notify the institution concerned of its intention to issue such an opinion. Failing a reply, the institution concerned may proceed with the planned operation under its administrative autonomy, subject to Article 282 of the EC Treaty and Article 185 of the Euratom Treaty with regard to Community representation.

This opinion shall be forwarded to the institution concerned within two weeks of such notification.’

After Article 179 the following Title VII is inserted:

‘TITLE VII

EXPERTS

Article 179a

The implementing rules shall include a specific procedure for the selection of experts, to be paid on the basis of a fixed amount, for assisting the institutions in particular in evaluating proposals and grant applications or tenders for procurement and for providing technical assistance in the follow-up and final evaluation of projects financed by the budget.’
(114) Article 180 is deleted.

(115) Article 181 is replaced by the following:

‘Article 181

1. As regards the Funds mentioned in Article 155(1) for which the basic acts were repealed before the date of application of this Regulation, appropriations which were decommitted in application of Article 157(1) may be made available again in the event of a manifest error attributable solely to the Commission or in the case of force majeure which has serious repercussions for the implementation of operations supported by these Funds.

2. The central database referred to in Article 95 shall be set up by 1 January 2009.

3. For transfers of appropriations concerning operational expenditure referred to in the Regulations governing the Structural Funds and the Cohesion Fund for the 2000-2006 programming period, for which Community payments still have to be made for the financial settlement of outstanding Community commitments until the closure of the assistance, the Commission may make transfers from one title to another, provided that the appropriations in question:

— are for the same objective, or
— relate to Community initiatives or to technical assistance and innovative measures and are transferred to measures of the same nature.

4. Article 30(3) shall apply for the fund mentioned in Article 148(1) for the first time in respect of the payments charged to the 2008 budget.’

(116) Article 185 is amended as follows:

(a) in paragraph 1, the first sentence is replaced by the following:

‘The Commission shall adopt a framework financial regulation for the bodies set up by the Communities and having legal personality which actually receive contributions charged to the budget.’

(b) paragraph 4 is deleted.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.


However, points 80, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93 and 94 of Article 1 of this Regulation shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, […]

For the Council

The President

[…]
DECLARATIONS OF THE INSTITUTIONS

1. Draft Commission declaration on transparency

‘The Commission undertakes to ensure in the sector-specific implementing Regulations that the disclosure of information on beneficiaries of funds deriving from the Agricultural Funds (FEADER and FEAGA) is comparable to that provided in the sector-specific implementing Regulations for the Structural Funds. In particular adequate annual ex post publication, for each beneficiary, of the amounts received from these funds, subdivided into main categories of expenditure, will be ensured.’

2. Draft Commission declaration on the financing of European political parties

‘The Commission undertakes to submit, if possible, before February 2007 a proposal for amending Regulation (EC) No 2004/2003 of the European Parliament and of the Council of 4 November 2003 on the regulations governing political parties at European level and the rules regarding their funding by introducing appropriate provisions for exempting from the no-profit rule set up in Article 109 of the Financial Regulation the own resources, in particular contributions and membership fees, aggregated in the annual operations of a political party at European level which exceed the 25 % of eligible cost to be borne by the beneficiary according to Article 10(2) of Regulation (EC) No 2004/2003.’

3. Draft declaration of the European Parliament and the Commission on derogations from the Financial Regulation

‘The Commission and the European Parliament undertake to notify to the other Institutions any derogation from the provisions of the Financial Regulation contained in legislative proposals or in amendments to legislative proposals submitted to the legislative authority and to state the specific reasons justifying such derogations.’

P6_TA(2006)0558


The European Parliament,

— having regard to the Treaty establishing the European Community, and in particular Article 272(4), penultimate subparagraph, thereof,
— having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 177 thereof,
— having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (1), and in particular Articles 37 and 38 thereof,
— having regard to the general budget of the European Union for the financial year 2006, as finally adopted on 15 December 2005 (2),
— having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (1), and in particular Articles 37 and 38 thereof,
— having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure (3),

(2) OJ L 75, 15.3.2006.
— having regard to Rule 69 of and Annex IV to its Rules of Procedure,
— having regard to the report of the Committee on Budgets (A6-0444/2006).

A. whereas Draft amending budget No 6/2006 aims at budgeting an increase in the forecast of revenue and a decrease in payment appropriations in the budget lines for Headings 1, 2 and 7, as well as modifying the remarks of budget Article 111 concerning sugar storage and of Article 130308,

B. whereas the increase in the forecast of revenue of 2 667 million euro and the decrease in payment appropriations of 4 706 million euro are quite substantial,

C. whereas an adoption of Amending Budget No 6/2006 will thus result in the Member States’ contributions for 2006 decreasing by a total of 7 373 million euro,

D. whereas the regular and systematic underestimation of revenue with all its effects should be considered as an issue deserving further scrutiny,

E. whereas the low level of implementation of payments that were adopted in the annual budgetary procedure remains a constant cause for concern,

F. whereas the two arms of the budgetary authority have come to an agreement on the Budget for 2007, including the level of payments,

G. whereas Amending Budget No 6/2006, due to its effects on the level of payments in the Budget for 2007, has been included in this agreement,

1. Reminds the Commission of its responsibility to do its utmost to implement payments as adopted by the budgetary authority within the framework of the annual budgetary procedure;
2. Has decided to accept Council’s Draft Amending Budget unamended;
3. Instructs its President to forward this resolution to the Council and Commission.

P6_TA(2006)0559

Coordination of certain of the Member States’ provisions on television broadcasting ***1


(Codecision procedure: first reading)

The European Parliament,
— having regard to the Commission proposal to the European Parliament and the Council (COM(2005)0646) (1),
— having regard to Article 251(2) and Articles 47(2) and 55 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0443/2005),
— having regard to Rule 51 of its Rules of Procedure,

(1) Not yet published in OJ.
Wednesday, 13 December 2006

— having regard to the report of the Committee on Culture and Education and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Industry, Research and Energy, the Committee on the Internal Market and Consumer Protection, the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women’s Rights and Gender Equality (A6-0399/2006);

1. Approves the Commission proposal as amended;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council and the Commission.

P6_TC1-COD(2005)0260


(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 47(2) and 55 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee (1),

Having regard to the opinion of the Committee of the Regions (2),

Acting in accordance with the procedure laid down in Article 251 of the Treaty (3),

Whereas:

(1) Directive 89/552/EEC (4) coordinates certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of broadcasting activities. However, new technologies in the transmission of audiovisual media services call for the regulatory framework to be adapted to take account of the spread of information and communication technologies (ICT) and the impact of structural change and technological developments on business models, especially the financing of commercial broadcasting, and to ensure optimal conditions of competitiveness and legal certainty for Europe’s information technologies and its media industries and services, as well as respect for cultural and linguistic diversity. The laws, regulations and administrative measures should be as unobtrusive and simple as possible to allow new and existing audiovisual media services to develop and flourish, thus allowing for job creation, economic growth, innovation and cultural diversity to be nurtured.

(2) OJ C ………, p.…
The laws, regulations and administrative measures in Member States concerning the pursuit of television broadcasting activities are already coordinated by Directive 89/552/EEC, whereas the rules applicable to activities such as on-demand media services are only coordinated in relation to their distribution by Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (1) and in relation to trading by Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market (2) (the Electronic Commerce Directive); the content of the new audiovisual media services is still governed by the legislation of the Member States. Some of these disparities impede the free movement of these services within the European Union and may distort competition within the common market.

Audiovisual media services are as much cultural goods as they are economic goods. Their growing importance for societies, democracy — in particular by ensuring freedom of information, diversity of opinion and media pluralism — education and culture justifies the application of specific rules to these services, and the enforcement of those rules, notably in order to preserve the fundamental rights and freedoms laid down in the Charter of Fundamental Rights of the European Union, the European Convention for Protection of Human Rights and Fundamental Freedoms and the United Nations Covenant on Civil and Political Freedoms, and in order to ensure the protection of minors and vulnerable and disabled people.

In its resolutions of 1 December 2005 on preparations for the Sixth Ministerial Conference of the World Trade Organization in Hong Kong (3) and of 4 April 2006 on the assessment of the Doha Round following the WTO Ministerial Conference in Hong Kong (4), the European Parliament called for basic public services, such as health, education and audiovisual services to be excluded from liberalisation under the GATS negotiations. In its resolution of 27 April 2006 on the proposal for a Council decision on the conclusion of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (5), the European Parliament approved the UNESCO Convention, which states in particular that ‘cultural activities, goods and services have both an economic and a cultural nature, because they convey identities, values and meanings, and must therefore not be treated as solely having commercial value’.

Media education should serve to provide citizens with the means to bring a critical interpretation to bear on, and use, the ever-expanding volume of information with which they are assailed, as laid down in Council of Europe Recommendation 1466 (2000). Helped by such a learning process, citizens will be in a position to formulate messages and select the media best suited to impart them and thus become able to exercise their right to freedom of information and expression to the full.

Traditional audiovisual media services, such as television, and emerging on-demand audiovisual media services offer significant employment opportunities in the European Union, particularly in small and medium-sized enterprises, and stimulate economic growth and investment. Bearing in mind the importance of a level playing-field and a true European broadcasting market, the basic principles of the common market, such as competition law and equal treatment, should be respected in order to ensure transparency and predictability in media markets and to achieve low entry barriers.

Legal uncertainty and a non-level playing field exist for European companies delivering audiovisual media services in terms of the legal regime governing emerging on-demand services. It is therefore necessary, in order to avoid distortions of competition, to improve legal certainty, to help complete the internal market and to facilitate the emergence of a single information area, for all audiovisual media services, both linear and non-linear, irrespective of whether they are transmitted on the basis of a set programme schedule or on demand, to comply with at least a basic tier of coordinated rules aimed at guaranteeing, inter alia, a sufficient level of protection of minors, the vulnerable and the disabled and respect for fundamental rights and freedoms. The basic principles of Directive 89/552/EEC, namely the transmitting State principle and common minimum standards, have proved their worth and should therefore be retained.

(4) OJ ...
(5) OJ ...
The Commission has adopted a Communication on the future of European regulatory audiovisual policy (1), in which it stresses that audio-visual regulatory policy must safeguard certain public interests, such as cultural diversity, the right to information, the need for media pluralism, the protection of minors, consumer protection and action to enhance public awareness and media skills and the principle of universal access for all sectors of the public, including the most disadvantaged, now and in the future.

The co-existence of private and public service broadcasters is of considerable importance in the audiovisual media market, where public service broadcasters may equally benefit from the advantages of the digital economy.

The country of origin principle is crucial to the emergence of a pan-European audiovisual market with a strong industry producing European content. Moreover, the principle safeguards the viewer’s rights to choose from a wide variety of European programmes.

The Commission has adopted the initiative ‘i2010: European Information Society’ (2) to foster growth and jobs in the information society and media industries. The i2010 initiative is a comprehensive strategy designed to encourage the production of European content, the development of the digital economy and the uptake of ICT, against the background of the convergence of information and media services, networks and devices, by modernising and deploying all EU policy instruments: regulatory instruments, research and partnerships with industry. The Commission has committed itself to creating a consistent internal market framework for information society services and media services by modernising the legal framework for audiovisual services, starting with a Commission proposal in 2005 to modernise Directive 89/552/EEC and transform it into a directive on audiovisual media services. The goal of the i2010 initiative will in principle be achieved by allowing industries to grow with minimal regulation, as well as allowing small start-up businesses, which are the wealth and job creators of the future, to flourish, innovate and create employment in a de-regulated market.


This Directive enhances compliance with fundamental rights and seeks to incorporate the principles, rights and freedoms laid down in the Charter of Fundamental Rights of the European Union, in particular Article 11 thereof. In this context, Member States should set up one or more independent regulatory authorities, if they have not already done so. Such authorities should act as the guarantors of fundamental rights in the provision of audiovisual media services. Member States may decide whether it is appropriate to have a single regulatory authority for all audiovisual media services or several separate authorities for each category of service, e.g. linear and non-linear. Furthermore, this Directive does not in any way prevent Member States from applying their constitutional rules or regulatory arrangements relating to freedom of the press and freedom of expression in the media.

The requirement that the originating Member State should ensure compliance with its national law as coordinated by this Directive is sufficient under Community law to ensure free movement of audiovisual media services without secondary control on the same grounds in the receiving Member State. However, the receiving Member State may, exceptionally and under specific conditions, derogate from this requirement in the event of serious violations of Articles 3d, 3e, 22(1) and (2) of Directive 89/552/EEC, taking into account the fact that respect for fundamental rights forms an integral part of the general principles of Community law.

(2) COM(2005)0229.
(15) The Framework Directive created a uniform legal framework for all transmission networks and services but, according to its Article 1(3), is without prejudice to measures taken at Community or national level, to pursue general interest objectives, in particular relating to content regulation and audiovisual policy with a view to separating the regulation of transmission from the regulation of content.

(16) The Electronic Commerce Directive contains no specific substantive provisions governing audiovisual media services and leaves to the Member States the option of derogating from the country of origin principle on specific matters of public policy on a case-by-case basis and in accordance with a notification procedure. By imposing additional minimum standards for non-linear audiovisual media services with a view to the protection of minors and the promotion of cultural diversity, this Directive extends the field of harmonised Community law. To that extent this Directive builds on the Electronic Commerce Directive in those areas to cover a specific subset of non-linear audiovisual services which are of particular importance for society and are characterised by their cultural dimension. For these services the degree of coordination of national rules is higher and the internal market is more complete.

(17) No provision of this Directive should require or encourage Member States to impose new systems of licensing or administrative authorisation on any type of audiovisual media.

(18) The definition of audiovisual media services covers all audiovisual mass-media services the content of which is suitable for television broadcasting irrespective of the delivery platform, whether the editorial approach and responsibility of the provider are reflected in a programme schedule or in a selection catalogue. However, its scope is limited to services as defined by the Treaty and therefore covers any form of economic activity, including that of public service enterprises. The economic element must be significant to justify the application of this Directive. Economic activities are normally provided for remuneration, intended for a certain period and characterised by a certain continuity; the assessment of the economic element should be subject to the criteria and rules of the country of origin. Accordingly, the definition of audiovisual media services does not cover non-economic activities which are normally not provided for remuneration, such as weblogs and other user-generated content, or any form of private correspondence, such as e-mails and private websites.

(19) The definition of audiovisual media services covers mass media over which editorial responsibility is exercised in their function to inform, entertain and educate the general public, and includes audiovisual commercial communications, but excludes any form of private correspondence, such as e-mails sent to a limited number of recipients. The definition also excludes all services whose principal purpose is not the distribution of audiovisual content, i.e. where any audiovisual content is merely incidental to the service. Examples include websites that contain audiovisual elements only in an ancillary manner, such as animated graphical elements, small advertising spots or information related to a product or non-audiovisual service. Moreover, in accordance with the Electronic Commerce Directive, it excludes games of chance involving a stake representing a sum of money, including lotteries and betting, provided that their main purpose is not that of distributing audiovisual content. Further examples are online games and search engines, as long as their principal purpose is not the distribution of audiovisual content.

(20) Television broadcasting services, i.e. linear services, currently include in particular analogue and digital television, live webstreaming, webcasting and near-video-on-demand, whereas video-on-demand, for example, is one of the on-demand, i.e. non-linear services. For linear audiovisual media services or television broadcasting services which are also offered on a live or deferred basis as non-linear services by the same media service provider, the requirements of this Directive are deemed to apply only to the linear transmission. However, where different kinds of services are offered in parallel, without one part being clearly subordinate to another, this Directive should nevertheless apply to those distinguishable parts of the service which fulfil all the criteria of an audiovisual media service.
The definitions in this Directive, in particular the definitions of television broadcasting, linear and non-linear services, are laid down purely for the purposes of this Directive and Directive 89/552/EEC and do not affect the underlying rights protected by copyright and neighbouring rights legislation. The scope and regime of such rights are not prejudiced by those definitions and continue to be regulated independently by the relevant legislation.

This Directive does not cover electronic versions of newspapers and magazines.

For the purposes of this Directive, the term ‘audiovisual’ refers to moving images with or without sound, and therefore includes silent films but excludes audio transmission or radio services.

An audiovisual media service consists of programmes, i.e. a discrete succession of moving images with or without sound which are subject to editorial responsibility and are either transmitted by a media service provider in accordance with a set time schedule or arranged in the form of a catalogue.

The notion of editorial responsibility is essential for defining the role of the media service provider and accordingly for defining audiovisual media services. ‘Editorial responsibility’ means responsibility for the selection and organisation, in a professional capacity, of the content of an audiovisual offer. It may be exercised over an individual content or a collection of contents. Such editorial responsibility applies to the composition of the schedule, in the case of television programmes, or to the programme listing, in the case of non-linear services. This Directive is without prejudice to the liability exemptions established in the Electronic Commerce Directive.

The mere technical delivery, by terrestrial means or by satellite, of an audiovisual media service does not in itself confer the status of a media service provider within the meaning of this Directive; the same principle applies where a selection decision is made, provided that a third party under the jurisdiction of a Member State clearly bears that editorial responsibility.

The criteria laid down in the definition of audiovisual media services, as set out in Article 1(a) of Directive 89/552/EEC and expanded in Recitals 18 to 26 to this Directive, must be fulfilled simultaneously.

In addition to advertising and teleshopping, the wider definition of audiovisual commercial communication is introduced. It comprises moving images with or without sound which are transmitted as part of an audiovisual media service and form part of or accompany programmes and are designed to promote, directly or indirectly, the goods, services or image or a natural or legal person pursuing an economic activity and therefore it does not include public service announcements or charity appeals broadcast free of charge.

The country of origin principle remains the core of Directive 89/552/EEC, as it is essential for the creation of an internal market. This principle must therefore be applied to all audiovisual media services in order to ensure legal certainty for media service providers as the necessary basis for new business models and the deployment of such services. It is also essential in order to ensure the free flow of information and audiovisual programmes in the internal market. The application of this principle cannot exclude consideration of the criteria of the origin of the resources of a service with a view to ensuring the conditions for fair competition.

To promote a strong, competitive and integrated European audiovisual industry and enhance media pluralism throughout the European Union, it remains essential that only one Member State should have jurisdiction over an audiovisual media service provider and that pluralism of information should be a fundamental principle of the European Union.
It is therefore essential that the Member States prevent the emergence of dominant positions that would lead to a reduction in pluralism and restrictions on freedom of media information as well as on the information sector as a whole, for instance by taking measures to secure non-discriminatory access to audiovisual media service offerings in the public interest, e.g. through must-carry rules.

Technological developments, especially with regard to digital satellite programmes, mean that subsidiary criteria need to be adapted in order to ensure suitable regulation and effective implementation and to give players genuine power over the content of an audiovisual media service.

As this Directive concerns services offered to the general public in the European Union, it should apply only to audiovisual media services that can be received directly or indirectly by the public in one or more Member States with standard consumer equipment. The definition of ‘standard consumer equipment’ should be left to the competent national authorities.

Articles 43 to 48 of the Treaty lay down the fundamental right to freedom of establishment. Therefore, audiovisual media service providers are in general free to choose the Member State where they are established. The Court of Justice of the European Communities (ECJ) has also emphasised that ‘the Treaty does not prohibit an undertaking from exercising the freedom to provide services if it does not offer services in the Member State in which it is established’ (1).

Member States must be free to apply stricter rules in the fields coordinated by this Directive to media service providers under their jurisdiction, while ensuring that those rules are consistent with Community competition law. To ensure that such rules are not circumvented, the codification of the case law of the ECJ (2), combined with a more efficient procedure, is an appropriate solution that takes account of Member State concerns without calling into question the proper application of the country of origin principle.

In order for a Member State to prove on a case-by-case basis that a media service provider established in another Member State is circumventing its rules, that Member State may cite indicators such as the origin of the advertising and/or subscription revenues, the main language of the service or the existence of programmes or commercial communications targeted specifically at the public in the Member State where they are received.

Under this Directive, notwithstanding the application of the country of origin principle, Member States may nevertheless take measures that restrict the freedom of movement of television broadcasting or non-linear audiovisual media services, but only under certain conditions listed in Article 2a of Directive 89/552/EEC and following the procedure laid down in that Directive. However, the ECJ has consistently held that any restriction of the freedom to provide services, such as any derogation from a fundamental principle of the Treaty, must be interpreted restrictively (4). Particular consideration should also be given to the protection of minors and health, but nevertheless the prior control of ideas or opinions should not be permitted under any circumstances. With respect to non-linear audiovisual services, the possibility of a Member State taking measures under Article 2a of Directive 89/552/EEC replaces the possible measures which could have been taken by that Member State as set out in Article 3(4) and/or Article 12 (3) of the Electronic Commerce Directive within the fields coordinated by Articles 3d and 3e of Directive 89/552/EEC.


In its Communication to the Council and the European Parliament on Better Regulation for Growth and Jobs in the European Union (1), the Commission stressed that a careful analysis of the appropriate regulatory approach, in particular whether legislation is preferable for the relevant sector and problem, or whether alternatives such as co-regulation or self regulation should be considered. Furthermore, experience has shown that both co- and self-regulation instruments implemented in accordance with the different legal traditions of Member States can play an important role in delivering a high level of consumer protection. Measures aimed at achieving public interest objectives in the emerging audiovisual media services sector will be more effective if they are taken with the active support of the service providers themselves. Thus self-regulation constitutes a type of voluntary initiative, which enables economic operators, social partners, non-governmental organisations or associations to adopt common guidelines amongst themselves and for themselves. Member States should, in accordance with their different legal traditions, recognise the effective role which effective self-regulation can play as a complement to the legislation and judicial and/or administrative mechanisms in place and its useful contribution to the achievement of the objectives of this Directive. However, while self-regulation might be a complementary method of implementing certain provisions of this Directive, it cannot constitute a substitute for the obligation of the national legislator. Co-regulation gives, in its minimal form, a ‘legal link’ between self-regulation and the national legislator in accordance with the legal traditions of the Member States.

The generic term ‘co-regulation’ covers regulatory instruments which are based on cooperation between State bodies and self-regulating bodies, and vary widely in terms of their designations and structures at national level. The actual form which such instruments take reflects the specific tradition of media regulation in the individual Member States. What co-regulation systems have in common is that tasks and objectives which were originally the preserve of the State are achieved in cooperation with the players affected by regulation. It is for the participants themselves, designated or authorised by the State, to guarantee the achievement of the regulatory objective. In every case the systems are founded on a State legal framework which lays down instructions as to content, organisation and procedures. On this basis, the interested parties create further criteria, rules and instruments, compliance with which they themselves monitor. Self-regulation as thus defined enables specialist knowledge to be exploited directly for administrative tasks, and bureaucratic procedures to be avoided. It is necessary for all, or at least the most influential, players to participate in or recognise the system. Co-regulation operates by combining instructions to the interested parties with opportunities for State intervention should those instructions not be carried out.

Entertainment rights for events of public interest may be acquired by broadcasters on an exclusive basis. However, it is essential to promote pluralism through the diversity of news production and programming across the European Union and to respect the principles recognised by Article 11 of the Charter of Fundamental Rights of the European Union.

Therefore, in order to safeguard the fundamental freedom to receive information and to ensure that the interests of viewers in the European Union are fully and properly protected, those exercising exclusive rights concerning an event of high public interest must grant other broadcasters and intermediaries, where they are acting on behalf of broadcasters, the right to use short extracts for the purposes of general news programmes on fair, reasonable and non-discriminatory terms taking due account of exclusive rights. Such terms should be communicated in a timely manner before the event of public interest takes place to give others sufficient time to exercise such a right. As a general rule, such short extracts should not: exceed 90 seconds; be transmitted before the event concludes, or for sports events before the end of a single day’s play — whichever is the sooner; be screened later than 36 hours after the event; be used to create a public archive; omit the logo or other identifier of the host broadcaster; or be used in non-linear services other than if offered on a live or deferred basis by the same media service provider. The right to trans-frontier news access should apply only where it is necessary. Accordingly, if another broadcaster in the same Member State has acquired exclusive rights to the event in question, access must be sought from that broadcaster. For pan-European broadcasters, the relevant legislation is that of the Member State in which the event takes place.

(1) COM(2005)0097.
Media literacy refers to the skills, knowledge and understanding needed to enable consumers to use the media effectively. Media-literate people will be capable of exercising informed choices; understanding the nature of content and services; taking advantage of the full range of opportunities offered by new communications technologies, and better protecting themselves and their families from harmful or offensive material. It is therefore of crucial importance that Member States and national regulatory authorities actively promote the development of media literacy in all sections of society and that they conduct regular research to monitor it and to inform their approach to content regulation.

Non-linear services differ from linear services in terms of the choice and control which the user can exercise and with regard to the impact which they have on society (1). Such difference justifies imposing lighter regulation on non-linear services, which have to comply only with the basic rules provided for in Articles 3c to 3h of Directive 89/552/EEC.

Because of the specific nature of audiovisual media services, especially their impact on the way in which people form their opinions, it is essential for users to know exactly who is responsible for the content of the services. It is therefore important for Member States to ensure that users have access to information about the ways in which editorial responsibility for the content is exercised and by whom. It is for each Member State to decide the practical details as to how this objective can be achieved without prejudice to any other relevant provisions of Community law.

In accordance with the principle of proportionality, the measures provided for in this Directive are strictly limited to the minimum needed to achieve the objective of the proper functioning of the internal market. Where action at Community level is necessary, and in order to guarantee an area which is truly without internal frontiers as far as audiovisual media services are concerned, Directive 89/552/EEC must promote a high level of protection of objectives of general interest, in particular the protection of minors, the rights of persons with disabilities and human dignity.

Harmful content and conduct in audiovisual media services continue to be a concern for law-makers, industry and parents. In this regard it would seem necessary to educate not only children, but also their parents, teachers and educators, to make the best use of all the communications media, particularly audiovisual media services, however they may be delivered. It is therefore necessary to introduce rules to protect the physical, mental and moral development of minors as well as human dignity in all audiovisual media services and in audiovisual commercial communication, advertising, telesales, sponsorship, product placement and any other technically feasible means of communication.

Member States should ensure that their respective national curricula and further education courses provide for a critical appreciation of the media.

Measures taken to protect minors and human dignity must be carefully balanced with the fundamental right to freedom of expression as laid down in the Charter on Fundamental Rights of the European Union. The aim of these measures should however be to ensure an adequate level of protection of minors and human dignity, especially with regard to non-linear services, by means of an obligation to draw attention clearly to the specific nature of certain programmes before they are transmitted and in accordance both with Article 1 of the Charter on Fundamental Rights of the European Union, recognising that human dignity is inviolable and must be respected and protected, and with Article 24 of that Charter, which states that children shall have the right to such protection and care as is necessary for their well-being, and that in all actions relating to children, whether taken by public authorities or private institutions, the child’s best interests must be a primary consideration.

Minors and the vulnerable and disabled, including the mentally disabled, may be particularly undermined and psychically or psychologically upset and disturbed by programmes which feature scenes of verbal, physical or moral violence or by scenes which offend against human dignity, or incite racial hatred or any other form of discrimination. Insofar as one of the objectives of this Directive is to protect such persons in general, Member States are strongly encouraged to remind audiovisual media service providers of this overriding need and to require them to clearly indicate the particular nature of such programmes prior to their being broadcast.

None of the provisions of this Directive that concern the protection of minors and public order necessarily requires that the measures in question be implemented through any prior control of audiovisual media services.

Article 151(4) of the Treaty requires the Community to take cultural aspects into account in its action under other provisions of the Treaty. In particular, the diversity of its cultures and languages should be respected and promoted, and mutual understanding encouraged.

Non-linear audiovisual media services have the potential to partially replace linear services. Accordingly, they should where practicable promote the production and distribution of European works and thus actively contribute to the promotion of cultural diversity. Such support for European works might for example take the form of a minimum share of European works proportionate to economic performance, a minimum share of European works in video-on-demand catalogues, or the attractive presentation of European works in electronic programme guides. It will be important to regularly re-examine the application of the provisions relating to the promotion of European works by audiovisual media services. Within the framework of the reports referred to in Article 3f(3) of Directive 89/552/EEC, Member States shall also take into account such matters as the financial contribution by such services to the production and rights acquisition of European works; the share of European works in the catalogue of audiovisual media services as well as in the effective users' consumption of European works proposed by such services. In those reports, appropriate account should also be taken of the works of independent producers.

Persons who merely bundle or transmit audiovisual media services or offer for sale packages of such services, for which they do not have any editorial responsibility, should not be considered as media service providers. Thus, mere bundling, transmission or onward selling of content offers, for which they do not have any editorial responsibility, do not fall within the scope of this Directive.

When implementing the provisions of Article 4 of Directive 89/552/EEC as amended, Member States should adopt appropriate measures to encourage broadcasters to include an adequate share of co-produced European works or of European works of non-domestic origin.

Media service providers should also include in their services the works of independent producers, while respecting the rights attaching to repeat showings of such works and the fair apportionment of contributors' rights.

It is important to ensure that cinematographic works are transmitted within periods agreed between rights-holders and audiovisual media service providers.

The availability of non-linear services increases choice for the consumer. Member States should therefore make provision in their national curricula and further education courses for sufficient education in critical use of the media, to avoid the need to introduce detailed rules governing audiovisual commercial communication. Detailed rules governing audiovisual commercial communication for non-linear services thus appear neither to be justified nor to make sense from a technical point of view. Nevertheless, all audiovisual commercial communication should respect not only the identification rules but also a basic tier of qualitative rules in order to meet clear public policy objectives.

The right of reply is a particularly appropriate legal remedy in the online environment, since it is possible to correct the contested information immediately. However, the right should be exercised within a reasonable period after receipt of the request, at a time and in a form which appears appropriate in view of the particular programme to which the request relates. The reply must in particular be given the same weight as the contested information, so as to reach the same circle of users with the same effects.
As has been recognised by the Commission in its interpretative communication on certain aspects of the provisions on televised advertising in the ‘Television without frontiers’ Directive (1), the development of new advertising techniques and marketing innovations has created new effective opportunities for commercial communications in traditional broadcasting services, potentially enabling them to better compete on a level playing field with on-demand innovations. This interpretative communication remains valid to the extent that it refers to provisions of Directive 89/552/EEC that are unaffected by this Directive.

Commercial and technological developments give users increased choice and responsibility in their use of audiovisual media services. To remain proportionate with the goals of general interest, regulation must allow a certain degree of flexibility with regard to linear audiovisual media services: the separation principle should be limited to advertising and teleshopping, product placement should be allowed under certain circumstances in certain cases determined on the basis of a positive list, and some quantitative restrictions should be abolished. However, where product placement is surreptitious, it should be prohibited. The separation principle should not prevent the use of new advertising techniques.

It is necessary to ensure coherence between this Directive and existing Community law. Accordingly, in the event of conflict between the provisions of this Directive and a provision of another Community act governing specific aspects of access to or exercise of an audiovisual media service activity, the provisions of this Directive should prevail. This Directive consequently complements the Community acquis. Thus, apart from the practices that are covered by this Directive, Directive 2005/29/EC (2) applies to unfair commercial practices, such as misleading and aggressive practices occurring in audiovisual media services. Moreover, as Directive 2003/33/EC (3), which prohibits advertising and sponsorship for cigarettes and other tobacco products in printed media, information society services and radio broadcasting, is without prejudice to Directive 89/552/EEC, in view of the special characteristics of audiovisual media services, the relationship between Directive 2003/33/EC and Directive 89/552/EEC should remain the same after the entry into force of this Directive. Article 88(1) of Directive 2001/83/EC (4) which prohibits advertising to the general public of certain medicine products applies, as provided in paragraph 5 of that Article, without prejudice to Article 14 of Directive 89/552/EEC; likewise the relationship between Directive 2001/83/EC and Directive 89/552/EEC should remain the same after the entry into force of this Directive. Furthermore, this Directive is without prejudice to Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods (5).

Given the growing use of new technologies such as personal video recorders and the wider choice of channels, detailed regulation with regard to the insertion of spot advertising with the aim of protecting viewers is no longer justified. This Directive gives flexibility to broadcasters with regard to the insertion of such advertising where it does not unduly affect the integrity of programmes.

This Directive is intended to safeguard the specific character of the European television landscape. Advertising and teleshopping spots may be inserted during programmes only in such a way as not to prejudice the integrity and value of the programme, taking into account natural breaks and the duration and nature of the programme, or the rights of the rights-holders.

(64) The limitation on the amount of daily advertising was largely theoretical. The hourly limit is more important since it also applies during prime time. Therefore the daily limit should be abolished, while the hourly limit should be maintained for advertising and teleshopping spots; also the quantitative restrictions on the time allowed for teleshopping or advertising channels no longer seem justified given increased consumer choice. However, the limit of 20% of advertising per clock hour remains applicable, except for more time-consuming forms of advertising such as telepromotions and teleshopping windows that require more time on account of their inherent characteristics and method of presentation.

(65) Surreptitious advertising is a practice prohibited by this Directive because of its negative effect on consumers. The prohibition of surreptitious advertising does not cover legitimate product placement within the framework of this Directive.

(66) Product placement is a reality in cinematographic works and in audiovisual works made for television, but Member States regulate this practice differently. To ensure a level playing field, and thus enhance the competitiveness of the European media industry, it is necessary to adopt rules for product placement. It would be useful to have a positive list which authorises product placement in the types of content whose paramount function is not to influence opinion, and in cases in which no — or only negligible — consideration is provided in return. The definition of product placement covers any form of audiovisual commercial communication consisting of the inclusion of or reference to a product, a service or the trade mark thereof so that it is featured within a programme, normally in return for payment or for similar consideration. It may consist in placing at a person’s disposal services or items having a monetary value, for the acquisition of which the recipient would otherwise have had to use his own financial, personal or material resources. Product placement is subject to the same qualitative rules and restrictions applying to advertising. It should, furthermore, meet specific requirements. The editorial responsibility and independence of the media service provider must not be jeopardised. In particular, the way the product is included in the programme must not create the impression that the product is endorsed by the programme or its presenters. Furthermore, the product must not be given ‘undue prominence’ which means such prominence as is not justified by the editorial requirements of the programme, or the need to lend verisimilitude. Undue prominence may also mean the repeated appearance of the brands, goods or services in question or the manner in which they are given prominence. Account should also be taken of the content of the programme in which they are introduced.

(67) ‘Production props’ means the mentioning or presentation of goods or services for editorial reasons without payment or similar consideration. In order to draw the distinction between production props and product placement within the meaning of this Directive, the legal framework for the use of production props permitted in all programme formats should be clarified.

(68) ‘Undue prominence’ is given when the repeated representation of the brand, good or service or the nature of its presentation is such as to feature such products to an inordinate extent in the context of production props or product placement, taking account of the content of the programmes in which they appear.

(69) Regulators should be independent from national governments as well as from audiovisual media service providers in order to be able to carry out their work impartially and transparently and to contribute to pluralism. Close cooperation among national regulatory authorities and the Commission is necessary to ensure the correct application of this Directive. Similarly close cooperation between Member States and between Member States’ regulatory authorities is particularly important with regard to the impact which broadcasters established in one Member State might have in another Member State. Where licensing procedures are provided for in national law and if more than one Member State is involved, it is desirable that contacts between the respective authorities should take place before licences are granted. Such cooperation should cover all the fields coordinated by Directive 89/552/EEC and in particular Articles 2, 2a and 3 thereof.

(70) Cultural diversity, freedom of expression and pluralism of means of communication are some important aspects of the European audiovisual sector and are therefore indispensable preconditions for democracy and diversity.

\(^{(*)}\) Case C-320/94: Reti Televisive Italiane SpA (RTI); Case C-328/94 Radio Torre; Case C-329/94 Rete A Srl; Case C-337/94 Vallau Italiana Promomarket Srl; Case C-338/94 Radio Italia Solo Musica Srl and Others and Case C-339/94 GETE Srl v Ministero delle Poste e Telecomunicazioni, [1996] ECR I-06471.
The right of persons with disabilities, the elderly and non-EU nationals whose mother-tongue is different from the language of their host country to participate and integrate in the social and cultural life of the community in accordance with Articles 25 and 26 of the Charter of Fundamental Rights of the European Union is inextricably linked with the provision of accessible audiovisual media services. The accessibility of audiovisual media services includes, but is not limited to, sign language, subtitling, audio-description and easily understandable menu navigation.

HAVE ADOPTED THIS DIRECTIVE:

**Article 1**

Directive 89/552/EEC is hereby amended as follows:

(1) The title is replaced by the following:


(2) Article 1 is replaced by the following:

‘Article 1

For the purpose of this Directive:

(a) “audiovisual media service” means a service as defined by Articles 49 and 50 of the Treaty provided under the editorial responsibility of a media service provider the principal purpose of which is the provision of programmes consisting of moving images with or without sound, in order to inform, entertain or educate, to the general public by electronic communications networks within the meaning of Article 2(a) of Directive 2002/21/EC and/or of audiovisual commercial communications. It does not include services where the provision of audiovisual content is merely incidental to the service and not its principal purpose, nor does it include the press in printed or electronic form.

(b) “media service provider” means the natural or legal person who has editorial responsibility for the choice of the audiovisual content of an audiovisual media service and determines the manner in which it is organised. It does not include natural or legal persons who merely transmit content for which the editorial responsibility lies with third parties;

(c) “television broadcast” or “linear service” means an audiovisual media service where a chronological sequence of programmes is transmitted to an indeterminate number of potential viewers, at a time decided on by the media service provider according to a set programme schedule;

(d) “broadcaster” means provider of linear audiovisual media services;

(e) “on-demand service” or “non-linear service” means an audiovisual media service consisting of an offer of audiovisual content, edited or compiled by a media service provider, and where the user, on an individual basis, requests the transmission of a particular programme from a choice of content and at a time of his choice, or which is not covered by the definition of a linear service in point (c);

(f) “audiovisual commercial communication” means moving images with or without sound which are transmitted as part of an audiovisual media service or, in cases such as dedicated teleshopping channels, as an audiovisual media service, with the aim of promoting, directly or indirectly, the goods, services or image of a natural or legal person pursuing an economic activity;
“television advertising” means any form of announcement broadcast whether in return for payment or for similar consideration or broadcast for self-promotional purposes by a public or private undertaking in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and obligations, in return for payment;

“surreptitious advertising” means the representation in words or pictures of goods, services, the name, the trade mark or the activities of a producer of goods or a provider of services in programmes when such representation is intended by the media service provider to serve as advertising and might mislead the public as to its nature. Such representation is considered to be intentional in particular if it is done in return for payment or for similar consideration;

“product integration” and “thematic placement” mean the intervention in the plot of a film or fictional programme of any undertaking seeking to promote in particular a product, service or brand;

“sponsorship” means any contribution made by a public or private undertaking or natural person not engaged in providing audiovisual media services or in the production of audio-visual works, to the direct or indirect financing of audiovisual media services, with a view to promoting its name, its trade mark, its image, its activities or its products;

“telepromotion” means a form of advertising consisting of the display of goods or services or of a spoken or visual presentation of the goods and services of a goods producer or services supplier, transmitted as part of a programme to promote the supply of the goods or services presented or displayed in return for payment;

“teleshopping” means direct offers broadcast to the public with a view to the supply of goods or services, including immovable property, rights and obligations, in return for payment;

“product placement” means any form of audiovisual commercial communication consisting of the inclusion of or reference to a product, a service or the trade mark thereof so that it is featured within audiovisual media services, with or without payment or similar consideration to the media service provider. It does not include, however, communications resulting from independent editorial decisions to use products, without undue prominence, which are integral to a programme and facilitate its production, such as prizes awarded in programmes, branded merchandising products and incidental objects and props;

“production props” means goods or services made available without payment or other consideration and used for editorial reasons;

“programme” means a set of moving images with or without sound constituting an individual item within a schedule or a catalogue established or compiled by a media service provider;

“co-regulation” means a form of regulation based on cooperation between public authorities and self-regulating bodies;

“editorial responsibility” means responsibility for the composition of the schedule or the compilation of programmes intended for the general public, in a professional capacity, in order to deliver the media content within a set time frame or to allow it to be ordered from a catalogue.

(3) Article 2 is amended as follows:

(a) In paragraph 1, the expression ‘television broadcasts transmitted by broadcasters’ is replaced by the expression ‘audiovisual media services transmitted by media service providers’ and the expression ‘broadcasts’ is replaced by the expression ‘audiovisual media services’;

(b) In paragraph 2, the word ‘broadcasters’ is replaced by the expression ‘media service providers’;
(c) In paragraph 3, the word ‘broadcaster’ is replaced by the expression ‘media service provider’; the expression ‘editorial decision about programme schedules’ is replaced by the expression ‘editorial decision about the audiovisual media service’; the expression ‘television broadcasting activity’ is replaced by the expression ‘audiovisual media service activity’ and the expression ‘where it first began broadcasting’ is replaced by the expression ‘where it first began its activity’, the expression ‘decisions on programme schedules’ is replaced by ‘decisions on audiovisual media service’.

(d) Paragraph 4 is replaced by the following:

‘4. Media service providers to whom the provisions of paragraph 3 are not applicable shall be deemed to be under the jurisdiction of a Member State in the following cases:

(a) they use a satellite up-link situated in that Member State;

(b) although they do not use a satellite up-link situated in a Member State, they use a satellite capacity allocated to that Member State.’

(e) In paragraph 5, the word ‘broadcaster’ is replaced by the expression ‘media service provider’ and ‘Article 52’ is replaced by ‘Article 43’.

(f) Paragraph 6 is replaced by the following:

‘6. This Directive does not apply to audiovisual media services which are not received with standard consumer equipment directly or indirectly by the public in one or more Member States.’

(4) **Article 2a** is replaced by the following:

‘Article 2a

1. Member States shall ensure freedom of reception and shall not restrict retransmissions on their territory of audiovisual media services from other Member States for reasons which fall within the fields coordinated by this Directive.

2. A Member State may, provisionally, derogate from paragraph 1 if the following conditions are fulfilled:

(a) an audiovisual media service originating in another Member State manifestly, seriously and gravely infringes Articles 3d or 3e and/or Article 22(1) or (2);

(b) during the preceding twelve months, the provider of the audiovisual media service concerned has infringed the provision(s) referred to in point (a) on at least two prior occasions;

(c) the Member State concerned has notified the media service provider, the Member State in which it is established and the Commission in writing of the alleged infringements and of the measures which it intends to take should any such infringement be repeated;

(d) consultations with the Member State in which the media service provider concerned is established and the Commission have not resulted in a friendly settlement within 15 days of the notification provided for in point (c), and the alleged infringement is repeated.

3. In respect of on-demand services, a Member State may, in urgent cases, provisionally take measures to derogate from paragraph 1 without fulfilling the conditions set out in points (b), (c) and (d) of paragraph 2. If it does so, the measures shall be notified in the shortest possible time to the Commission and to the Member State in which the media service provider is established, with an indication of the reasons for which the first Member State considers that the case is urgent.'
4. The Commission shall, within two months following notification of the measures taken by the Member State concerned, decide whether the measures are compatible with Community law. If it decides that they are not, that Member State shall be required to withdraw the measures in question as a matter of urgency.

5. Paragraph 2 shall be without prejudice to the application of any procedure, remedy or sanction applicable to the infringements in question in the Member State which has jurisdiction over the media service provider concerned.

(5) Article 3 is replaced by the following:

‘Article 3

1. Member States shall remain free to require media service providers under their jurisdiction to comply with more detailed or stricter rules in the areas covered by this Directive, provided that such rules comply with Community law and do not distort competition.

2. In cases where a Member State:

(a) has exercised its freedom under paragraph 1 to adopt more detailed or stricter rules; and

(b) where such rules are justified on the grounds of public policy, including the protection of minors or public security or public health or the protection of cultural diversity; and

(c) that Member State considers that a broadcaster under the jurisdiction of another Member State has taken advantage of this Directive in an abusive or fraudulent manner in order to circumvent such rules,

it may contact the Member State having jurisdiction with a view to achieving a mutually satisfactory solution to any problems posed. On receipt of a substantiated request by the first Member State, the Member State having jurisdiction shall request the broadcaster to comply with the rules in question. The Member State with jurisdiction shall inform the first Member State of the results obtained within two months of the request.

3. Where the first Member State considers:

(a) that the results achieved through the application of paragraph 1a are not satisfactory; and

(b) that the media service provider concerned has established itself in the Member State having jurisdiction solely in order to avoid the stricter rules in the fields coordinated by this Directive to which it would be subject if it were established in the first Member State,

it may adopt appropriate measures against the media service provider concerned, in order to prevent abuse or fraudulent conduct.

Such measures shall be objectively necessary, applied in a non-discriminatory manner, be appropriate for attaining the objectives which they pursue and may not go beyond what is necessary to attain them.

4. A Member State may take measures pursuant to paragraph 3 only if all of the following conditions are met:

(a) it has notified the Commission and the Member State in which the media service provider is established of its intention to take such measures, while substantiating the grounds on which it proposes to adopt the measures, and

(b) the Commission decides that the measures are compatible with Community law, and in particular that the reasons for which that Member State proposes to take the measures under paragraphs 2 and 3 are well-founded.

5. The Commission shall takes its decision within three months following notification under paragraph 4(a). If the Commission decides that the measures are incompatible with Community law, the Member State in question shall refrain from taking the proposed measures.
6. Member States shall, by appropriate means, ensure, within the framework of their legislation, that media service providers under their jurisdiction effectively comply with the provisions of this Directive.

7. Member States shall encourage self- and/or co-regulatory regimes at national level in the fields coordinated by this Directive. These regimes shall be such that they are broadly accepted by the main stakeholders in the Member State concerned and provide for effective enforcement.

8. If the provisions of this Directive conflict with a provision of another Community act governing aspects of access to an activity relating to audiovisual media services, or the exercise of that activity, the provisions of this Directive shall prevail.

9. Member States shall, by appropriate means, promote the development of media literacy amongst consumers.

(6) The following Articles 3b to 3l are inserted:

‘Article 3b

1. Pursuant to the principle of freedom of access to information as enshrined, in particular, in Article 11 of the Charter of Fundamental Rights of the European Union, and without prejudice to existing contractual agreements between broadcasters and without undermining exclusive rights, each Member State shall ensure that, for the purposes of short news reports, including reports intended for pan-European broadcasts, broadcasters established in other Member States are not deprived of access on a fair, reasonable and non-discriminatory basis to events of high interest to the public which are transmitted by a broadcaster under their jurisdiction. The broadcaster granting such access shall be entitled to appropriate compensation for the technical costs incurred.

2. Broadcasters may freely choose short extracts from the transmitting broadcaster’s signal with at least the identification of their source. Such extracts shall be used exclusively for general news programmes.

3. The provisions of this Article shall be without prejudice to the obligation of individual broadcasters to comply with copyright legislation, including Directive 2001/29/EC (1), and/or the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, Rome, 26 October 1961, and the Berne Convention for the Protection of Literary and Artistic Works, 9 September 1886, as subsequently revised and amended.

4. Member States shall ensure that the modalities and conditions governing the use of such short extracts are defined, in particular their maximum length, time limits regarding their transmission and requirements for the identification of the transmitting broadcaster.

5. Broadcasters may, in accordance with the law of the Member State concerned and for the purpose of transmission, themselves gain access to the event concerned.

Article 3c

Member States shall ensure that audiovisual media service providers under their jurisdiction shall make easily, directly and permanently accessible to the recipients of the service at least the following information:

(a) the name of the media service provider;
(b) the geographic address at which the media service provider is established;

(c) the details of the media service provider, including his electronic mail address or website, which allow him to be contacted rapidly in a direct and effective manner;

(d) where applicable, the relevant regulatory or supervisory institution.

Article 3d

1. Member States shall ensure by appropriate means that audiovisual media services under their jurisdiction are not made available in such a way that might seriously impair the physical, mental or moral development of minors. This Article shall apply in particular to programmes containing pornography and gratuitous acts of violence. The Commission and the Member States should encourage the relevant players in the media sector to promote a Community-wide labelling, assessment and filtering system as a further measure to protect minors. Member States shall promote measures to give parents and other carers greater control over the pornographic and gratuitously violent content of programmes.

2. Member States shall ensure that audiovisual media service providers under their jurisdiction provide filtering systems for content which may be damaging to the physical, mental or moral development of minors and inform users of their existence.

3. The Commission and the Member States shall encourage audiovisual media service providers, regulatory authorities and all parties concerned to consider the technical and legal feasibility of developing a harmonised system of content symbols promoting better filtering and classification at source, regardless of the delivery platform used, with a view to providing greater protection for minors.

4. Member States shall ensure that audiovisual media service providers under their jurisdiction do not in any circumstances broadcast any child pornography under penalty of administrative and/or penal sanctions.

5. Member States shall ask audiovisual media service providers under their jurisdiction to promote information campaigns to prevent violence against women and minors, where possible in collaboration with public and private associations and entities involved in this field.

Article 3e

Member States shall ensure by appropriate means that audiovisual media services and audiovisual commercial communications provided by providers under their jurisdiction do not contain any incitement to hatred based on sex, race, ethnic origin, religion or belief, disability, age or sexual orientation or offend against human dignity in any other manner.

Article 3f

1. Member States shall ensure that media service providers under their jurisdiction promote, where practicable and by appropriate means, and taking due account of the various means of delivery, the development, production of and access to European works within the meaning of Article 6. For non-linear audiovisual media services, support and promotion might take the form of a minimum number of European works proportionate to economic performance, a minimum share of European works and of European works created by producers who are independent of broadcasters in video-on-demand catalogues, or the attractive presentation of European and works created by such independent producers in electronic programme guides.

2. Member States shall ensure that media service providers under their jurisdiction do not transmit cinematographic works outside periods agreed with the rights-holders.
3. Member States shall report to the Commission, no later than the end of the fourth year after adoption of this Directive and every three years thereafter on the implementation of the measure set out in paragraph 1.

4. The Commission shall, on the basis of the information provided by Member States and of an independent study, report to the European Parliament and the Council every three years on the application of paragraph 1, taking into account the market, technological developments and the objective of cultural diversity.

Article 3g

Member States shall ensure that audiovisual commercial communications provided by providers under their jurisdiction comply with the principles laid down in the Charter of Fundamental Rights of the European Union and, in particular, the following requirements:

(a) audiovisual commercial communications shall be clearly identifiable as such and be distinguishable from editorial content. Without prejudice to the use of new advertising techniques, television advertising, teleshopping and telepromotions shall be kept quite distinct from other parts of the programme service by optical and/or acoustic and/or spatial means. Surreptitious audiovisual commercial communication shall be prohibited;

(b) audiovisual commercial communications shall respect the integrity of and natural breaks in the programme in the course of which they are transmitted;

(c) audiovisual commercial communications shall not use subliminal techniques. Accordingly, the sound volume of advertisements, and of the programmes or sequences which precede and follow them, shall not exceed the average sound volume of other parts of the programme service. This obligation shall be as much the responsibility of advertisers as it is of broadcasters, which shall ensure that advertisers comply with it when supplying their advertising material;

(d) audiovisual commercial communications shall comply with the principles laid down in the Charter of Fundamental Rights of the European Union and, in particular, they shall not:

(i) offend against human dignity;

(ii) be offensive on grounds of discrimination by race, gender, nationality, disability, age, or sexual orientation;

(iii) violate children’s rights as defined in the UN Convention on the Rights of the Child;

(iv) encourage behaviour prejudicial to health or to safety;

(v) encourage behaviour grossly prejudicial to the protection of the environment.

(c) all forms of audiovisual commercial communications for cigarettes and other tobacco products shall be prohibited;

(f) pornography, including depictions likely to incite hatred on the grounds of sex, shall be prohibited in all forms of audiovisual commercial communications and teleshopping;

(g) audiovisual commercial communications for alcoholic beverages shall not be aimed at minors and may not encourage immoderate consumption of such beverages;

(h) audiovisual commercial communications for medicinal products and medical treatment available only on prescription in the Member State within whose jurisdiction the media service provider falls shall be prohibited;

(i) audiovisual commercial communications shall not cause moral or physical harm to minors. Therefore they shall not directly exhort minors to buy a product or service by exploiting their inexperience or credulity, directly encourage them to persuade their parents or others to purchase the goods or services being advertised, exploit the special trust minors place in parents, teachers or other persons, or show minors in dangerous situations;
(j) the Member States and the Commission shall encourage media service providers to develop a code of conduct regarding children’s programming containing or interrupted by advertising, sponsorship or any marketing of unhealthy and inappropriate foods and drinks such as those high in fat, sugar and salt and of alcoholic beverages.

Article 3h

1. Audiovisual media services or programmes that are sponsored shall meet the following requirements:

(a) their content and, in the case of television broadcasting, their scheduling, may in no circumstances be influenced in such a way as to affect the responsibility and editorial independence of the media service provider;

(b) they must not directly encourage the purchase or rental of goods or services, in particular by making special promotional references to those goods or services;

(c) viewers must be clearly informed of the existence of a sponsorship agreement. Sponsored programmes must be clearly identified as such by the name, logo and/or any other symbol of the sponsor such as a reference to its product(s) or service(s) or a distinctive sign thereof in an appropriate way for programmes at the beginning, during and/or the end of the programmes.

2. Audiovisual media services or programmes shall not be sponsored by undertakings whose principal activity is the manufacture or sale of cigarettes and other tobacco products.

3. The sponsorship of audiovisual media services or programmes by undertakings whose activities include the manufacture or sale of medicinal products and medical treatment may promote the name or the image of the undertaking, but may not promote specific medicinal products or medical treatments available only on prescription in the Member State within whose jurisdiction the media service provider falls.

4. News and current affairs programmes shall not be sponsored.

Article 3i

1. Product placement shall be prohibited. In particular news and current affairs programmes, children’s programmes, documentaries and programmes of advice may not contain product placement.

Product integration and thematic placement shall be prohibited in principle.

2. However, unless Member States decide otherwise, product placement shall be permitted in cinematographic works, films and series made for television and sports broadcasts.

Production props where no payment is made but certain goods or services are merely provided free of charge with a view to their inclusion in a programme shall be permitted.

Programmes containing product placement or production props shall meet the following requirements:

(a) their content and, in the case of television broadcasting, their scheduling, shall in no circumstances be influenced in such a way as to affect the responsibility or editorial independence of the media service provider;

(b) they shall not directly encourage the purchase or rental of goods or services, in particular by making special promotional references to those goods or services;
(c) they shall not give undue prominence to the product in question;

(d) viewers shall be clearly informed of the existence of product placement. Programmes containing product placement shall be appropriately identified at the start and the end of the programme and by a signal at least every 20 minutes during the programme in order to avoid any confusion on the part of the viewer.

The viewer shall be informed of the use of any production props by appropriate means.

3. In any event programmes shall not contain product placement or production props for:

— tobacco products or cigarettes or product placement from undertakings whose principal activity is the manufacture or sale of cigarettes and other tobacco products; or

— specific medicinal products or medical treatments available only on prescription in the Member State within whose jurisdiction the media service provider falls.

4. The provisions of paragraphs 1, 2 and 3 shall apply only to programmes produced after the date by which this Directive is required to be brought into force by the Member States.

Article 3j

1. The proportion of short forms of advertising such as advertising spots and teleshopping spots within a given clock hour shall not exceed 20%.

2. Paragraph 1 shall not apply to announcements made by the broadcaster in connection with its own programmes and ancillary products directly derived from those programmes or to sponsorship announcements.

Article 3k

1. Member States shall take appropriate measures to ensure that audiovisual media services under their jurisdiction are gradually made accessible to people with a visual or hearing disability.

2. As from no later than … (*) Member States shall submit a national report to the Commission every two years on the application of this Article. The report shall include, in particular, statistics on the progress made towards achieving the goal of accessibility described in paragraph 1. It shall describe any obstacles and describe the measures needed to overcome them.

(*) 3 years from the adoption of this Directive.

Article 3l

1. Without prejudice to other provisions adopted by the Member States under civil, administrative or criminal law, any natural or legal person, regardless of nationality, whose legitimate interests, in particular but not limited to reputation and good name, have been affected by an assertion of facts in an audiovisual media service shall have a right of reply or equivalent remedies.

2. A right of reply or equivalent remedies shall exist in relation to all media service providers under the jurisdiction of a Member State.

3. Member States shall adopt the measures needed to establish the right of reply or equivalent remedies and shall determine the procedure to be followed for the exercise thereof. In particular, they shall ensure that a sufficient period of time is allowed and that the procedures are such that the right or equivalent remedies may be exercised appropriately by natural or legal persons resident or established in other Member States.
4. An application for the exercise of a right of reply or equivalent remedies may be rejected when it is not justified having regard to the conditions set out in paragraph 1, if it involves a punishable act, if its broadcasting involves the civil liability of the media service provider or if it contravenes standards of public decency.

5. Member States shall ensure that disputes concerning the exercise of the right of reply or equivalent remedies are subject to judicial review.

6. The right of reply shall be without prejudice to other means of redress available to persons whose rights to dignity, honour, good reputation or private life have not been respected by a media service provider.

(7) In Article 5, the following new paragraph is added:

‘In defining the term “independent producer”, Member States shall take appropriate account of the following three criteria:

ownership and proprietary rights of the production firm; number of programmes provided to the same media service provider and ownership of secondary rights.’

(8) Article 6 is amended as follows:

(a) Paragraph 1(c) is replaced by the following:

‘(c) works co-produced in the framework of agreements related to the audiovisual sector concluded between the European Community and third countries and fulfilling the conditions defined within each of these agreements.’

(b) Paragraph 3 is deleted.

(c) Paragraph 4 becomes paragraph 3.

(d) Paragraph 5 is deleted.

(9) Article 7 is deleted.

(10) Article 10 is replaced by the following:

‘Article 10

1. Television advertising and teleshopping shall be readily recognizable and distinguishable from editorial content. Without prejudice to the use of new advertising techniques, television advertising and teleshopping shall be kept quite distinct from other parts of the programme service by optical and/or acoustic and/or spatial means.

2. Isolated advertising and teleshopping spots, other than in sports programmes, shall remain the exception.’

(11) Article 11 is replaced by the following:

‘Article 11

1. Advertising and teleshopping spots may be inserted between programmes. Advertising and teleshopping spots may also be inserted during programmes, in a manner which does not jeopardise their integrity, taking into account natural interruptions in the programme, in such a way that the rights of the rights-holders are not prejudiced.

2. The transmission of films made for television (excluding series, serials, light entertainment programmes and documentaries), cinematographic works, children’s programmes and news programmes may be interrupted by advertising and/or teleshopping once for each scheduled period of 30 minutes.

No advertising or teleshopping may be inserted during religious services.’
(12) Articles 12 and 13 are deleted.

(13) Articles 16 and 17 are deleted.

(14) Article 18 is replaced by the following:

‘Article 18

1. The proportion of short forms of advertising such as advertising spots and teleshopping spots within a given clock hour shall not exceed 20%.

2. Paragraph 1 shall not apply to announcements made by the broadcaster advertising its own programmes or to teleshopping, sponsored programmes or, where applicable, product placement.’

(15) Article 18a is replaced by the following:

‘Article 18a

Audiovisual commercial communication windows such as teleshopping, teleshopping windows and telepromotions shall be clearly identified as such by optical and acoustic means.’

(16) Article 19 is replaced by the following:

‘Article 19

The provisions of this Directive shall apply mutatis mutandis to television broadcasts exclusively devoted to advertising and teleshopping as well as to television broadcasts exclusively devoted to self-promotion, which shall be readily recognisable as such by optical and/or acoustic means. Chapter 3 as well as Article 11 (rules on insertion) and Article 18 (duration of advertising and teleshopping) shall not apply to these broadcasts.’

(17) Article 19a is deleted.

(18) Article 20 is replaced by the following:

‘Article 20

Without prejudice to Article 3, Member States may, with due regard for Community law, lay down conditions other than those laid down in Article 11(2) and Article 18 in respect of television broadcasts intended solely for the national territory which cannot be received, directly or indirectly by the public, in one or more other Member States.’

(19) Article 22(1) is replaced by the following:

‘1. Member States shall take appropriate measures to ensure that programmes broadcast by media service providers under their jurisdiction do not contain anything which might seriously impair the physical, psychological and moral development of minors, particularly programmes showing pornography or senseless violence.’

(20) Articles 22a and 22b are replaced by the following:

‘Article 22a

(1) Member States shall promote the production and programming of audiovisual media services and programmes which are suitable for minors and intended to improve their knowledge of communication media.

(2) Such measures shall seek to facilitate educational action by parents, teachers and educators to create awareness of the effects of programmes that minors may watch by:

— setting up appropriate rating systems;’
— encouraging policies to raise awareness and knowledge of the media, which should include the participation of educational establishments and make it possible to produce European programmes suitable for family viewing or aimed at children and adolescents;
— taking account of experience gained in this field in Europe or elsewhere and of the opinion of interested parties, such as broadcasters, producers, parents, educators, communication experts and associations concerned.

(3) Member States’ respective legislation shall further stipulate that new television sets shall be equipped with technical devices to enable certain programmes to be filtered out.’

(21) Article 23a is amended as follows:

In paragraph 2 (e) the expression ‘television broadcasting services’ is replaced by the expression ‘audio-visual media services’.

(22) The following Articles 23b and 23c are inserted:

‘Article 23b

1. Member States shall take appropriate measures to establish national regulatory bodies and institutions in accordance with national law, to guarantee their independence, to ensure that women and men are represented equally in them and to ensure that they exercise their powers impartially and transparently.

2. Member States shall entrust to national regulatory authorities the task of ensuring that media service providers comply with the provisions of this Directive, in particular those relating to freedom of expression, media pluralism, human dignity, the principle of non-discrimination and the protection of minors, the vulnerable and the disabled.

3. National regulatory bodies shall cooperate more closely and provide each other and the Commission with the information necessary for the application of the provisions of this Directive.

Article 23c

Member States shall adopt the measures needed to ensure pluralism of information in the television broadcasting sector.

Member States shall, in compliance with Community law, promote measures, in order that media service providers under their jurisdiction as a whole reflect the necessary pluralism of the relevant values and options within their society which are in accordance with the principles of the Charter of Fundamental Rights of the European Union.’

(23) Articles 25 and 25a are deleted.

(24) Article 26 is replaced by the following:

‘Article 26

Not later than … (*) and every two years thereafter, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee a report on the application of this Directive as amended, including the reports referred to in Articles 3(f)(3) and 3(k)(2) and in particular with regard to the implementation of the measures set out in Articles 3(f)(1), and, if necessary, make further proposals to adapt it to developments in the field of audiovisual media services, in particular in the light of recent technological developments, the competitiveness of the sector and the promotion of cultural diversity.

(*) ‘The end of the fifth year after adoption of this Directive.’
Article 2

Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer cooperation) (1) is hereby amended as follows:

In the Annex, point 4 is replaced by the following:


Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by … (*) at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive shall enter into force on the day following that of its publication in the Official Journal of the European Union.

Article 5

This Directive is addressed to the Member States.

Done at …, on …

For the European Parliament
The President

For the Council
The President


(*) Two years after the entry into force of this Directive.
Establishing the European Globalisation adjustment Fund


(Codecision procedure: first reading)

The European Parliament,
— having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0091) (1),
— having regard to Article 251(2) and Article 159(3) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0082/2006),
— having regard to Rule 51 of its Rules of Procedure,
— having regard to the report of the Committee on Employment and Social Affairs and the opinions of the Committee on International Trade and the Committee on Budgets (A6-0385/2006);

1. Approves the Commission proposal as amended;
2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council and the Commission.

(1) Not yet published in the OJ.


THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third paragraph of Article 159,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Economic and Social Committee (1),

Having regard to the opinion of the Committee of the Regions (2),

Acting in accordance with the procedure laid down in Article 251 (3),

Whereas:

(1) Notwithstanding the positive effects of globalisation on growth, jobs and prosperity and the need to enhance European competitiveness further through structural change, globalisation may also have negative consequences for the most vulnerable and least qualified workers in some sectors. It is therefore opportune to establish a European Globalisation adjustment Fund (the EGF), accessible to all Member States, through which the Community would show its solidarity towards workers affected by redundancies resulting from changes in world trade patterns.

(2) Opinion delivered on 11 October 2006 (not yet published in the OJ).
It is necessary to preserve European values and to promote the development of fair external trade. The negative effects of globalisation should be tackled in the first instance by a long-term, sustainable Community strategy for trade policy aiming at high social and ecological standards. The assistance provided by the EGF should be dynamic and capable of adapting to constantly changing and often unforeseen circumstances in the market.

The EGF should provide specific, one-off support to facilitate the re-integration into employment of workers in areas, sectors, territories, or labour market regions suffering the shock of serious economic disruption. The EGF should promote entrepreneurship, for example through micro-credits or for setting up cooperative projects.

Actions under this Regulation should be defined according to strict intervention criteria relating to the scale of economic dislocation and its impact on a given sector or geographical area, to ensure that the financial contribution from the EGF is concentrated on workers in the most seriously affected regions and economic sectors of the Community. Such dislocation is not necessarily concentrated in a single Member State. In such exceptional circumstances, Member States may therefore submit joint requests for assistance from the EGF.

The activities of the EGF should be coherent and compatible with the other Community policies and comply with its acquis, especially the interventions of the structural funds, while making a genuine contribution to the Community’s social policies.

The Interinstitutional Agreement between the European Parliament, the Council and the Commission of 17 May 2006 on budgetary discipline and sound financial management (1) (Interinstitutional Agreement) is binding from 1 January 2007 and Point 28 determines the budgetary framework of the EGF.

A specific action funded under this Regulation should not receive financial assistance from other Community financial instruments. Coordination with existing or planned modernisation and restructuring measures in the framework of regional development is necessary, however, albeit that such coordination should not result in the creation of parallel or additional management structures for actions funded by the EGF.

To facilitate the implementation of this Regulation, expenditure should be eligible from the date on which a Member State begins to provide personalised services to the affected workers. Reflecting the need for a concentrated response aiming specifically at re-integration into employment, a deadline should be set for the use of the financial contribution of the EGF.

The Member State should remain responsible for the implementation of the financial contribution and for the management and control of the actions supported by Community financing, in accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (2). The Member State should justify the use made of the financial contribution received.

The European Monitoring Centre on Change, based in Dublin, may assist the European Commission and the Member State concerned with qualitative and quantitative analyses in order to help in the evaluation of an application for EGF funds.

Since the objectives of the action to be taken cannot be sufficiently achieved by the Member States and can therefore, by reason of their scale and effects, be better achieved at Community level, the Community may adopt measures, in accordance with the principles of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

As the period of implementation of the EGF is linked to the duration of the financial framework from 1 January 2007 to 31 December 2013, support should be available to workers affected by trade-related redundancies from 1 January 2007,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject-matter and scope

1. With the aim of stimulating economic growth and creating more jobs in the European Union, this Regulation establishes the EGF, to enable the Community to provide support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation where these redundancies have a significant adverse impact on the regional or local economy.

Its period of application shall be linked to the Financial Framework, from January 2007 to December 2013.

2. This Regulation lays down rules regarding the operation of the EGF in order to facilitate re-integration into employment of workers affected by trade-related redundancies.

Article 2

Intervention criteria

A financial contribution from the EGF shall be provided where major structural changes in world trade patterns lead to a serious economic disruption, notably a substantial increase of imports into the EU, or a rapid decline of the EU market share in a given sector or a delocalisation to third countries, which results in:

(a) at least 1 000 redundancies over a period of 4 months in an enterprise in a Member State, including workers made redundant in its suppliers or downstream producers, or
(b) at least 1 000 redundancies, over a period of 9 months, particularly in small or medium-sized enterprises, in a NACE 2 sector in one region or two contiguous regions at NUTS II level.
(c) small labour markets or in exceptional circumstances, duly substantiated by the Member State(s) concerned, an application for a contribution from the EGF may be considered admissible even if the conditions laid down in subparagraphs (a) and (b) are not entirely met, when redundancies have a serious impact on employment and the local economy. The aggregated amount of contributions for exceptional circumstances may not exceed 15% of the EGF each year.

Article 3

Eligible actions

A financial contribution under this Regulation may be made for active labour market measures that form part of a coordinated package of personalised services designed to re-integrate redundant workers into the labour market, including:

(a) job-search assistance, occupational guidance, tailor-made training and re-training including ICT skills and certification of acquired experience, outplacement assistance and entrepreneurship promotion or aid for self-employment;
(b) special time-limited measures, such as job-search allowances, mobility allowances or allowances to individuals participating in lifelong learning and training activities; and
(c) measures to stimulate in particular disadvantaged or older workers, to remain in or return to the labour market.

The EGF shall not finance passive social protection measures.

On the initiative of the Member State, the EGF may finance the preparatory, management, information and publicity, and control activities for its implementation.
Article 4

Type of financial contribution

The Commission shall award a financial contribution in the form of a single instalment, which shall be implemented within the framework of shared management between the Member States and the Commission, in accordance with Article 53(1)(b), (5) and (6) of Regulation (EC, Euratom) No 1605/2002.

Article 5

Applications

1. The Member State shall submit an application for a contribution from EGF to the Commission within a period of 10 weeks from the date on which the conditions set out in Article 2 for mobilising the EGF are met. The application may be supplemented subsequently by the Member State(s).

2. The application shall contain the following information:

   (a) a reasoned analysis of the link between the planned redundancies and major structural changes in world trade patterns and a demonstration of the number of redundancies and an explanation of the unforeseen nature of those redundancies;

   (b) the identification of the dismissing enterprises (national or multi-national), suppliers or downstream producers, sectors, and the categories of workers to be targeted;

   (c) a description of the territory concerned and its authorities and other stakeholders, and the expected impact of the redundancies as regards local, regional or national employment;

   (d) the coordinated package of personalised services to be funded and a breakdown of its estimated cost, including its complementarity with actions financed by the Structural Funds as well as information on actions that are mandatory by virtue of national law or pursuant to collective agreements;

   (e) the date(s) on which personalised services to the affected workers were started or are planned to be started;

   (f) the procedures followed for consulting the social partners; and

   (g) the authority responsible for management and financial control in accordance with Article 18.

3. Having regard to the actions implemented by the Member State, the region, the social partners and the enterprises concerned by virtue of national law or collective agreements, and paying particular attention to actions funded by the European Social Fund (the ESF), the information provided under paragraph 2 shall include a summary description of the actions taken and planned by the national authority and enterprises concerned, including an estimate of their cost.

4. The Member State(s) concerned shall also provide statistical and other information, at the most appropriate territorial level, which the Commission requires to assess the fulfilment of the intervention criteria.

5. On the basis of the information referred to in paragraph 2 and any additional information submitted by the Member State(s) concerned, the Commission shall assess, in consultation with the Member State, whether the conditions for making a financial contribution under this Regulation are met.

Article 6

Complementarity, compliance and coordination

1. Assistance from the EGF shall not replace actions which are the responsibility of companies by virtue of national law or collective agreements.

2. Assistance from the EGF shall complement actions of the Member States at national, regional and local level, including those co-financed by the structural funds.
3. Assistance from the EGF shall provide solidarity and support for individual workers made redundant as a result of structural changes in world trade patterns. The EGF shall not finance the restructuring of companies or sectors.

4. In accordance with their respective responsibilities, the Commission and the Member States shall ensure the coordination of the assistance from Community Funds.

5. The Member States shall ensure that the specific actions receiving a contribution under the EGF shall not also receive assistance from other Community financial instruments.

Article 7

Equality between women and men and non-discrimination

The Commission and the Member States shall ensure that equality between men and women and the integration of the gender perspective is promoted during the various stages of implementation of the EGF. The Commission and the Member States shall take appropriate steps to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the various stages of the implementation of and, in particular, in access to, the EGF.

Article 8

Technical assistance at the initiative of the Commission

1. At the initiative of the Commission, subject to a ceiling of 0.35% of the financial resources available for that year, the EGF may be used to finance monitoring, information, administrative and technical support, audit, control and evaluation activities necessary to implement this Regulation.

2. Such tasks shall be executed in accordance with Regulation (EC, Euratom) No 1605/2002, as well as the implementing rules applicable to this form of implementation of the budget.

Article 9

Information and publicity

1. The Member State shall provide information on and publicise the funded actions. The information shall be addressed to the workers concerned, local and regional authorities, social partners, the media and the wider public. It shall highlight the role of the Community and ensure that the contribution from the EGF is visible.

2. The Commission shall set up an Internet site, available in all Community languages, to provide information on the EGF, guidance on the submission of applications, as well as updated information on accepted and refused applications, highlighting the role of the budgetary authority.

Article 10

Determination of financial contribution.

1. The Commission shall, on the basis of the assessment carried out in accordance with Article 5(5), particularly taking into account the number of workers to be supported, the proposed actions and the estimated costs, evaluate and propose determine as quickly as possible the amount of financial contribution, if any, that may be made within the limits of the resources available.

The amount may not exceed 50% of the total of the estimated costs referred to in Article 5(2)(d).
2. Where, on the basis of the assessment carried out in accordance with Article 5(5), the Commission has concluded that the conditions for a financial contribution under this Regulation are met, it shall immediately initiate the procedure set out in Article 12.

3. Where, on the basis of the assessment carried out in accordance with Article 5(5), the Commission has concluded that the conditions for a financial contribution under this Regulation are not met, it shall notify the Member State concerned as soon as possible.

Article 11

Eligibility of expenditure

Expenditure shall be eligible for a contribution from the EGF from the date(s) on which the Member State concerned starts to provide personalised services to the affected workers, as set out in Article 5(2)(e).

Article 12

Budget procedure

1. The arrangements for the EGF shall comply with the provisions of Point 28 of the Interinstitutional Agreement and any revisions of that Point.

2. Appropriations concerning the EGF shall be entered in the general budget of the European Union as a provision through the normal budgetary procedure as soon as the Commission has identified sufficient margins and/or cancelled commitments.

3. Where the Commission has concluded that a financial contribution should be made from the EGF, it shall submit to the budgetary authority a proposal to authorise appropriations corresponding to the amount determined in accordance with Article 10 and a request for the transfer of the amount to the EGF budget line. Proposals may be grouped into batches.

Transfers concerning the EGF shall be carried out pursuant to Article 24(4) of Regulation (EC, Euratom) No 1605/2002.

4. A proposal pursuant to paragraph 3 shall include the following:

(a) the assessment carried out in accordance with Article 5(5), together with a summary of the information on which that assessment is based;

(b) evidence that the criteria laid down in Articles 2 and 6 are met; and

(c) the reasons justifying the amounts proposed.

5. At the same time as it presents its proposal, the Commission shall initiate a trilogue procedure, possibly in simplified form, to seek the agreement of both arms of the budgetary authority on the need to use the EGF and the amount required.

6. On 1 September each year, at least one quarter of the annual maximum amount of the EGF shall remain available in order to cover needs arising until the end of the year.

7. Once the appropriations are made available by the budgetary authority, the Commission shall adopt a decision on a financial contribution.

Article 13

Payment and use of the financial contribution

1. Following adoption of the decision in accordance with Article 12(3), the Commission shall pay the financial contribution to the Member State(s) concerned in a single instalment, in principle within 15 days.
2. The Member State shall use the financial contribution, as well as any interest earned thereon, within 12 months of the application pursuant to Article 5.

**Article 14**

**Use of the Euro**

Applications, decisions on financial contributions and reports under this Regulation, as well as any other related documents, shall express all amounts in Euro.

**Article 15**

**Final report and closure**

1. No later than six months after the expiry of the period specified in Article 13(2), the Member State concerned shall present a report to the Commission on the execution of the financial contribution, including information on the type of actions and main outcomes, together with a statement justifying the expenditure and indicating, whenever appropriate, the complementarity of actions with those funded by the ESF.

2. No later than six months after the Commission has received all the information required under paragraph 1, it shall wind up the financial contribution from the EGF.

**Article 16**

**Annual report**

1. For the first time in 2008 and before 1 July of each year, the Commission shall present to the European Parliament and to the Council a quantitative and qualitative report on the activities under this Regulation in the previous year. The report shall focus mainly on the results achieved by the EGF and shall in particular contain information relating to applications submitted, Decisions adopted, actions funded including their complementarity with actions funded by the structural funds, notably the ESF, and the winding-up of financial contribution made. It shall also document those requests that have been refused owing to a lack of sufficient appropriations or to non-eligibility.

2. The report will be transmitted, for information, to the European Economic and Social Committee, the Committee of the Regions and the social partners.

**Article 17**

**Evaluation**

1. The Commission shall carry out at its own initiative and in close cooperation with the Member States:
   
   (a) a mid-term evaluation of the effectiveness and sustainability of results obtained by 31 December 2011; and
   
   (b) an ex-post evaluation by 31 December 2014, with the assistance of external experts, to measure the impact of the EGF and its added value.

2. The results of the evaluation will be transmitted, for information, to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and to the social partners.

**Article 18**

**Management and financial control**

1. Without prejudice to the Commission’s responsibility for implementing the general budget of the European Communities, the Member States shall take responsibility in the first instance for the management of actions supported by the EGF and the financial control of the actions. To that end, the measures they take shall include:

   (a) verifying that management and control arrangements have been set up and are being implemented in such a way as to ensure that Community funds are being used efficiently and correctly, in accordance with the principles of sound financial management;
(b) verifying that the financed actions have been properly carried out;

(c) ensuring that expenditure funded are based on verifiable supporting documents, are correct and regular;

and

(d) preventing, detecting and correcting irregularities as defined in Article 70 of Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund (1), and recovering amounts unduly paid together with interest on late payments in accordance with the same Article. They shall notify these to the Commission in due time and keep the Commission informed of the progress of administrative and legal proceedings.

2. The Member State shall make the financial corrections required where an irregularity is ascertained. The corrections made by the Member State shall consist in cancelling all or part of the Community contribution. The Member State shall recover any amount lost as a result of an irregularity detected, repay it to the Commission and, where the amount is not repaid in the time allowed by the Member State concerned, default interest shall be due.

3. The Commission, in its responsibility for the implementation of the general budget of the European Communities, shall take every step necessary to verify that the actions financed are carried out in accordance with the principles of sound and efficient financial management, in compliance with the provisions of Regulation (EC, Euratom) No 1605/2002. It is the responsibility of each Member State to ensure that it has smoothly functioning management and control systems; the Commission shall satisfy itself that such systems are in place.

To that end, without prejudice to the powers of the Court of Auditors or the checks carried out by the Member State in accordance with national laws, regulations and administrative provisions, Commission officials or servants may carry out on-the-spot checks, including sample checks, on the actions financed by the Fund with a minimum of one working day's notice. The Commission shall give notice to the Member State concerned with a view to obtaining all the assistance necessary. Officials or servants of the Member State concerned may take part in such checks.

4. The Member State shall ensure that all supporting documents regarding expenditure incurred are kept available for the Commission and the Court of Auditors for a period of three years following the winding-up of the financial contribution received from the EGF.

Article 19

Reimbursement of financial contribution

1. In cases where the amount of the actual cost of an action is less than the estimated amount quoted pursuant to Article 12, the Commission shall require the Member State to reimburse a corresponding amount of the financial contribution received.

2. Where the Member State has failed to comply with the obligations stated in the decision on a financial contribution, the Commission shall take the necessary steps to require the Member State to reimburse all or part of the financial contribution received.

3. Prior to the adoption of a decision under paragraphs 1 or 2, the Commission shall conduct a suitable examination of the case and shall, in particular, allow the Member State a specified period of time in which to submit its comments.

4. If, after completing the necessary verifications, the Commission concludes that the Member State is not complying with its obligations under Article 18(1), it shall, if no agreement has been reached and the Member State has not made the corrections in a period set by the Commission, and taking account of any comments made by the Member State, decide within three months from the end of the period referred above to make the financial corrections required by cancelling all or part of the contribution of the EGF to the action in question. Any amount lost as a result of an irregularity detected shall be recovered and, where the amount is not repaid in the time allowed by the Member State concerned, default interest shall be due.

Article 20

Review clause

On the basis of the first annual report provided for in Article 16, the European Parliament and the Council may review this Regulation, on the basis of a proposal by the Commission, to ensure that the solidarity objective of the EGF is met and that its provisions adequately take into account the economic, social and territorial characteristics of all Member States.

The European Parliament and the Council shall in any case review this Regulation by 31 December 2013.

Article 21

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ..., on ...

For the European Parliament,

The President

For the Council,

The President

P6_TA(2006)0561

Type approval of motor vehicles with respect to emissions and access to vehicle repair information ***I


(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2005)0683) (1),
— having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0007/2006),
— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
— having regard to Rules 51 and 35 of its Rules of Procedure,

(1) Not yet published in OJ.
having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on the Internal Market and Consumer Protection, the Committee on Transport and Tourism and the Committee on Industry, Research and Energy (A6-0301/2006):

1. Approves the Commission proposal as amended;

2. Calls on the Commission to introduce proposals in a revised framework Directive on type approval to guarantee access to detailed vehicle repair information in order to stimulate competition within the vehicle repair industry. Further, calls on the Commission to bring forward any necessary proposals to avoid duplication or double regulation between this Regulation, Commission Regulation (EC) No 1400/2002 of 31 July 2002 on the application of Article 81(3) of the Treaty to categories of vertical agreements and concerted practices in the motor vehicle sector (2) and the draft Directive on the approval of motor vehicles and their trailers.

3. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

4. Instructs its President to forward its position to the Council and Commission.


Position of the European Parliament adopted at first reading on 13 December 2006 with a view to the adoption of Regulation (EC) No …/2007 of the European Parliament and of the Council on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee (1),

Acting in accordance with the procedure laid down in Article 251 of the Treaty (2),

Whereas:

(1) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital must be ensured. To that end a comprehensive Community type approval system for motor vehicles, established by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers (3), is in place. The technical requirements for the type approval of motor vehicles with regard to emissions should therefore be harmonised to avoid requirements that differ from one Member State to another, and to ensure a high level of environmental protection.


(2) This Regulation is one of a number of separate regulatory acts in the context of the Community type approval procedure under Directive 70/156/EEC. Therefore, that Directive should be amended accordingly.

(3) At the request of the European Parliament a new regulatory approach has been introduced in EU vehicle legislation. Thus, this Regulation lays down fundamental provisions on vehicle emissions, whereas the technical specifications will be laid down by implementing measures adopted following comitology procedures.

(4) In March 2001 the Commission launched the Clean Air For Europe (CAFE) programme, the major elements of which are outlined in a communication of 4 May 2005. This has led to the adoption of a thematic strategy on air pollution by a communication of 21 September 2005. One of the conclusions of the thematic strategy is that further reductions in emissions from the transport sector (air, maritime and land transport), from households and from the energy, agricultural and industrial sectors are needed to achieve EU air quality objectives. In this context, the task of reducing vehicle emissions should be approached as part of an overall strategy. The Euro 5 and 6 standards are one of the measures designed to reduce emissions of particulate matter and ozone precursors such as nitrogen oxides and hydrocarbons.

(5) Achieving EU air quality objectives requires a continuing effort to reduce vehicle emissions. For that reason, industry should be provided with clear information on future emission limit values. This is why this Regulation includes, in addition to Euro 5, the Euro 6 stage of emission limit values.

(6) In particular, a considerable reduction in nitrogen oxide emissions from diesel vehicles is necessary to improve air quality and comply with limit values for pollution. This requires reaching ambitious limit values at the Euro 6 stage without being obliged to forego the advantages of diesel engines in terms of fuel consumption and hydrocarbon and carbon monoxide emissions. Setting such a step for reducing nitrogen oxide emissions at an early stage will provide long-term, Europe-wide planning security for vehicle manufacturers.

(7) In setting emissions standards it is important to take into account the implications for markets and manufacturers’ competitiveness, the direct and indirect costs imposed on business and the benefits that accrue in terms of stimulating innovation, improving air quality, reducing health costs and increasing life expectancy, as well as the implications for the overall impact on carbon dioxide emissions.

(8) Unrestricted access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for vehicle repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic (OBD) systems and their interaction with other vehicle systems. It is appropriate to lay down technical specifications that manufacturers’ websites should follow, along with targeted measures to ensure reasonable access for small and medium-sized enterprises (SMEs). Common standards agreed with the involvement of stakeholders, such as the OASIS (1) format, can facilitate the exchange of information between manufacturers and service providers. It is therefore appropriate to initially require the use of the technical specifications of the OASIS format and to ask the Commission to request CEN/ISO to further develop this format into a standard with a view to replacing the OASIS format in due course.

(9) Not later than four years after the date of entry into force of this Regulation, the Commission should review the operation of the system of access to all vehicle repair and maintenance information with a view to determining whether it would be appropriate to consolidate all provisions governing access to vehicle repair and maintenance information within a revised framework Directive on type approval. If the provisions governing access to all vehicle information are incorporated into that Directive, the corresponding provisions in this Regulation should be repealed, as long as the existing rights for access to repair and maintenance information are preserved.

(1) Organisation for the Advancement of Structured Information Standards.
The Commission should keep under review emissions which are as yet unregulated and which arise as a consequence of the wider use of new fuel formulations, engine technologies and emission control systems and, where necessary, submit a proposal to the European Parliament and to the Council with a view to regulating such emissions.

In order to facilitate the introduction and to maintain the existence of alternative fuel vehicles, which can have low nitrogen oxide and particulate emissions, and at the same time to encourage reduced emissions from petrol-powered vehicles, this Regulation introduces separate limit values for total hydrocarbons and total non-methane hydrocarbons.

Efforts should be continued to implement stricter emission limits, including reduction of carbon dioxide emissions, and to ensure that those limits relate to the actual performance of vehicles when in use.

In order to ensure that emissions of ultra fine particulate matter (PM 0.1 µm and below) are controlled, the Commission should adopt as soon as possible, and introduce at the latest upon entry into force of the Euro 6 stage, a number based approach to emissions of PM in addition to the mass based approach which is currently used. The number based approach to emissions of PM should draw on the results of the UN/ECE’s Particulate Measurement Programme (PMP) and be consistent with the existing ambitious objectives for the environment.

To provide greater repeatability in measuring the mass and number of particulate emissions in the laboratory, the Commission should adopt a new measurement procedure replacing the current one. This should be introduced as soon as possible and at the latest upon entry into force of the Euro 6 stage. It should be based on the results of the PMP. When the new measurement procedure is implemented, the PM mass emission limits set out in this Regulation should be recalibrated, as the new procedure records a lower level of mass than the current one.

The Commission should keep under review the need to revise the New European Drive Cycle as the test procedure that provides the basis of EC type approval emissions regulations. Updating or replacement of the test cycles may be required to reflect changes in vehicle specification and driver behaviour. Revisions may be necessary to ensure that real world emissions correspond to those measured at type approval. The use of portable emission measurement systems and the introduction of the ‘not-to-exceed’ regulatory concept should also be considered.

OBD systems are important in the control of emissions during the use of a vehicle. Due to the importance of controlling real world emissions, the Commission should keep under review the requirements for such systems and the tolerance thresholds for monitoring faults.

A standardised method of measuring fuel consumption and carbon dioxide emissions of vehicles is necessary to ensure that no technical barriers to trade arise between Member States. Furthermore, it is also necessary to ensure that customers and users are supplied with objective and precise information.

Before drawing up a proposal for future emission standards, the Commission should set up studies designed to determine whether the continued subdivision of vehicle categories into groups is still necessary and whether mass neutral emission limits can be applied.

Member States should be able, by means of financial incentives, to accelerate the placing on the market of vehicles which satisfy the requirements adopted at Community level. However, such incentives should comply with the provisions of the Treaty, in particular the rules on state aid. This is in order to avoid distortions of the internal market. This Regulation should not affect the Member States’ right to include emissions in the basis for calculating taxes levied on vehicles.
Given that the legislation on vehicle emissions and fuel consumption has developed over more than 35 years and is now spread over more than 24 Directives, it is advisable to replace those Directives by a new regulation and a number of implementing measures. A regulation will ensure that the detailed technical provisions are directly applicable to manufacturers, approval authorities and technical services and that they can be updated in a much faster and more efficient way. Directives 70/220/EEC (1), 72/306/EEC (2), 74/290/EEC (3), 80/1268/EEC (4), 83/351/EEC (5), 88/76/EEC (6), 88/436/EEC (7), 89/458/EEC (8), 91/441/EEC (9), 93/59/EEC (10), 94/12/EEC (11), 96/69/EEC (12), 98/69/EEC (13), 2001/1/EC (14), 2001/100/EC (15) and 2004/3/EC (16) should therefore be repealed. In addition, the Member States should also repeal the transposing legislation of the repealed Directives.

In order to clarify the scope of legislation on vehicle emissions, Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles (17) should be amended in such a way as to cover all heavy-duty vehicles so as to make clear that this Regulation concerns light-duty vehicles.


To ensure a smooth transition from the existing Directives to this Regulation, the applicability of this Regulation should be deferred by a certain period after its entry into force. However, during that period manufacturers should be able to choose to have vehicles approved under either the existing Directives or this Regulation. Moreover, the provisions on financial incentives should be applicable immediately after the entry into force of this Regulation. The validity of type approvals granted under the existing Directives is not to be affected by the entry into force of this Regulation.

To ensure a smooth transition from the existing Directives to this Regulation, certain exceptions for vehicles designed to fulfil specific social needs should be foreseen in the Euro 5 stage. These exceptions should cease with the entry into force of the Euro 6 stage.

The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (1). In particular, power should be conferred on the Commission to introduce particle number based limit values in Annex I, as well as to recalibrate the particulate mass based limit values set out in that Annex. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Power should also be conferred on the Commission to establish specific procedures, tests and requirements for type approval, as well as a revised measurement procedure for particulates and a particle number based limit value, and to adopt measures concerning the use of defeat devices, access to vehicle repair and maintenance information and test cycles used to measure emissions. Since those measures are of general scope and are designed to supplement this Regulation by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Since the objectives of this Regulation, namely the realisation of the internal market through the introduction of common technical requirements concerning emissions from motor vehicles and guaranteed access to vehicle repair and maintenance information for independent operators on the same basis as for authorised dealers and repairers, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

HAVE ADOPTED THIS REGULATION:

CHAPTER I

Subject matter, scope and definitions

Article 1

Subject matter

1. This Regulation establishes common technical requirements for the type approval of motor vehicles ('vehicles') and replacement parts, such as replacement pollution control devices, with regard to their emissions.

2. In addition, this Regulation lays down rules for in-service conformity, durability of pollution control devices, on-board diagnostic (OBD) systems, measurement of fuel consumption and accessibility of vehicle repair and maintenance information.

Article 2

Scope

1. This Regulation shall apply to vehicles of categories M₁, M₂, N₁, and N₂ as defined in Annex II to Directive 70/156/EEC with a reference mass not exceeding 2 610 kg.

2. At the manufacturer's request, type approval granted under this Regulation may be extended from vehicles covered by paragraph 1 to M₁, M₂, N₁, and N₂ vehicles as defined in Annex II to Directive 70/156/EEC with a reference mass not exceeding 2 840 kg and which meet the conditions laid down in this Regulation and its implementing measures.

Article 3

Definitions

For the purposes of this Regulation and its implementing measures, the following definitions shall apply:

1) ‘hybrid vehicle’ means a vehicle with at least two different energy converters and two different energy storage systems (on vehicle) for the purpose of vehicle propulsion;

2) ‘vehicles designed to fulfil specific social needs’ means diesel vehicles of category M₁ which are either:
   (a) special purpose vehicles as defined in Directive 70/156/EEC with a reference mass exceeding 2 000 kg;
   (b) vehicles with a reference mass exceeding 2 000 kg and designed to carry 7 or more occupants including the driver, as from 1 September 2012, of vehicles of category M₁G as defined in Directive 70/156/EEC; or
   (c) vehicles with a reference mass exceeding 1 760 kg which are built specifically for commercial purposes to accommodate wheelchair use inside the vehicle;

3) ‘reference mass’ means the mass of the vehicle in running order less the uniform mass of the driver of 75 kg and increased by a uniform mass of 100 kg;

4) ‘gaseous pollutants’ means the exhaust gas emissions of carbon monoxide, oxides of nitrogen, expressed in nitrogen dioxide (NO₂) equivalent, and hydrocarbons;

5) ‘particulate pollutants’ means components of the exhaust gas which are removed from the diluted exhaust gas at a maximum temperature of 325 °K (52 °C) by means of the filters described in the test procedure for verifying average tailpipe emissions;

6) ‘tailpipe emissions’ means the emission of gaseous and particulate pollutants;

7) ‘evaporative emissions’ means the hydrocarbon vapours emitted from the fuel system of a vehicle other than those from tailpipe emissions;

8) ‘crankcase’ means the spaces in, or external to, an engine which are connected to the oil sump by internal or external ducts through which gases and vapours can be emitted;

9) “on-board diagnostic” or “OBD” system means a system for emission control which has the capability of identifying the likely area of malfunction by means of fault codes stored in a computer memory;

10) ‘defeat device’ means any element of design which senses temperature, vehicle speed, engine speed (RPM), transmission gear, manifold vacuum or any other parameter for the purpose of activating, modulating, delaying or deactivating the operation of any part of the emission control system, that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use;

11) ‘pollution control device’ means those components of a vehicle that control and/or limit tailpipe and evaporative emissions;

12) ‘original pollution control device’ means a pollution control device or an assembly of such devices covered by the type approval granted for the vehicle concerned;
CHAPTER II

Manufacturers’ type-approval obligations

Article 4

Manufacturers’ obligations

1. Manufacturers shall demonstrate that all new vehicles sold, registered or put into service in the Community are type approved in accordance with this Regulation and its implementing measures. Manufacturers shall also demonstrate that all new replacement pollution control devices requiring type approval which are sold or put into service in the Community are type approved in accordance with this Regulation and its implementing measures.

These obligations include meeting the emission limits set out in Annex I and the implementing measures referred to in Article 5.

2. Manufacturers shall ensure that type approval procedures for verifying conformity of production, durability of pollution control devices and in-service conformity are met.

In addition, the technical measures taken by the manufacturer must be such as to ensure that the tailpipe and evaporative emissions are effectively limited, pursuant to this Regulation, throughout the normal life of the vehicles under normal conditions of use. Therefore, in-service conformity measures shall be checked for a period of up to 5 years or 100,000 km, whichever is the sooner. Durability testing of pollution control devices undertaken for type approval shall cover 160,000 km. To comply with this durability test, the manufacturers should have the possibility to make use of test bench ageing, subject to the implementing measures referred to in paragraph 4.

In-service conformity shall be checked, in particular, for tailpipe emissions as tested against emission limits set out in Annex I. In order to improve control of evaporative emissions and low ambient temperature emissions, the test procedures shall be reviewed by the Commission.

3. Manufacturers shall set out carbon dioxide emissions and fuel consumption figures in a document given to the purchaser of the vehicle at the time of purchase.

4. The specific procedures and requirements for the implementation of paragraphs 2 and 3 shall be established in accordance with the procedure referred to in Article 15(2).
**Article 5**

**Requirements and tests**

1. The manufacturer shall equip vehicles so that the components likely to affect emissions are designed, constructed and assembled so as to enable the vehicle, in normal use, to comply with this Regulation and its implementing measures.

2. The use of defeat devices that reduce the effectiveness of emission control systems shall be prohibited. The prohibition shall not apply where:

   (a) the need for the device is justified in terms of protecting the engine against damage or accident and for safe operation of the vehicle;

   (b) the device does not function beyond the requirements of engine starting; or

   (c) the conditions are substantially included in the test procedures for verifying evaporative emissions and average tailpipe emissions.

3. The specific procedures, tests and requirements for type approval set out in this paragraph, as well as requirements for the implementation of paragraph 2, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(3). This shall include establishing the requirements relating to:

   (a) tailpipe emissions, including test cycles, low ambient temperature emissions, emissions at idling speed, smoke opacity and correct functioning and regeneration of after-treatment systems;

   (b) evaporative emissions and crankcase emissions;

   (c) OBD systems and in-use performance of pollution control devices;

   (d) durability of pollution control devices, replacement pollution control devices, in-service conformity, conformity of production and roadworthiness;

   (e) measurement of greenhouse gas emissions and fuel consumption;

   (f) hybrid vehicles and alternative fuel vehicles;

   (g) extension of type approvals and requirements for small volume manufacturers;

   (h) test equipment; and

   (i) reference fuels, such as petrol, diesel, gaseous fuels and biofuels, such as bioethanol, biodiesel and biogas.

The above requirements shall, where relevant, apply to vehicles regardless of the type of fuel by which they are powered.

**CHAPTER III**

**Access to vehicle repair and maintenance information**

**Article 6**

**Manufacturers’ obligations**

1. Manufacturers shall provide unrestricted and standardised access to vehicle repair and maintenance information to independent operators through websites using a standardised format in a readily accessible and prompt manner, and in a manner which is non-discriminatory compared to the provision given or access granted to authorised dealers and repairers. With a view to facilitating the achievement of this objective, the information shall be submitted in a consistent manner, initially in accordance with the technical requirements of the OASIS format (1). Manufacturers shall also make training material available to independent operators and authorised dealers and repairers.

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2. The information referred to in paragraph 1 shall include:

(a) an unequivocal vehicle identification;
(b) service handbooks;
(c) technical manuals;
(d) component and diagnosis information (such as minimum and maximum theoretical values for measurements);
(e) wiring diagrams;
(f) diagnostic trouble codes (including manufacturer specific codes);
(g) the software calibration identification number applicable to a vehicle type;
(h) information provided concerning, and delivered by means of, proprietary tools and equipment; and
(i) data record information and two-directional monitoring and test data.

3. Authorised dealers or repairers within the distribution system of a given vehicle manufacturer shall be regarded as independent operators for the purposes of this Regulation to the extent that they provide repair or maintenance services for vehicles in respect of which they are not members of the vehicle manufacturer's distribution system.

4. The vehicle repair and maintenance information shall always be available, except as required for maintenance purposes of the information system.

5. For the purposes of manufacture and servicing of OBD-compatible replacement or service parts and diagnostic tools and test equipment, manufacturers shall provide the relevant OBD and vehicle repair and maintenance information on a non-discriminatory basis to any interested component, diagnostic tools or test equipment manufacturer or repairer.

6. For the purposes of the design and manufacture of automotive equipment for alternative fuel vehicles, manufacturers shall provide the relevant OBD and vehicle repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel vehicles.

7. When applying for EC type approval or national type approval, the manufacturer shall provide the type approval authority with proof of compliance with this Regulation relating to access to vehicle repair and maintenance information and to the information referred to in paragraph 5. In the event that such information is not yet available, or does not yet conform to this Regulation and its implementing measures at that point in time, the manufacturer shall provide it within six months from the date of type approval. If such proof of compliance is not provided within that period, the approval authority shall take appropriate measures to ensure compliance.

The manufacturer shall make subsequent amendments and supplements to vehicle repair and maintenance information available on its websites at the same time they are made available to authorised repairers.

**Article 7**

**Fees for access to vehicle repair and maintenance information**

1. Manufacturers may charge reasonable and proportionate fees for access to vehicle repair and maintenance information covered by this Regulation; a fee is not reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it.

2. Manufacturers shall make available vehicle repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted.
Article 8
Implementing measures

The measures necessary for implementation of Articles 6 and 7, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(3). This shall include the definition and updating of technical specifications relating to the way in which OBD and vehicle repair and maintenance information shall be provided, with special attention being paid to the specific needs of SMEs.

Article 9
Report

Not later than … (*), the Commission shall present to the European Parliament and to the Council a report on the operation of the system of access to vehicle repair and maintenance information, with particular consideration being given to the effect on competition and the operation of the internal market and the environmental benefits. The report shall consider whether it would be appropriate to consolidate all provisions governing access to vehicle repair and maintenance information within a revised framework directive on type approval.

CHAPTER IV
Obligations of Member States

Article 10
Type approval

1. With effect from … (**), if a manufacturer so requests, the national authorities may not, on grounds relating to emissions or fuel consumption of vehicles, refuse to grant EC type approval or national type approval for a new type of vehicle, or prohibit the registration, sale or entry into service of a new vehicle, where the vehicle concerned complies with this Regulation and its implementing measures, and in particular with the Euro 5 limit values set out in Table 1 of Annex I or with the Euro 6 limit values set out in Table 2 of Annex I.

2. With effect from 1 September 2009, and from 1 September 2010 in the case of category N1 class II and III and category N2 vehicles, the national authorities shall refuse, on grounds relating to emissions or fuel consumption, to grant EC type approval or national type approval for new types of vehicle which do not comply with this Regulation and its implementing measures, and in particular with the Annexes, with the exception of the Euro 6 limit values set out in Table 2 of Annex I. For the test on tailpipe emissions, the limit values applied to vehicles designed to fulfil specific social needs shall be the same as for category N1 class III vehicles.

3. With effect from 1 January 2011, and from 1 January 2012 in the case of category N1 class II and III and category N2 vehicles and vehicles designed to fulfil specific social needs, national authorities shall, in the case of new vehicles which do not comply with this Regulation and its implementing measures, and in particular with the Annexes with the exception of the Euro 6 limit values set out in Table 2 of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 7(1) of Directive 70/156/EEC and shall, on grounds relating to emissions or fuel consumption, prohibit the registration, sale or entry into service of such vehicles. For the test on tailpipe emissions, the limit values applied to vehicles designed to fulfil specific social needs shall be the same as for category N1 class III vehicles.

4. With effect from 1 September 2014, and from 1 September 2015 in the case of category N1 class II and III and category N2 vehicles, the national authorities shall refuse, on grounds relating to emissions or fuel consumption, to grant EC type approval or national type approval for new types of vehicle which do not comply with this Regulation and its implementing measures, and in particular with the Euro 6 limit values set out in Table 2 of Annex I.

(*) Four years after the date of entry into force of this Regulation.
(**) Date of entry into force of this Regulation.
5. With effect from 1 September 2015, and from 1 September 2016 in the case of category N1 class II and III and category N2 vehicles, national authorities shall, in the case of new vehicles which do not comply with this Regulation and its implementing measures, and in particular with the Euro 6 limit values set out in Table 2 of Annex I, consider certificates of conformity to be no longer valid for the purposes of Article 7(1) of Directive 70/156/EEC and shall, on grounds relating to emissions or fuel consumption, prohibit the registration, sale or entry into service of such vehicles.

**Article 11**

**Type approval of replacement parts**

1. For new replacement pollution control devices intended to be fitted on vehicles approved under this Regulation, national authorities shall prohibit their sale or installation on a vehicle if they are not of a type in respect of which a type approval has been granted in compliance with this Regulation and its implementing measures.

2. National authorities may continue to grant extensions to EC type approvals for replacement pollution control devices intended for standards preceding this Regulation under the terms which originally applied. National authorities shall prohibit the sale or installation on a vehicle of such replacement pollution control devices unless they are of a type in respect of which a relevant type approval has been granted.

3. Replacement pollution control devices intended to be fitted on vehicles type approved prior to the adoption of component type approval requirements are exempt from the requirements of paragraphs 1 and 2.

**Article 12**

**Financial incentives**

1. Member States may make provision for financial incentives that apply to vehicles in series production which comply with this Regulation and its implementing measures.

Those incentives shall be valid for all new vehicles offered for sale on the market of a Member State which comply at least with the emission limit values in Table 1 of Annex I in advance of the dates set out in Article 10(3); they shall cease on those dates.

Financial incentives that apply exclusively to vehicles which comply with the emission limit values in Table 2 of Annex I may be granted for such new vehicles offered for sale on the market of a Member State from the dates set out in Article 10(3) in advance of the dates set out in Article 10(5); they shall cease on the dates set out in Article 10(5).

2. Member States may grant financial incentives for the retrofitting of in-use vehicles and for scrapping vehicles which do not comply.

3. For each type of vehicle, the financial incentives referred to in paragraphs 1 and 2 shall not exceed the additional cost of the technical devices introduced to ensure compliance with the emission limits specified in Annex I, including the cost of installation on the vehicle.

4. The Commission shall be informed in sufficient time of plans to institute or change the financial incentives referred to in paragraphs 1 and 2.

**Article 13**

**Penalties**

1. Member States shall lay down the provisions on penalties applicable for infringement by manufacturers of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by ... (*) and shall notify it without delay of any subsequent amendment affecting them.

(*) Eighteen months after the date of entry into force of this Regulation.
2. The types of infringements which are subject to a penalty shall include:

(a) making false declarations during the approval procedures or procedures leading to a recall;

(b) falsifying test results for type approval or in-service conformity;

(c) withholding data or technical specifications which could lead to recall or withdrawal of type approval;

(d) use of defeat devices; and

(e) refusal to provide access to information.

CHAPTER V

Final provisions

Article 14

Redefinition of Specifications

1. The Commission shall consider including methane emissions in the calculation of carbon dioxide emissions. If necessary, the Commission shall present a proposal to the European Parliament and the Council with measures to account for, or limit, methane emissions.

2. After the completion of the UN/ECE Particulate Measurement Programme, conducted under the auspices of the World Forum for Harmonisation of Vehicle Regulations, and at the latest upon entry into force of Euro 6, the Commission shall adopt the following measures, which are designed to amend non-essential elements of this Regulation, inter alia by supplementing it, without lowering the existing ambition level with regard to the environment:

(a) amendment of this Regulation in accordance with the regulatory procedure with scrutiny referred to in Article 15(3) for the purpose of recalibrating the particulate mass based limit values set out in Annex I to this Regulation, and introducing particle number based limit values in that Annex so that they correlate broadly with the petrol and diesel mass limit values;

(b) adoption of a revised measurement procedure for particulates and a particle number limit value, in accordance with the regulatory procedure with scrutiny referred to in Article 15(3).

3. The Commission shall keep under review the procedures, tests and requirements referred to in Article 5(3) as well as the test cycles used to measure emissions. If the review finds that these are no longer adequate or no longer reflect real world emissions, they shall be adapted so as to adequately reflect the emissions generated by real driving on the road. The necessary measures, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 15(3).

4. The Commission shall keep under review the pollutants subject to the requirements and tests referred to in Article 5(3). If the Commission concludes that it is appropriate to regulate the emissions of additional pollutants it shall present a proposal to the European Parliament and to the Council to amend this Regulation accordingly.

5. The Commission shall review the emission limits set out in Table 4 of Annex I for the carbon monoxide and hydrocarbon tailpipe emissions after a cold start test and shall present, as appropriate, a proposal to the European Parliament and to the Council with a view to tightening the emission limits.

6. The relevant Annexes of Directive 2005/55/EC shall be amended in accordance with the regulatory procedure with scrutiny referred to in Article 15(3) so that they contain requirements for the type approval of all vehicles covered by the scope of that Directive.
**Article 15**

Committee Procedure

1. The Commission shall be assisted by a committee.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

**Article 16**

Amendments to Directives 70/156/EEC and 2005/55/EC

1. Directive 70/156/EEC shall be amended in accordance with Annex II to this Regulation.

2. Directive 2005/55/EC is hereby amended as follows:

   (a) The title shall be replaced by the following:


   (b) Article 1 shall be replaced by the following:

   "Article 1
   For the purposes of this Directive the following definitions shall apply:
   (a) "vehicle" means any motor vehicle as defined in Article 2 of Directive 70/156/EEC with a reference mass exceeding 2 610 kg;
   (b) "engine" means the motive propulsion source of a vehicle for which type-approval as a separate technical unit, as defined in Article 2 of Directive 70/156/EEC, may be granted;
   (c) "enhanced environment-friendly vehicle (EEV)" means a vehicle propelled by an engine which complies with the permissive emission limit values set out in row C of the tables in Section 6.2.1 of Annex I."

   (c) Section 1 of Annex I shall be replaced by the following:

   "1. This Directive applies to the control of gaseous and particulate pollutants, useful life of emission control devices, conformity of in-service vehicles/systems and on-board diagnostic (OBD) systems of all motor vehicles, and to engines as specified in Article 1 with the exception of those vehicles of category M₁, N₁, N₂ and M₂ for which type-approval has been granted under Regulation (EC) No …/… (*)."

**Article 17**

Repeal

1. The following Directives shall be repealed with effect from … (*):

   — Directive 70/220/EEC,
   — Directive 72/306/EEC,
   — Directive 74/290/EEC,
   — Directive 77/102/EEC,
   — Directive 78/665/EEC,
   — Directive 80/1268/EEC,
   — Directive 83/351/EEC,
   — Directive 88/76/EEC,
   — Directive 88/436/EEC,

(*) OJ: Please insert title of this Regulation and the corresponding footnote.

(*) 66 months from the date of entry into force of this Regulation.
Wednesday, 13 December 2006

— Directive 89/458/EEC,
— Directive 91/441/EEC,
— Directive 93/59/EEC,
— Directive 93/116/EC,
— Directive 94/12/EC,
— Directive 96/44/EC,
— Directive 96/69/EC,
— Directive 98/69/EC,
— Directive 98/77/EC,
— Directive 1999/100/EC,
— Directive 1999/102/EC,
— Directive 2001/1/EC,
— Directive 2001/100/EC,
— Directive 2002/80/EC,
— Directive 2003/76/EC,


3. References made to the repealed Directives shall be construed as being made to this Regulation.

4. Member States shall repeal their implementing legislation adopted under the Directives referred to in paragraph 1 with effect from … (***).

Article 18

Entry into force

1. This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union.

2. This Regulation shall apply from … (****), with the exception of Articles 10(1) and 12 which shall apply from … (*****).

3. The amendments or implementing measures referred to in Article 5(3) and Article 14(6) shall be adopted by … (******).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …, …

For the European Parliament
The President

For the Council
The President

(**) 66 months from the date of entry into force of this Regulation.
(****) 18 months + 1 day after the date of entry into force of this Regulation.
(******) Date of entry into force of this Regulation.
### EMISSION LIMITS

#### Table 1: Euro 5 Emission Limits

<table>
<thead>
<tr>
<th>Category</th>
<th>Class</th>
<th>Reference mass (RM) (kg)</th>
<th>Limit values</th>
<th>Mass of carbon monoxide (CO)</th>
<th>Mass of total hydrocarbons (THC)</th>
<th>Mass of non-methane hydrocarbons (NMHC)</th>
<th>Mass of oxides of nitrogen (NOx)</th>
<th>Combined mass of total hydrocarbons and oxides of nitrogen (THC + NOx)</th>
<th>Mass of particulate matter (PM)</th>
<th>Number of particles (1) (P)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>L1 (mg/km)</td>
<td>L2 (mg/km)</td>
<td>L3 (mg/km)</td>
<td>L4 (mg/km)</td>
<td>L2 + L4 (mg/km)</td>
<td>L5 (mg/km)</td>
<td>L6 (#/km)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>—</td>
<td>All</td>
<td>1 000</td>
<td>500</td>
<td>100</td>
<td>68</td>
<td>60</td>
<td>180</td>
<td>230</td>
<td>5,0</td>
</tr>
<tr>
<td>N1</td>
<td>I</td>
<td>RM ≤ 1 305</td>
<td>1 000</td>
<td>500</td>
<td>100</td>
<td>68</td>
<td>60</td>
<td>180</td>
<td>230</td>
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<tr>
<td></td>
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<td>RM &lt; 1 760</td>
<td>1 810</td>
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<td>90</td>
<td>75</td>
<td>235</td>
<td>295</td>
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<tr>
<td></td>
<td></td>
<td>RM ≤ 1 760</td>
<td>2 270</td>
<td>740</td>
<td>160</td>
<td>108</td>
<td>82</td>
<td>280</td>
<td>350</td>
<td>5,0</td>
</tr>
<tr>
<td>N2</td>
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<td>2 270</td>
<td>740</td>
<td>160</td>
<td>108</td>
<td>82</td>
<td>280</td>
<td>350</td>
<td>5,0</td>
</tr>
</tbody>
</table>

Key: PI = Positive Ignition, CI = Compression Ignition.

(1) A number standard is to be defined as soon as possible and at the latest upon entry into force of Euro 6.

(2) Positive ignition particulate mass standards apply only to vehicles with direct injection engines.

#### Table 2: Euro 6 Emission Limits

<table>
<thead>
<tr>
<th>Category</th>
<th>Class</th>
<th>Reference mass (RM) (kg)</th>
<th>Limit values</th>
<th>Mass of carbon monoxide (CO)</th>
<th>Mass of total hydrocarbons (THC)</th>
<th>Mass of non-methane hydrocarbons (NMHC)</th>
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<th>Combined mass of total hydrocarbons and oxides of nitrogen (THC + NOx)</th>
<th>Mass of particulate matter (PM)</th>
<th>Number of particles (1) (P)</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>L1 (mg/km)</td>
<td>L2 (mg/km)</td>
<td>L3 (mg/km)</td>
<td>L4 (mg/km)</td>
<td>L2 + L4 (mg/km)</td>
<td>L5 (mg/km)</td>
<td>L6 (#/km)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>—</td>
<td>All</td>
<td>1 000</td>
<td>500</td>
<td>100</td>
<td>68</td>
<td>60</td>
<td>80</td>
<td>170</td>
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</tr>
<tr>
<td>N1</td>
<td>I</td>
<td>RM ≤ 1 305</td>
<td>1 000</td>
<td>500</td>
<td>100</td>
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<td>125</td>
<td>215</td>
<td>5,0</td>
</tr>
</tbody>
</table>

Key: PI = Positive Ignition, CI = Compression Ignition.

(1) A number standard is to be defined as soon as possible and at the latest upon entry into force of Euro 6.
### Table 3: Emission Limit for the Evaporative Emissions Test

<table>
<thead>
<tr>
<th>Category</th>
<th>Mass of Evaporative Emission (g/test)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.0</td>
</tr>
</tbody>
</table>

### Table 4: Emission Limit for the Carbon Monoxide and Hydrocarbon Tailpipe Emissions after a Cold Start Test

<table>
<thead>
<tr>
<th>Test temperature 266 K (−7 °C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Category</td>
</tr>
<tr>
<td>--------------------</td>
</tr>
<tr>
<td>M</td>
</tr>
<tr>
<td>( N_m )</td>
</tr>
<tr>
<td>II</td>
</tr>
<tr>
<td>III</td>
</tr>
<tr>
<td>( N_n )</td>
</tr>
</tbody>
</table>

### ANNEX II

**AMENDMENTS TO DIRECTIVE 70/156/EEC**

Directive 70/156/EEC is hereby amended as follows:

1) In Article 2 the following sentence shall be added after the last indent:

‘If reference is made in this Directive to a separate Directive or Regulation it shall also include their implementing acts.’;

2) The words ‘or Regulation’ shall be added after the words ‘separate Directive’ in the following provisions:

   Article 2, first indent; Article 2, ninth indent; Article 2, tenth indent; Article 2, fourteenth indent; Article 3(1); Article 3(4); Article 4(1)(c); Article 4(1)(d); Article 4(5); Article 6(3); Article 7(2); Article 13(4); Article 13(5); Annex I, first subparagraph; Annex III, Part III; Annex IV, Part II, first paragraph; Annex V Section 1(a); Annex V Section 1(b); Annex V Section 1(c); Annex VI, Side 2 of EC vehicle type-approval certificate; Annex VII(1), Section 4; Annex VII, footnote (1); Annex X, Section 2.1; Annex X, Section 3.3; Annex XI, Appendix 4, Meaning of letters: X; Annex XII, Section B(2); Annex XIV, Section 2(a); Annex XIV, Section 2(c); Annex XIV, Section 2(d);
3) The words ‘or Regulations’ shall be added after the words ‘separate Directives’ in the following provisions:

- Article 2, eight indent; Article 3(1); Article 3(2); Article 4(1)(a) first and second indents; Article 4(1)(b); Article 4(3); Article 5(4) third subparagraph; Article 5(6); Article 8(2); Article 8(2)(c); Article 9(2); Article 10(2); Article 11(1); Article 13(2); Article 14(1)(b); List of Annexes; title of Annex XIII; Annex I, first subparagraph; Annex IV, Part I, first and second lines; Annex IV, Part II, footnote (1) to the table; Annex V Section 1(b); Annex V Section 3; Annex V Section 3(a); Annex V Section 3(b); Annex VI, points 1 and 2; Annex VI, Side 2 of EC vehicle type-approval certificate; Annex X, Section 2.2; Annex X, Section 2.3.5; Annex X, Section 3.5; Annex XII, title; Annex XIV, Section 1.1; Annex XIV, Section 2(c);

4) The words ‘or Regulation’ shall be added after the word ‘Directive’ in the following provisions:

- Article 5(3) third subparagraph; Annex IV, Part I, footnote X to the table; Annex VI, Side 2 of EC vehicle type-approval certificate the heading of the tables; Annex VII(1) Section 2; Annex VII(1) Section 3; Annex VII(1) Section 4; Annex VIII, Sections 1, 2, 2.1, 2.2, and 3; Annex IX, Side 2 for complete or completed vehicles of category M₁ points 45, 46.1 and 46.2; Annex IX, Side 2 for complete or completed vehicles of categories M₂ and M₁ points 45 and 46.1; Annex IX, Side 2 for complete or completed vehicles of categories N₂, N₁ and N₀ points 45 and 46.1; Annex IX, Side 2 for incomplete vehicles of category M₁, M₀ points 45 and 46.1; Annex IX, Side 2 for incomplete vehicles of categories M₂, M₁ points 45 and 46.1; Annex IX, Side 2 for incomplete vehicles of categories N₂, N₁ and N₀ points 45 and 46.1; Annex X, footnote 2; Annex X Section 1.2.2; Annex XI, Appendix 4, Meaning of letters: N/A; Annex XV, the heading of the table;

The words ‘or Regulations’ shall be added after the word ‘Directives’ in the following provisions:

- Annex IX, Side 2 for complete or completed vehicles of category M₁; Annex IX, Side 2 for complete or completed vehicles of categories M₂ and M₁; Annex IX, Side 2 for complete or completed vehicles of categories N₂, N₁ and N₀; Annex IX, Side 2 for incomplete vehicles of category M₂; Annex IX, Side 2 for incomplete vehicles of categories M₁; Annex IX, Side 2 for incomplete vehicles of categories N₂, N₁ and N₀; Annex XV;

5) In Article 8(2)(c) the words ‘or Regulation(s)’ shall be added after the word ‘Directive(s)’;

6) In Annex IV, part I, the heading of the table and point 2 shall be replaced by the following:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Directive/Regulation number</th>
<th>Official Journal reference</th>
<th>M₁</th>
<th>M₂</th>
<th>M₃</th>
<th>N₁</th>
<th>N₂</th>
<th>N₃</th>
<th>O₁</th>
<th>O₂</th>
<th>O₃</th>
<th>O₄</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Emissions/Access to information</td>
<td>…/…/EC (EC) No …/…</td>
<td>L, …, …, p. …</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td>X (1)</td>
<td></td>
</tr>
</tbody>
</table>

(1) For vehicles with a reference mass not exceeding 2 610 kg. At the manufacturer’s request may apply to vehicles with a reference mass not exceeding 2 840 kg.;

7) In Annex IV, part I, points 11 and 39 shall be deleted;

8) In Annex VII(4) the words ‘or Regulation’ shall be added after the words ‘in the case of a Directive’;

9) In Annex VII(5) the words ‘or Regulation’ shall be added after the words ‘the latest Directive’;

10) In Annex XI, Appendix 1, the heading of the table and point 2 shall be replaced by the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Subject</th>
<th>Directive/Regulation number</th>
<th>M₁ ≤ 2 500 (1) kg</th>
<th>M₁ &gt; 2 500 (1) kg</th>
<th>M₂</th>
<th>M₃</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Emissions/Access to information</td>
<td>…/…/EC (EC) No …/…</td>
<td>Q</td>
<td>G + Q</td>
<td>G + Q;</td>
<td></td>
</tr>
</tbody>
</table>
11) In Annex XI, Appendix 1, points 11 and 39 shall be deleted;
12) In Annex XI, Appendix 2, the heading of the table and point 2 shall be replaced by the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Subject</th>
<th>Directive/Regulation number</th>
<th>M₁</th>
<th>M₂</th>
<th>M₃</th>
<th>N₁</th>
<th>N₂</th>
<th>N₃</th>
<th>O₁</th>
<th>O₂</th>
<th>O₃</th>
<th>O₄</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Emissions/Access to information</td>
<td>…/…/EC (EC) No …/…</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
</tbody>
</table>

13) In Annex XI, Appendix 2, points 11 and 39 shall be deleted;
14) In Annex XI, Appendix 3, the heading of the table and point 2 shall be replaced by the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Subject</th>
<th>Directive/Regulation number</th>
<th>M₂</th>
<th>M₃</th>
<th>N₁</th>
<th>N₂</th>
<th>N₃</th>
<th>O₁</th>
<th>O₂</th>
<th>O₃</th>
<th>O₄</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Emissions/Access to information</td>
<td>…/…/EC (EC) No …/…</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
<td>Q</td>
</tr>
</tbody>
</table>

15) In Annex XI, Appendix 3, point 11 shall be deleted;
16) In Annex XI, Appendix 4, the heading of the table and point 2 shall be replaced by the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Subject</th>
<th>Directive/Regulation number</th>
<th>Mobile crane of category N</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Emissions/Access to information</td>
<td>…/…/EC (EC) No …/…</td>
<td>N/A</td>
</tr>
</tbody>
</table>

17) In Annex XI, Appendix 4, point 11 shall be deleted.

**P6_TA(2006)0562**

**Financial contributions to the International Fund for Ireland (2007-2010)** *


(Consultation procedure)

*The European Parliament,*

— having regard to the Commission proposal to the Council (COM(2006)0564) (*)
— having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0423/2006),
— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
— having regard to Rules 51 and 35 of its Rules of Procedure,
— having regard to the report of the Committee on Regional Development and the opinion of the Committee on Budgets (A6-0432/2006);
1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;

(*) Not yet published in OJ.
3. Urges the Council, in considering the proposed change to the legal basis of the Commission proposal, to avoid any delay in the allocation of the International Fund for Ireland;

4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;

5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;

6. Instructs its President to forward its position to the Council and Commission.

Amendment 1

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

(Having regard to the Treaty establishing the European Community, and in particular Article 159 thereof,

(This amendment concerns the whole text.)

P6_TA(2006)0563

Banana sector *


(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2006)0489) (1),
— having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0339/2006),
— having regard to Rule 51 of its Rules of Procedure,
— having regard to the report of the Committee on Agriculture and Rural Development and the opinions of the Committee on Budgets and the Committee on Regional Development (A6-0422/2006);

1. Approves the Commission proposal as amended;

(1) Not yet published in OJ.
2. Considers that the indicative financial reference amount given in the Commission proposal must be compatible with the ceiling of heading 2 of the new multi-annual financial framework (MFF) and observes that the annual amount will be decided within the annual budgetary procedure in accordance with point 38 of the Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management of 17 May 2006 (1);

3. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;

4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;

5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;

6. Instructs its President to forward its position to the Council and the Commission.

---

(1) Currently the regime for the banana sector is set out in Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas. In particular the aid scheme for banana producers is based on principles which for other common market organisations have been substantially reformed. In order to better ensure a fair standard of living of the agricultural community in regions where bananas are produced, to better direct resources towards market-orientation of producers, to stabilise expenditure, to ensure the respect of the international obligations of the Community, to take adequately into account the particularities of the producing regions, to simplify the management of the regime and align it on the principles of the reformed common market organisations, it is necessary to amend this regime.

(2a) Since the introduction of the common organisation of the market (COM) in bananas, in response to competition from third-country banana producers and with a view to ensuring proper use of Community funds, the whole industry has made major modernisation efforts covering all stages from production to marketing, significantly raising productivity and improving product quality while reducing the environmental impact of its activities. The COM has also encouraged the concentration of Community supply, which has contributed to the sector’s consolidation in producer regions and facilitated the marketing of European bananas.

(3) Bananas are one of the main agricultural crops of certain outermost regions of the Union, notably the French overseas departments of Guadeloupe and Martinique, the Azores, Madeira and the Canary Islands. Production of bananas is handicapped in particular by the remoteness, insularity, small size, and difficult topography of these regions. Local banana production is an essential element of the environmental, social and economic balance of the rural areas in those regions.

(3) Bananas are one of the main agricultural crops of certain outermost regions of the Union, notably the French overseas departments of Guadeloupe and Martinique, the Azores, Madeira and the Canary Islands. Production of bananas is handicapped in particular by the remoteness, insularity, small size, and difficult topography of these regions. Local banana production is an essential element of the environmental, social and economic balance of the rural areas in those regions which, furthermore, have no alternative that would enable them to diversify into other economically viable crops.

(3a) Account should be taken of the socio-economic importance of the banana sector to the outermost regions and the contribution which it makes to achieving social and economic cohesion on account of the income and employment which it generates, the economic activities to which it gives rise (both upstream and downstream), and the effect which it has of maintaining an ecological and landscape balance which encourages the development of tourism.

(5) Title III of Council Regulation (EC) No 247/2006 of 30 January 2006 laying down specific measures for agriculture in the outermost regions of the Union provides for the establishment of Community support programmes for the outermost regions containing specific measures to assist local lines of agricultural production. This Regulation provides for a review not later than 31 December 2009. If there are substantial changes to the economic conditions affecting livelihoods in the outermost regions, the Commission shall submit the report sooner. This instrument seems best adapted to support banana production in each of the regions concerned by providing for flexibility and decentralisation of mechanisms to support banana production. The possibility of including banana support in those support programmes should reinforce the coherence of the strategies for support of agricultural production in these regions.

(5) Title III of Council Regulation (EC) No 247/2006 of 30 January 2006 laying down specific measures for agriculture in the outermost regions of the Union provides for the establishment of Community support programmes for the outermost regions containing specific measures to assist local lines of agricultural production. This Regulation provides for a review not later than 31 December 2009. However, in order to take due account of the specific circumstances of banana producers, in the event of a significant deterioration in the economic situation of producers resulting in particular from alterations to the external regime, the Commission should submit a specific report to the European Parliament and the Council prior to that deadline. This instrument seems best adapted to support banana production in each of the regions concerned by providing for flexibility and decentralisation of mechanisms to support banana production. The possibility of including banana support in those support programmes should reinforce the coherence of the strategies for support of agricultural production in these regions.

(5a) Provision should be made for the payment of one of more specific advances to banana producers in outermost regions.
Amendment 7
Recital 7

(7) As regards production of bananas in the Community other than in the outermost regions, it seems no longer necessary to provide for a specific aid scheme for bananas, given the small proportion of the total Community production concerned.

(7) As regards production of bananas in the Community other than in the outermost regions, it seems appropriate to give Member States the opportunity to opt for the system of partial decoupling of aid for bananas, despite the small proportion of the total Community production concerned.

Amendment 8
Recital 8

(8) Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending certain Regulations provides for a system of decoupled income support for farms (hereinafter referred to as ‘the Single Payment Scheme’). This system was intended to allow for the shift from production support to producer support.

(8) Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending certain Regulations provides for a system of decoupled income support for farms (hereinafter referred to as ‘the Single Payment Scheme’). This system was intended to allow for the shift from production support to producer support. Deleted

Amendment 9
Recital 8 a (new)

(8a) Information and infrastructure measures in the context of rural development must play a prime role in the shift to producer support, whereby one aim should be to adapt banana production and marketing to reflect various quality standards, such as fair-trade, organic farming, and local varieties standards or registered geographical guarantees of origin. Bananas can also be marketed as a special local product within the framework of existing tourism in these areas, thereby creating a link between consumers and local bananas as a preferred, identifiable product.

Amendment 10
Recital 8 b (new)

(8b) In order to meet the objectives that lay at the heart of the reform of the common agricultural policy, the support for cotton, olive oil, raw tobacco, hops and bananas should be largely de-coupled and integrated into the Single Payment Scheme.
Amendment 11
Recital 8 c (new)

(8c) Complete integration into the single payment scheme of the current support scheme in the banana sector would bring a significant risk of production disruption to the banana producing regions of the Community. A part of the support should therefore continue to be linked to the cultivation of bananas through a crop specific payment per eligible hectare. The amount of support should be calculated in such a way so as to ensure economic conditions which, in regions which lend themselves to that crop, enable activity in the banana sector to continue and prevent bananas from being driven out by other crops. In order to achieve that goal, it is justified that the total available aid per hectare per Member State is set at 40 % of the national share of the aid that went indirectly to the producers.

Amendment 12
Recital 8 d (new)

(8d) The remaining 60 % of the national share of the aid that went indirectly to the producers should be available to the Single Payment Scheme.

Amendment 13
Recital 9

(9) For sake of consistency it is appropriate abolish the existing compensatory aid scheme for bananas and to include it into the Single Payment Scheme. To this end it is necessary to include the compensatory aid for bananas in the list of direct payments in relation to the single payment scheme referred to in Article 33 of Regulation (EC) No 1782/2003. Provision should also be made for the establishment by Member States of reference amounts and eligible hectares under the Single Payment Scheme on the basis of a representative period appropriate to the banana market and of appropriate objective and non-discriminatory criteria. Areas planted with bananas should not be excluded due to their being treated as permanent crops. National ceilings should be amended appropriately. Provision should also be made for the Commission to adopt detailed rules and any necessary transitional measures.

Amendment 14
Recital 10

(10) Title II of Regulation (EEC) No 404/93 provides for producers’ organisations and concentration mechanisms. As regards producers’ organisations, the existing regime had as objectives to form such organisations in order that as many producers as possible be members of such organisations and limited the payment of the compensatory aid to producers members of recognized producers’ organisations.
(11) The regime has succeeded in its first objective since the vast majority of Community producers are now members of producers’ organisations. The second objective is obsolete since the compensatory aid scheme is to be abolished. It is therefore no longer necessary to maintain rules at Community level on producer organisations, thus leaving Member States free to adopt such rules, if necessary, targeted at the specific situations in their territories.

(11) The regime has succeeded in its first objective since the vast majority of Community producers are now members of producers’ organisations. It is therefore necessary to maintain rules at Community level on producer organisations. In order to prevent the break-up of the banana sector in producer regions, it is proposed that a framework of Community rules be maintained, and Member States are urged to maintain the requirement that produce be marketed through these producer organisations as an essential condition for receiving aid.

Amendment 16

Article 1, point 1
(Regulation (EEC) No 404/93)

(1) Titles II and III, Articles 16 to 20, paragraph 2 of Article 21, Article 25 and Articles 30 to 32 are deleted;

(1) Articles 6 and 7 of Title II, Title III, Articles 16 to 20, paragraph 2 of Article 21, Article 25 and Articles 30 to 32 are deleted;

Amendment 17

Article 2, point 1 (new)
Article 1, indent 3 (Regulation (EC) No 1782/2003)

(1) In Article 1, indent 4 is replaced by the following:
— support schemes for farmers producing durum wheat, protein crops, rice, nuts, energy crops, starch potatoes, milk, seeds, arable crops, sheep meat and goat meat, beef and veal and grain legumes, and for farmers maintaining olive groves and banana plantations.

Amendment 18

Article 2, point 1
Article 33, paragraph 1, point a (Regulation (EC) No 1782/2003)

(1) In Article 33(1), point (a) is replaced by the following:
(a) they have been granted a payment in the reference period referred to in Article 38 under at least one of the support schemes referred to in Annex VI or, in the case of olive oil, in the marketing years referred to in the second subparagraph of Article 37(1), or, in the case of sugar beet, cane and chicory, if they have benefited from market support in the representative period referred to in point K of Annex VII, or, in the case of bananas, if they have benefited from compensation for loss of income in the representative period referred to in point L of Annex VII;
Amendment 19
Article 2, point 6 a (new)
Article 64, paragraph 2, subparagraphs 1 and 2 (Regulation (EC) No 1782/2003)

(6a) In Article 64(2), subparagraphs 1 and 2 are replaced by the following:

2. Depending on the choice made by each Member State, the Commission shall, in accordance with the procedure laid down in Article 144(2), set a ceiling for each of the direct payments referred to respectively in Articles 66, 67, 68, 68a, 68b and 69.

This ceiling shall be equal to the component of each type of direct payment in the national ceilings referred to in Article 41, multiplied by the reduction percentages applied by the Member States in accordance with Articles 66, 67, 68, 68a, 68b and 69.

Amendment 20
Article 2, point 6 b (new)
Article 68 b (new) (Regulation (EC) No 1782/2003)

(6b) The following Article 68b is inserted:

Article 68b
Banana Payments
In the case of banana payments, 40% of the aid shall remain coupled to production, while the remaining 60% of the national share of the aid shall be available for the Single Payment Scheme.

Amendment 21
Article 2, point 7
Article 145 d c) (Regulation (EC) No 1782/2003)

7) in Article 145, the following point is inserted after point (d)b):

(d)c detailed rules relating to the inclusion of banana support into the single payment scheme.

Amendment 22
Article 3, point -1 (new)
Article 18 a (new) (Regulation (EC) No 247/2006)

(-1) the following Article 18a is inserted:

Article 18a
Bananas
Receipt of aid for producers in the banana sector is to be conditional on affiliation to a recognised organisation in accordance with Title II of Regulation (EEC) No 404/93. Such aid may also be granted to individual producers whose particular circumstances, especially geographical circumstances, do not enable them to join a producers’ organisation.
Amendment 23

Article 3, point 2a (new)
Article 28, paragraph 3a (new) (Regulation (EC) No 247/2006)

(2a) In Article 28, the following paragraph 3a is added:

3a. In the event of a deterioration in the economic conditions affecting the livelihoods of banana producers, following in particular a change in the external regime, the Commission shall submit a specific report to the European Parliament and the Council by 31 December 2009, accompanied, where necessary, by appropriate proposals.

Amendment 27

Article 3, point 3
Article 30 (Regulation (EC) No 247/2006)

(3) In accordance with the same procedure, the Commission may also adopt measures to facilitate the transition from the arrangements provided for in Council Regulation (EEC) No 404/93 to those established by this Regulation. Provision shall be made in particular for a specific advance scheme for banana producers from January to October every year.

Amendment 28

Article 4a (new)

Article 4a
Assessment

Three years after the entry into force of this Regulation the Commission shall submit an assessment report to the European Parliament and the Council on the impact that the Regulation has had on the living standards of Community farmers, on Community producers’ incomes, and on economic and social cohesion, and shall propose practical initiatives if the original objectives have not been attained.

Amendment 25

Annex, point 1

(1) in Annex I the row concerning bananas is deleted; deleted

Amendment 26

Annex, point 2

(2) the following row is added to Annex VI; deleted

Bananas — Article 12 of Regulation (EEC) No 404/93 — Compensation for loss of income
P6_TA(2006)0564

VAT arrangements for radio and television broadcasting and other services *


(Consultation procedure)

The European Parliament,
— having regard to the Commission proposal to the Council (COM(2006)0739) (1),
— having regard to Article 93 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0437/2006),
— having regard to Rule 51 of its Rules of Procedure,
— having regard to the report of the Committee on Economic and Monetary Affairs (A6-0440/2006);

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and the Commission.

Amendment 2

Article 1

Article 4 (Directive 2002/38/EC)

Article 1 shall apply until 31 December 2008. Article 1 shall apply until 31 December 2009. The Commission shall adopt any proposal for possible prolongation of the regime in good time before its expiry in order to allow the European Parliament sufficient time within which to express its opinion in accordance with Article 93 of the Treaty.

(1) Not yet published in the OJ.

P6_TA(2006)0565

Legislative and work programme of the Commission for 2007

European Parliament resolution on the Commission legislative and work programme for 2007

The European Parliament,
— having regard to the Commission communication on its Legislative and Work Programme for 2007 (COM(2006)0629), adopted on 24 October 2006, and presented by the Commission and debated by Parliament on 14 November 2006,
having regard to the Commission’s strategic political orientations for 2004 to 2009, the Commission’s 2007 Annual Policy Strategy and the contributions of Parliament’s committees, forwarded to the Commission by the Conference of Presidents, as provided for in the Framework Agreement between Parliament and the Commission,

— having regard to Rules 33 and 103(4) of its Rules of Procedure,

A. whereas 2007 will be a crucial year for the European integration process, given that the European Union will welcome two new Member States, Romania and Bulgaria, celebrate the 50th anniversary of the Treaty of Rome, strive to achieve an institutional settlement, and launch an extensive series of new financing programmes,

B. whereas it is essential for the Union to be able to meet ambitious political, economic and social goals for its citizens, and to serve the European common interest in making the Union a leading global player promoting shared solutions for peace, security, global prosperity and sustainable economic and social development,

C. having regard to the need to align expenditure closely with political priorities, given that the means provided in the new financial framework are insufficient to meet all the challenges ahead,

D. reiterating the need for Europe to take action in order to meet the increased expectations of citizens and to improve its role as a leading player on the world stage,

1. Welcomes the emphasis in the Commission’s Legislative and Work Programme (LWP) for 2007 on modernising the European economy and improving the well-being of citizens; agrees in this context with the importance attributed to security, health, innovation, a cleaner environment, energy and climate change, the internal market, migration and integration, Europe’s global visibility and effectiveness, and improved communication with European citizens; regrets, however, a certain lack of ambition in several fields; believes that, in order to restore the momentum behind the European project, the Commission should play its full role in strengthening and modernising Europe’s social market economy; based on sustainable development;

2. Believes that the distinction drawn between ‘strategic initiatives’ and ‘priority initiatives’ increases the clarity and credibility of the LWP; requests, nevertheless, the Commission to be more coherent and precise in explaining the distinction between those two categories, and in particular to clarify the timescale for the presentation of ‘priority initiatives’; invites the Commission to present after six months an update on progress made in implementing the LWP;

3. Welcomes the fact that the Commission has endorsed a range of the contributions made by the committees of Parliament in the framework of the new ‘structured dialogue’ and outlined in the summary report of the Conference of Committee Chairmen;

4. Asks the Commission nevertheless to inform Parliament why it chose not to include the following legislative initiatives in its 2007 work programme, as requested by its committees: mutual recognition in trade in goods, proposals to improve the CE mark, revision of the European Company Statute, the development of microcredits, reconciling work and family life, the protection of atypical workers, a new proposal on a European mutual society, thresholds for seeds containing GMOs, and a proposal on the Transparency Initiative;

5. Believes that the operation of the Framework Agreement on relations between Parliament and the Commission can and should be improved by involving the political groups more consistently and at an early stage in the procedure;

6. Regrets the lack of interaction between the LWP and the budget procedure; in line with the Framework Agreement between Parliament and the Commission, wishes to improve the linkage between the two procedures, and looks forward to a discussion on how to do so;

7. Calls on the Commission to engage in an early dialogue with Parliament on the crucial revision of the EU budgetary framework and the financial framework, the mid-term review of the CAP, and the discussion on new mechanisms for own resources;

8 Welcomes the Commission’s intention to better connect Europe with its citizens through an improved communications strategy designed to improve awareness and understanding of the EU at national, regional and local levels: supports all initiatives to build partnerships and to listen and respond more systematically to the concerns of citizens;
9. Underlines to this end, in particular, the need to coordinate communications policy more closely with national governments and political parties, with the aim of launching an effective open dialogue with citizens on European issues; believes that Members can contribute to this process and expects the Commission to cooperate closely with Parliament when developing and implementing its communications policy;

10. Notes the Commission's determination to be involved in the drafting of the Berlin Declaration on the 50th anniversary of the Treaty of Rome; believes it important that this declaration should have a genuinely interinstitutional character, with Parliament, the Council and the Commission jointly involved; believes that such a declaration should contribute inter alia to reasserting the values and identity of the Union and promoting institutional reform in Europe;

11. Welcomes the desire of the Commission to engage actively in the process of helping secure the adoption of a European constitutional treaty; believes that the objectives and reforms enshrined in that treaty are essential to the sound functioning and future development of the Union; invites the Commission, in conjunction with Parliament, to take a leading role in finding a workable solution to the current institutional impasse;

Priorities for 2007

Modernising the European economy

12. Welcomes the strong emphasis in the Commission's programme on the continuing need for modernisation of the European economy, to render it more dynamic and competitive in the face of global challenges; underlines the importance accorded to vigorous implementation of the Lisbon strategy, emphasising the interdependence of economic, social and environmental progress in creating a dynamic and innovative European economy; reiterates its support for a European agenda in which prosperity and solidarity are mutually supporting objectives, and calls on the Commission to take action to reflect that;

13. Calls on the Commission to improve the coordination of economic policies, in particular with a view to promoting national and European initiatives aimed at fostering research, skills and new technologies, to sharing best practices on ways to improve the effectiveness and quality of public spending, and to enhancing the quality of statistical data;

Research and development

14. Reiterates the urgency of fostering cooperative research to improve the competitiveness of the European economy, in particular in the areas of advanced technologies; urges that enhanced coordinated efforts be undertaken to promote the telecoms and information society technology sectors;

15. Believes that the establishment of the proposed European Institute of Technology (EIT), if it is based on the right principles, could contribute to the competitiveness of the European economy by helping to reverse the fragmentation of research, education and innovation efforts which has stunted progress so far; insists that no funds previously earmarked for the Seventh Framework Programme should be used to finance EIT activities;

16. Welcomes the Commission proposals for the Erasmus Mundus II programme, aimed at fostering cooperation with third countries in the field of higher education; stresses, however, the need to undertake further initiatives to promote excellence in European universities, higher education and life-long learning, as well as better knowledge of languages;

17. Underlines the strategic significance of the rapidly developing space sector, and thus fully supports the Commission in its initiative to develop a coherent and comprehensive European space policy;

Internal market

18. Calls on the Commission to step up efforts to complete the internal market, so as to enable citizens to reap its full benefits; believes, however, that the Single Market Strategy review should not provide a pretext for failing to bring forward internal market initiatives as necessary; insists that the single market can only be developed successfully in a context of promoting fair competition, cohesion, a high level of consumer protection, and respect for the Göteborg principles;
19. Reiterates its request to the Commission that it should explore all possible ways of improving the patent and patent litigation systems;

20. Stresses the importance of completing the internal market in the field of financial services and insurance, and, in particular, of the Commission's commitment to proposing the modernisation of legislation on solvency, investment funds (UCITS) and VAT treatment for financial services; nevertheless considers that a key priority for 2007 in the field of financial services legislation should be the proper implementation and timely application of legislation already adopted in recent years; in this respect, invites the Commission to report on the possible impact of private equity funds and hedge funds on financial stability, economic performance and employment;

Addressing the challenges of European society

21. Notes that the Commission is planning to undertake a 'comprehensive stocktaking of European society', but calls on it to be more ambitious and, given that 2007 will be the European Year of Equal Opportunities, to come forward with a number of initiatives in the areas of social exclusion, poverty, protection of atypical workers and better social protection in new forms of employment, as well as an evaluation of the implementation of EU legislation on the fight against all forms of discrimination, and any necessary initiative in this field;

22. Calls for a proper follow-up to the Commission communication concerning a consultation on action at EU level to promote the inclusion of the people furthest from the labour market (COM(2006)0044);

23. Calls on the Commission to identify a clear legal basis for combating all forms of violence, in particular against women and children;

24. Welcomes in this context the Commission's objective of exploring possible pathways to enhance flexibility and to help Member States to achieve both high productivity and high social protection;

Consumer protection

25. Asks the Commission for new impetus in the field of consumer protection, in particular with a view to consolidating and reviewing the consumer acquis to reinforce the effectiveness of consumer protection policy and consumer rights, ensuring protection of vulnerable consumers, strengthening information and awareness for consumers on rights and redress — e.g. by means of a EU-wide information campaign — and protecting the interests of consumers in related policy areas; points out in that context that legislation on consumer protection should by no means constitute a channel for the creation of new barriers within the internal market, but ensure instead that consumers in all the Member States benefit from the high-level protection already achieved;

26. Therefore welcomes the Action Plan on Sustainable Production and Consumption, as it integrates both the social and economic dimensions;

Security for citizens, justice and migration

27. Demands the Member States' and the Commission's commitment to address the structural causes of massive migration by adapting and updating their current policies, in order to enable developing countries to protect and build their economies, and to allow decent incomes for their populations, which constitutes the only long-term alternative in order to reduce illegal immigration;

28. Calls on the Member States to strengthen cooperation and mutual technical assistance between their border control services and for increased financing for Frontex, in order to combat human trafficking requests that the conclusion of readmission agreements be fair and respect the fundamental rights of migrants and take into consideration the shared needs of Member States and of the countries of origin and transit;

29. Believes that a common immigration, visa and asylum policy, as well as an effective economic and social integration of immigrants on the basis of common principles, must be at the heart of EU action for 2007; welcomes the proposed Commission initiatives on labour immigration and on sanctions for employers of illegally resident third country nationals; reiterates its call for a move to the codecision procedure and qualified-majority voting in all areas related to immigration;
30. Stresses the need for a common EU visa policy, with the conclusion of the VIS (Visa Information System) being a key element of this objective; stresses, however, its concern in relation to data protection, access to data and the interoperability of databases and regrets that the framework decision on data protection under the third pillar remains blocked in the Council.

31. Strongly supports the Commission in its intention to update the framework decision on the fight against terrorism, in particular by addressing the problems of the spread of explosives and the transmission of expertise, and by combating terrorism propaganda, yet stresses that increased security for citizens must not compromise the protection of their fundamental rights.

32. Insists on the need to tackle cyber-crime, as well as to improve border controls and the management of visa requests, whilst emphasising the importance of the rapid entry into force of both SIS II and VIS.

33. Urges the Commission to put forward in 2007 a report on how the rights of seasonal workers in the EU can be safeguarded in order to avoid abuses and violation of core labour standards, as is currently the case.

34. Recalls that much remains to be done to secure fair and efficient access to justice for everyone; calls for more initiatives in the field of civil justice in order to deliver the balanced legal framework that would give security and access to justice.

**Secure, competitive and sustainable energy**

35. Welcomes the Commission's proposal to make the development of 'European energy policy' a strategic objective for 2007, based on the principles of security and diversity of supply, sustainability, efficiency and greater energy independence.

36. Stresses that an essential element of a common energy policy should be enhanced solidarity between Member States in order to deal with difficulties related to the physical security of infrastructures and security of supply; considers, furthermore, that such enhanced solidarity would considerably strengthen the capacity of the EU to defend its common interest on energy issues at international level.

37. Strongly holds the view that an essential part of maintaining security of supply is the rapid transposition of current EU law by all Member States to achieve a fully functioning internal market in electricity and gas so as to enhance competitiveness, transparency and energy efficiency.

38. Urges Member States to create an EU internal energy market by setting a balance between internal and external sources of supply and ensuring interoperability of national energy grids.

39. Asks the Commission to better develop the synergies between economic development, on the one hand, and development and use of clean and energy-saving technologies, on the other, as complementarities are strong and constitute a potential source of increased competitiveness.

**Making Europe a better place to live**

**Environment and sustainable development**

40. Underlines the leading role of the European Union at international level in promoting environmental issues, and agrees that, in the following years, efforts should be directed towards the protection of biodiversity and towards climate change, especially by developing the concept of 'green diplomacy', as well as towards seeking a specific energy policy focused on increasing the share of renewable energy, energy saving and efficiency in Europe.

41. Calls on the Commission to support a strong role for the EU in devising post-Kyoto policies and new targets; welcomes in this respect the proposed Green Paper on post-2012 climate change, which will help identify areas in which action is needed.

42. Expects the proposal to review the EU emissions trading scheme to aim at improving the environmental effectiveness of the scheme, thereby also including aviation emissions in it.
43. Urges the Commission to better coordinate transport and environment policy in the spirit of sustainable development, proposing concrete targets for CO₂ reduction for the total vehicle fleet and integrating air transport into the binding obligations of the Kyoto Protocol;

44. Regrets that the protection and conservation of biodiversity in the EU has not been highlighted as a priority for 2007, and all the more warmly encourages the Commission to take the lead in facing the global challenge of biodiversity loss, whilst ensuring the proper management of the NATURA 2000 network, especially in marine zones;

45. Calls on the Commission to take the necessary initiatives to enable the creation of a better environment for developing non-CO₂ energy sources; underlines the fact that climate change has consequences not only for the environment, but also for health and therefore asks the Commission to address new threats and long-term effects;

Health

46. Welcomes the Commission’s contribution to shaping health policy in Europe, and strongly believes that the protection and promotion of health should constitute an underlying component of EU policies;

47. Underlines the fact that an effective European health strategy calls for improved collaboration between health services, in particular as regards patient mobility and patient safety (e.g. drug counterfeiting), information for patients on pharmaceuticals, and lifestyle changes, and in addressing the challenges of healthy ageing;

Agriculture and fisheries

48. Notes the Commission’s intention to bring forward a proposal on the simplification of the CAP as well as on a single common market organisation (CMO), in line with the objectives of simplification and transparency; stresses that in view of the revision of the budgetary framework the regional, social and environmental role of the CAP should be enhanced, together with the stabilisation of the Community agricultural funds;

49. Welcomes the stepping up of simplification initiatives in the field of the CAP and attaches particular importance to the Commission’s commitment to report on the operation of the cross-compliance system; expresses its support for the Commission’s intention to recast and modernise existing feed labelling requirements;

50. Welcomes the proposed regulation aimed at stepping up the fight against illegal, unreported and unregulated fishing, given in particular the considerable losses which such fishing causes to coastal communities and to legally operating fishermen; regrets, however, the general lack of initiative and political impulse in the CFP field, which is necessary to confront new challenges both within the EU and internationally;

Europe as a world partner

Neighbourhood policy

51. Welcomes the commitment by the Commission to give priority to strengthening the European Neighbourhood Policy, but believes that concrete proposals and steps are needed to give content to this commitment; warns against the risk that the European Neighbourhood Policy may limit itself to bilateral and administrative or ‘bureaucratic’ relations with the countries concerned; expresses the view that certain features of the policy ought to be revised, in order to take account of the expectations of the various countries concerned and to tailor arrangements better to their needs; calls in this respect for the Parliament to be involved in the process;

52. Calls on the Commission to draw up an annual report on compliance with the human rights and democracy clause of the agreements with Neighbourhood Policy countries, accompanied by a detailed evaluation and recommendations dealing with the effectiveness and coherence of the action taken;

Stability and democracy in South East Europe

53. Notes that the countries of South East Europe are coming closer to acquiring the accession momentum referred to in the ‘Thessaloniki Declaration’, and expects the Union to take a leading role in consolidating stability and increasing prosperity in the Western Balkans, thus helping the countries of the region on their way to EU membership;
Russia

54. Reminds the Commission that the current Partnership and Cooperation Agreement with Russia will expire in 2007; calls on the Commission to propose guiding principles for the strategic content of the EU’s relations with Russia, and in particular to emphasise the importance of placing democracy, human rights and freedom of expression at the core of future relations, establishing a clear mechanism for monitoring the implementation of all the clauses of such an agreement;

Development policy

55. Requests the Member States and the Commission to be more ambitious in respecting their commitment to the Millennium Development Goals, and calls on the Commission to come forward with concrete proposals for alternative financing of development programmes;

56. Believes that, in order to enable the ACP countries to meet their development goals, the regional development aspect should be properly respected in negotiations on the Economic Partnership Agreements;

Trade policy and WTO negotiations

57. At multilateral level, calls for a successful and ambitious outcome of the Doha Round; regrets that it was necessary to suspend the negotiations on the Doha Development Agenda sine die and points out that a failure of multilateral negotiations and a shift to bilateral/regional agreements could lead to an unequal process of liberalisation and uneven development and would thus adversely affect the least developed countries in particular;

ESDP

58. Stresses the need to strengthen the mechanisms for parliamentary oversight of the development of the European Security and Defence Policy (ESDP) in general, and ESDP missions in particular, and highlights the need to provide information proactively and to conduct debates before joint actions in the field of ESDP are decided on, so that Parliament can voice its opinion and concerns;

Better lawmaking

59. Underlines the need to accelerate the simplification and consolidation of EU legislation and to put more effort into better regulation, prompt transposition and correct implementation of EU legislation; calls for a stronger monitoring and enforcement mechanism in respect of the implementation of EU legislation in the Member States;

60. Insists that all simplification initiatives comply fully with all the principles and conditions outlined in its resolution of 16 May 2006 on the strategy for simplification of the regulatory environment (1);

Impact assessments

61. Welcomes the inclusion of impact assessments in the legislative process, and the fact that the LWP highlights agreement on the need for high-quality legislation, with the Commission undertaking to carry out impact assessments on all strategic and priority initiatives; insists on the need for independent impact assessments, but emphasises that these should not lead to unjustified delays in Commissions proposals; recalls that ‘better regulation’ does not necessarily mean deregulation or forms of minimal regulation;

Soft law

62. Regrets the increasing use by the Commission of soft law, such as recommendations and interpretative communications, thereby circumventing the prerogatives of the legislative authority;

Monitoring of implementation and enforcement of the acquis

63. Regrets that the Commission has only offered a weak response to Parliament’s request concerning implementation of EU legislation in the Member States;

64. Requests the Commission to make the whole process of transposition and implementation more transparent and to persuade Member States to produce the ‘correlation tables’ that show exactly which parts of any piece of legislation derive from the EU and from national law respectively;

Budgetary responsibility

65. Expects all new reforms set out in the new Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management to be fully implemented in the course of 2007, thus enabling a swift result in terms of higher-quality implementation of the budget;

66. Asks the Commission to ensure, facilitate and encourage the total implementation of the EU budget, in particular in the new Member States, given the fact that 2007 will be a crucial year for the implementation of the new structural policy; asks the Commission to apply all the necessary measures in order to ensure that the operational programmes for the new financing period, in accordance with the strategic guidelines for cohesion, are ready and implemented on time for all Member States;

67. Underlines the importance it attaches to the reform agenda, in particular in the field of the fight against fraud and mismanagement, as any such cases help to increase EU scepticism; deplores the fact that the Commission seems to have downgraded its original reform programme; in this context calls on the Commission to continue its work on the Action Plan for an Integrated Internal Control Framework and the Transparency Initiative;

68. Instructs its President to forward this resolution to Council, the Commission and the parliaments of the Member States.

Russia-EU Summit

European Parliament resolution on the EU-Russia Summit in Helsinki on 24 November 2006

The European Parliament,
— having regard to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part (PCA) (1), which entered into force in 1997 and expires in 2007,
— having regard to the EU-Russia human rights consultations,
— having regard to the current international and European responsibilities of Russia, in its capacity as President-in-Office of the G8 and Chair of the Committee of Ministers of the Council of Europe,

having regard to its previous resolutions on Russia, and in particular its resolution of 25 October 2006 on EU-Russia relations following the murder of the Russian journalist Anna Politkovskaya (1), its resolution of 23 March 2006 on security of energy supply in the European Union (2) and its resolution of 26 May 2005 on EU-Russia relations (3),

— having regard to the outcome of the 18th EU-Russia Summit, held in Helsinki on 24 November 2006,

— having regard to Rule 103(4) of its Rules of Procedure,

A. whereas relations between the EU and Russia have been steadily developing over the past few years, leading to deep and comprehensive economic integration and interdependency, which is bound to increase even more in the near future,

B. whereas enhanced cooperation and good-neighbourly relations between the EU and Russia are of key importance to the stability, security and prosperity of the whole of Europe,

C. whereas the conclusion of a Strategic Partnership Agreement between the EU and the Russian Federation is of the utmost importance for this greater cooperation, in particular with regard to the further development of economic relations based on equality, transparency and respect for internationally recognised procedures, to the strengthening of security and stability in Europe by finding peaceful political solutions to regional conflicts in the joint neighbourhood, and to the further strengthening of respect for human rights, respect for the rule of law and a democratic framework as a basis for these relations,

D. whereas the rapid implementation of the four common areas, with a common economic area, an area of freedom, security and justice, an area of external security and an area of research, education and culture, should be at the heart of the negotiations on the new Strategic Partnership Agreement,

E. whereas security of energy supply is one of the biggest challenges for Europe and one of the major fields of cooperation with Russia, and whereas the EU imports approximately a quarter of its gas and oil from Russia and is the most reliable consumer of Russian exports,

F. whereas the above-mentioned EU-Russia Summit of 24 November 2006 was intended to mark the start of a new phase in EU-Russia relations and, in particular, to launch negotiations on a new framework agreement between the EU and Russia to replace the PCA, which expires in 2007,

G. whereas Poland has blocked the start of the negotiations on the new framework agreement, making the start of the negotiations conditional upon Moscow lifting a ban on Polish meat imports introduced in 2005,

H. whereas on 10 November 2006 Russia imposed a new embargo on imports of Polish meat and poultry products, saying that it was concerned about breaches of veterinary regulations; whereas Russia has recently also imposed a ban on imports of fish and fish products from the EU; whereas ahead of the above-mentioned EU-Russia Summit of 24 November 2006 Russia threatened to extend the former ban to the whole of the EU over concerns about swine fever in Romania and Bulgaria,

I. whereas the recent killings of prominent opponents of the Russian Government have caused great concern in the whole of Europe,

J. whereas there is widespread concern in Russia, the EU and elsewhere over democracy and human rights in Russia and the inability of the Russian police and judicial authorities to find those responsible for political murders,

K. whereas border-crossing formalities are very slow at the EU-Russian borders, causing intolerable queues of lorries at some checkpoints,

L. whereas the EU should be able to unite its forces and speak with one voice in its relations with Russia,
1. Acknowledges the importance of Russia as a strategic cooperation partner, with which the EU shares not only economic and trade interests but also the objective of cooperating closely in the international arena as well as in the common neighbourhood;

2. Stresses the importance of unity and solidarity among the EU Member States in their relations with Russia; welcomes, therefore, the common EU line established at the unofficial Lahti Summit on 20 October 2006, enabling the EU to speak with one voice at its meetings with President Vladimir Putin in Lahti and in Helsinki;

3. Welcomes the open discussions on democracy and human rights at the above-mentioned EU-Russia Summit of 24 November 2006 and the Lahti Summit; emphasises, however, that the current situation in Russia gives rise to serious concern in terms of respect for human rights, democracy, freedom of expression and the rights of civil society and individuals to challenge and hold the authorities accountable for their actions;

4. Regrets the failure of the above-mentioned EU-Russia Summit of 24 November 2006 to launch negotiations on a new framework agreement between the EU and Russia and encourages the Finnish and German Presidencies to continue to work to enable the negotiating mandate for a new agreement to be adopted as soon as possible and to start negotiations without further delay;

5. Stresses that a robust defence of human rights and democratic values should be a core principle of any EU engagement with Russia; urges the Commission to send a clear signal to all parties involved that these values will not have a subsidiary status in the EU-Russia negotiating package;

6. Regrets that the fourth round of the EU-Russia human rights consultations has brought about no substantial progress in this field, which should be a priority in bilateral relations; calls therefore on the Russian Government to contribute to the intensification of the EU-Russia human rights consultations as an essential part of the EU-Russia partnership, and to allow the free functioning of domestic and international human rights organisations and other NGOs and to protect the personal safety of human rights defenders; calls on the Commission and the Council to ensure that any financial assistance granted to Russia is linked to the development of democratic standards in that country;

7. Expresses its deep concern at the latest reports from international human rights organisations and United Nations (UN) experts about the use of torture in Russian prisons and police stations and in secret detention centres in Chechnya, which includes inhumane and degrading acts committed by public officials; strongly condemns such practices and calls on the Russian authorities to investigate the abuses, immediately put an end to any misconduct and prosecute the perpetrators;

8. Emphasises the need to work together with Russia as a necessary strategic partner to ensure peace, stability and security and fight international terrorism and violent extremism, as well as address other security issues such as environmental and nuclear hazards, drugs, trafficking in arms and human beings and cross-border organised crime in the European neighbourhood in cooperation with the OSCE and other international fora;

9. Calls on the Commission and the Council to pursue joint initiatives with the Russian Government to strengthen democracy, security and stability in the common neighbourhood, in particular by means of joint activities to establish democracy and respect for basic human rights in Belarus and of joint efforts to finally resolve the conflicts in Moldova, Georgia and Nagorno Karabakh; calls on the EU and Russia to assume their responsibility as members of the Quartet (which also consists of the UN and the United States) for the resolution of the Middle East conflict and to promote efforts to hold an international peace conference on a regional Middle East peace agreement;

10. Points out that progress towards signing and ratifying the outstanding border agreements between Estonia and Russia and Latvia and Russia remains a high priority for EU-Russia relations, and that the issue should be dealt with in a constructive and fair manner acceptable to all sides;
11. Deplores the disputes about the export of agricultural and fish products from the EU to Russia; is of the opinion that the continuation of these trade disputes seriously endangers the further development of relations between Russia and the EU; therefore calls on the Commission and the Russian Government to resolve these outstanding trade disputes as a matter of urgency; insists that the EU show the necessary solidarity with all Member States, in particular Poland, which is suffering discrimination under Russia's trade policy.

12. Expresses its concern about declarations by the Russian authorities to the effect that they will impose restrictions on EU agricultural products after the accession of Bulgaria and Romania;

13. Expresses its deepest concern about the continuing series of murders of prominent persons, such as Anna Politkovskaya, who oppose the current Russian Government or who have stood up for the basic rights of Russian citizens; emphasises that the Council and the Commission must react with all their authority and stresses that the partnership with Russia will seriously be affected if Russia fails to demonstrate its ability and strong willingness to assist in the investigations to find the killers and to fulfil its duty to stop this vicious circle and prosecute those responsible;

14. Urges the Russian Federation, as a member of the Council of Europe, to improve conditions for prisoners and put an end to difficulties of access to some of them for lawyers; points out that according to the Russian Criminal Code detainees should be imprisoned either close to their place of residence or close to the place where the trial has taken place, as exemplified by the prisoners Mr Khodorkovsky and Mr Lebedev;

15. Welcomes the agreement reached at the above-mentioned EU-Russia Summit of 24 November 2006 to phase out the fees which Russia charges to EU airlines flying over Siberia, resolving a 20-year dispute between the two sides and paving the way for EU carriers to increase the number of routes to the growing markets in Asia; notes that the dispute over charges, which cost EU airlines more than 250 million €uro a year, was one of the last hurdles the EU identified after its agreement with Russia on the country's accession to the World Trade Organization (WTO), which will open up new possibilities for increased cooperation and trade between the EU and Russia;

16. Expresses concern that recent changes to Part IV of the Russian Civil Code concerning intellectual property rights fall short of the standards required for the WTO (TRIPS), and still further short of the deeper commitments envisaged for a strategic partnership;

17. Welcomes the intensified EU-Russia dialogue on energy issues; underlines the strategic importance of cooperation on energy and the need to enhance EU-Russia energy relations; stresses that further cooperation in this field must be based on the principles of interdependence and transparency, as well as the importance of reciprocity in terms of access to markets, infrastructure and investment, with the objective of avoiding oligopolistic market structures and diversifying the EU's energy supply; in this context, calls on Russia to respect the principles of the Energy Charter Treaty, which entered into force in April 1998, and to increase cooperation on energy efficiency, energy saving and renewable energy;

18. Calls on the Council and the Commission to redouble their efforts to solve the border-crossing problems at the EU-Russian borders; points out that additional cross-border capacity must be built in order to accommodate an increase in the flow of goods; urges the Russian authorities to reduce queuing at the border by speeding up the inspections and by removing some of them from the border area to more remote locations;

19. Welcomes the successful outcome of the Northern Dimension Summit in Helsinki on 24 November 2006, which took place in connection with the EU-Russia Summit and in which Russia, as well as the EU, Norway and Iceland, participated; hopes that the Northern Dimension Framework Document which was adopted at the Northern Dimension Summit will provide a good basis for developing closer regional and cross-border cooperation with Russia;
20. In this regard, expresses serious concern at the measures implemented by Russia against Georgia, which are having huge economic, political and humanitarian consequences; therefore calls on the Russian authorities to lift the unjustified ban on sensitive exports from Georgia to Russia as well as to stop the ongoing repression of ethnic Georgians living in Russia.

21. Emphasises the need for the EU to act with unity and determination in its efforts to strengthen relations with Russia; welcomes the intention of the German Presidency to give further high priority to this important issue.

22. Instructs its President to forward this resolution to the Council, the Commission and the Governments and Parliaments of the Member States and of the Russian Federation.

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Implementing Directive 85/611/EEC (UCITS III)


The European Parliament,


— having regard to the advice of the Committee on European Securities Regulators (the CESR) to the European Commission on Clarification of Definitions concerning Eligible Assets for Investments of UCITS of January 2006 (2),


— having regard to the statement made by Romano Prodi, President of the European Commission, before the European Parliament on 5 February 2002 (4),

— having regard to its resolution of 5 February 2002 on asset management (5),

— having regard to Rule 81 of its Rules of Procedure,

23.12.2006

(2) CESR/06-005.
(4) SPEECH/02/44.
A. whereas assets which are eligible for UCITS have so far been interpreted differently by the supervisory authorities in the Member States, which means that, in practice, different products have been offered as UCITS,

B. whereas a uniform, Europe-wide clarification of certain definitions of eligible assets is necessary in order to complete the single market,

1. Takes the view that a regulation, rather than a directive, is the best option to ensure the uniform, consistent and rapid transposition of the new definitions into national law; calls on the Commission to set out the reasons for preferring a directive and to examine whether its proposal for a directive can be transformed into a proposal for a regulation;

2. Emphasises that the CESR has made a valuable contribution to the drafting of new definitions of eligible assets for investments of UCITS and should therefore continue to be involved in its capacity as a so-called Level 3 group, particularly in order to ensure the consistency of the definitions clarified in the implementing measures in their day-to-day application; looks in this regard to CESR to issue a statement in the foreseeable future on whether Hedge Fund Indices are eligible assets; notes that Hedge Fund Indices must fulfil the basic criteria required to become eligible under UCITS III, such as sufficient diversification, the ability to serve as an adequate benchmark and appropriate publication;

**Transferable securities**

3. Stresses the importance of a presumption of liquidity in relation to the transferable securities, as referred to in Article 2(1) of the draft implementing directive, for the proper functioning of asset management activities, and calls on the Commission to make provision for the inclusion of this principle at the appropriate level;

**Money market instruments**

4. Calls on the Commission to extend the settlement period for money market instruments, which are normally traded on the money markets, from one year to a maximum of precisely 397 days, which will mean that money market instruments either have a maturity at issue of up to 397 days or have a residual maturity of up to 397 days or undergo regular yield adjustments in line with money market conditions at least every 397 days; points out in this regard that this amendment both takes into account Directive 2004/39/EC (1) and allows comparability with the rules of the US Financial Supervisory Authority;

**Financial indices**

5. Notes that the UCITS-III Directive fails to stipulate whether the financial indices may be based only on eligible assets or also on non-eligible assets and that Article 9 of the Draft Implementing Directive defines both categories as eligible assets, provided that all the criteria for diversification set out in Article 22a(1) of the UCITS-III Directive are met;

6. Points out that Article 9 of the Draft Implementing Directive is intended to allow Member States to raise the investment threshold for regulated markets in which certain financial market instruments and securities are very dominant (from 20% to 35%); considers that this means that Article 9 of the Draft Implementing Directive should refer not only to Article 22a(1), but also to Article 22a(2), of the UCITS-III Directive;

7. Understands that, in accordance with Article 9(1)(a)(iii) of the Draft Implementing Directive, investments in indices that are composed of assets not set out in Article 19(1) of the UCITS-III Directive shall be permissible; points out in this regard, however, that Article 9(1)(a)(iii) of the Draft Implementing Directive does not deal adequately with some of these indices, because Article 22a(1) of the UCITS-III Directive, to which it refers, establishes limitations only with regard to the issuers of shares or debt securities and does not cover indices where diversification does not depend on the type of issuer, such as commodity indices, where diversification depends on the type of commodity: calls on the Commission, therefore, to extend the scope of Article 9(1)(a)(iii) of the Draft Implementing Directive to the effect that, where an index is adequately captured by the UCITS risk management system, it shall be considered sufficiently diversified;

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8. Takes the view that not only two-tier asset-backed commercial papers should be authorised as eligible assets, and calls, therefore, on the Commission, having due regard to the fourth indent of Article 19(1)(h) of the UCITS-III Directive, also to allow other asset-backed commercial papers as UCITS assets;

* *

9. Instructs its President to forward this resolution to the Council, the Commission and the CESR.

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Enlargement Strategy and Main Challenges 2006-2007


The European Parliament,

— having regard to its resolution of 27 September 2006 on Turkey’s progress towards accession (1),
— having regard to its resolution of 16 March 2006 on the 2005 enlargement strategy paper (2),
— having regard to its resolution of 19 January 2006 on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (3),
— having regard to Rule 45 of its Rules of Procedure,
— having regard to the report of the Committee on Foreign Affairs (A6-0436/2006), whereas,

A. the European Union is a political project based on shared values and commonly pursued objectives,

B. the EU has evolved into a political union of democracies which is itself committed to democratic standards and to developing a vivid democratic culture,

C. the incentive offered by the prospect of EU membership has undeniably contributed to the promotion of reforms, the consolidation of democracy, increased respect for human rights and increasing stability in neighbouring countries,

D. the Thessaloniki European Council of 19-20 June 2003 reaffirmed the commitment to full implementa-
tion of the Thessaloniki agenda, and the Brussels European Council of 15-16 June 2006 reaffirmed the
intention to honour the existing commitments made to the South-East European countries (Turkey and
Croatia, countries with which accession negotiations are underway, the Former Yugoslav Republic of
Macedonia/FYROM, as candidate country, and the Western Balkans countries, as potential candidates)
concerning enlargement, while emphasising the need to ensure that the Union 'is able to function politi-
cally, financially and institutionally as it enlarges',

E. the EU must proceed from its irreversible commitment to democracy and from its understanding that
democracy only functions if the demos — the citizenry of Europe — recognises and supports its own
enlargement through the accession of new Member States and integration of their citizens,

F. the European Parliament, in conjunction with national parliaments, and with the support of regional and
local authorities and civil society bodies, can contribute to improving transparency and accountability of
the enlargement process and thereby increase public consensus on this issue,

G. enlargement should — as laid down in the Treaty — contribute to the European integration process and
to the achievement of an ever closer union among the peoples of Europe but not undermine the political
nature of this project; it should promote peace, security, stability, democracy and prosperity in Europe,

H. for that reason, the Union’s integration capacity must be taken into account when consideration is given
to the future of the Union,

I. the declaration issued at the European Council in Copenhagen of 21-22 June 1993 mentioned as an
important consideration ‘the Union’s capacity to absorb new members, while maintaining the
momentum of European integration’,

J. Member States and the EU Institutions must address courageously the institutional, financial and political
factors which underlie the Union’s capacity to integrate new Member States,

K. this presupposes a thorough analysis of the implications which increased membership may entail for the
Union’s cohesion policies and for its finances,

L. integration capacity is an evolutionary concept which must be assessed regularly in the light of new
circumstances,

M. integration capacity is based on objective criteria and addresses real problems and therefore should not
be confused with public perception of the impact of further enlargements,

N. integration capacity is not a new criterion applicable to the candidate countries but a pre-requisite for
the success of enlargement and for deepening the process of European integration; responsibility for
improving its integration capacity lies with the Union and not with the candidate countries,

O. acceding and candidate countries must comply with the accession criteria established by the Copenhagen
European Council (Copenhagen criteria) and all other obligations stemming from the Treaties and
bilateral agreements,

P. Agrees with the Commission that past enlargements have been a success, have strengthened the
European Union by stimulating its economic growth, reinforcing its role in the world and promoting the
development of new EU policies, and have promoted democracy, peace and prosperity in Europe; empha-
sises that enlargement in general is among the most effective instruments of foreign policy and conflict
prevention policies of the EU; recalls that this success derives from the widespread support for past enlarge-
ments as the fulfilment of the initial mission of European integration to reunite the European continent after
the political divisions of the twentieth century;
2. Notes nevertheless that lessons can be learned from past experience, notably the need to judge each candidate country on its own merits and to negotiate its accession in accordance with a timetable based on effective compliance with the Copenhagen criteria, as well as the need to avoid setting too early a date for final accession;

3. Believes that these lessons should be used to improve the quality and transparency of the enlargement process;

4. Is of the opinion that the Union should honour its commitments to the countries which already have membership prospects, provided that those countries comply with the Copenhagen criteria and fulfil the obligations arising therefrom; emphasises that fulfilment of these commitments is a strong incentive for those countries to pursue their reforms;

5. Agrees that consolidation, conditionality and communication are the guiding principles of the EU’s enlargement strategy; is of the view that any further commitment to enlarge will require far more in-depth scrutiny than ever before of the question of the Union’s integration capacity, be it from an institutional, financial or political standpoint;

6. Therefore regrets the Commission’s failure to provide a sufficiently in-depth analysis of the issues which need to be resolved before the Union can proceed with further enlargements;

7. Considers the ‘Special report on the EU’s capacity to integrate new members’ in Annex I of the Communication, an unsatisfactory answer to Parliament’s request, in paragraph 5 of its abovementioned resolution of 16 March 2006, for a ‘report … setting out the principles which underpin this concept’;

8. Is of the opinion that the integration capacity of the Union rests fundamentally on three pillars, namely its institutions and their legitimacy and ability to act and take decisions democratically and efficiently under new circumstances, its financial resources and their overall contribution to economic and social cohesion, and the capacity of an enlarged Union to pursue its political objectives;

9. Recalls that responsibility for improving its integration capacity therefore lies with the Union and not with the candidate countries;

10. Believes that the EU can only expect its citizens to have a positive attitude towards enlargement if they see a Europe that delivers results; emphasises, therefore, that integration capacity cannot be seen in isolation from the EU’s capacity to act; considers that enlargement should be a part of the Union’s Citizens’ Agenda and should be communicated accordingly;

11. Considers that the Union’s proper functioning rests on the unqualified adherence of all its members to the universal values that underlie the EU as a political project: the inalienable and inviolable rights of the human person, freedom, democracy, equality and the rule of law which make up the European identity;

12. Believes that any failure to ensure that the EU’s integration capacity matches its enlargement agenda would weaken the Union internally and externally and reduce the benefits of increased membership for all its members, and that this effect would not be compensated by increased external size;

13. Criticises the Commission for the superficial way in which it deals with the institutional aspects, and refers in this respect to its resolution of 13 December 2006 on the institutional aspects of the EU’s capacity to integrate new Member States (1);

14. Recalls the terms of its abovementioned resolution of 19 January 2006 and reaffirms that, following the accession of Bulgaria and Romania, the Treaty of Nice will not provide an adequate basis for further enlargements;

15. Therefore urges the Heads of State and Government to conclude the constitutional process by the end of 2008, as stated at the European Council in Brussels of June 2006, in order to enable the Union to work more effectively, more transparently and more democratically, which is a pre-requisite for further enlargements;

16. Reminds Heads of State and Government of their duty to complete this process before the next European elections, so as to avoid delay in current accession negotiations;

17. Emphasises that the institutional reform of the Union is a need per se, regardless of further enlargements, and should be pursued rigorously and expeditiously;

18. Confirms that accession negotiations will progress according to the merits and achievements of each negotiating partner;

19. Welcomes and supports the Commission's commitment to improve the quality of the accession process by making it more benchmark-driven and transparent and by systematically making impact assessments on key policy areas at key stages of the process;

20. Takes the view that the planned revision of the Union's budget in 2008/2009 must take account of the future integration of the current candidate and pre-candidate countries;

21. Points out that the Commission's Communication does not deal thoroughly with the financial implications of further enlargements and calls on the Commission to provide clear and credible estimates of the budgetary implications before any further accession;

22. Reiterates that this debate involves difficult issues which might have implications for the Union's common policies, including its cohesion policies;

23. Takes the view that the financial implications of further enlargements, the complexity of which has been implicitly recognised by Heads of State and Government when they declined to take them into account in the 2007-2013 financial framework, must be urgently addressed; calls on the General Affairs and ECOFIN Councils to hold a joint debate on this issue;

24. Emphasises that compliance with the political criteria set out at the Copenhagen European Council, including in the area of the rule of law, should be given greater priority than has hitherto been the case in accession negotiations, and that a direct link should be established between those criteria and the start, as well as the overall pace, of negotiations;

25. Welcomes in this respect the inclusion in the current negotiating framework of a chapter on Judiciary and Fundamental Rights, covering the political issues, which will enable EU institutions to closely scrutinise progress in these crucial areas;

26. Is of the opinion that in previous enlargements progress in the fields of justice, corruption and fundamental rights did not receive enough attention in the early phases of negotiations; pledges to take a much more active role in monitoring the accession process, with particular emphasis on its political aspects, and calls upon the Council to do the same and to issue clear and duly reasoned recommendations to candidate countries, rather than merely take note of technical progress in the negotiations;

27. Recalls the clear European membership prospects which the Thessaloniki European Council of 19-20 June 2003 offered to the western Balkan countries; remains fully committed to these prospects which have to be maintained in order to consolidate stability and peace in the region; reminds those countries that they will each be assessed on the basis of their own merits and that this will determine the pace of their integration into the EU;

28. Welcomes the Council's decision of 13 November 2006 to adopt the negotiation mandates for visa facilitation and re-admission agreements with western Balkan countries as a first step in promoting people-to-people contacts between those countries and the EU; emphasises, however, that the objective is visa-free travel;

29. Welcomes the continued progress made by the candidate country Croatia towards EU integration and calls on the negotiators on both sides to maintain the momentum achieved in these negotiations, with a view to their early conclusion;
30. Notes the Commission’s Turkey 2006 Progress Report, which, whilst stating that political reforms in Turkey have continued, points out that their pace has slowed down and confirms the shortcomings in the reform process already laid out in Parliament’s abovementioned resolution of 27 September 2006 on Turkey’s progress towards accession; insists that this also includes the ratification and full implementation by Turkey of the Additional Protocol extending the EC-Turkey Association Agreement to the ten new Member States, signed by Turkey in July 2005, in compliance with the EU Declaration of 21 September 2005;

31. Stresses that the Turkish refusal to fully comply with the terms of the Additional Protocol is seriously endangering the good progress of the accession negotiations; points out that the Council decision not to open the negotiations on eight important chapters covering policy areas relevant to Turkey’s restrictions as regards the Republic of Cyprus and not to close provisionally any chapters is an unavoidable consequence of Turkey’s position on this issue; urges Turkey to cooperate in a constructive way to ensure full implementation of the Additional Protocol as soon as possible; welcomes in this respect the invitation addressed to the Commission to submit yearly reports on progress made in addressing the issues covered by the EU declaration of 21 September 2005;

32. Deplores the fact that the efforts of the Finnish Presidency to find a solution to the current stalemate regarding the full implementation of the Additional Protocol the one hand and further alleviating the isolation of the Turkish Cypriot Community on the other were not successful; calls on the German Presidency to continue these efforts with determination in close co-operation with UN efforts;

33. Takes the view that the European Union must be prepared to adopt a timetable to ensure that the above goals can be achieved within a reasonable period of time;

34. Urges the Council to take on new commitments only on the basis of an in-depth assessment of their institutional, financial, political and socio-economic consequences; therefore calls on the Commission to provide comprehensive impact assessments whenever it considers new applications for membership and when it submits its recommendations on the opening and closing of negotiations;

35. Recalls that, during accession negotiations, when the Council, acting by unanimity on a proposal of the Commission, lays down benchmarks for the opening and provisional closure of each chapter, Member States should act even-handedly with regard to all accession countries;

36. Believes that Parliament’s right of assent should apply not just after the conclusion of the negotiation process but also before the opening of membership negotiations;

37. Notes that, as the EU continues to conduct, and open, enlargement negotiations with the countries of the Balkans, tackling endemic corruption and regional organised crime networks will become an increasingly important feature on the road to accession; strongly recommends, therefore, that current enlargement financial instruments are strengthened and re-focused so as to target, as a top priority, the fight against corruption and organised crime, with particular emphasis on reforming judiciaries, reinforcing public administrative capacity and improving cross-border cooperation;

38. Reminds Member States’ governments and national parliaments that it is their responsibility to inform the public adequately about the benefits of past enlargements and the stakes involved in further enlargements, and that they should provide the public with reasons for the decisions they take, unanimously, throughout the accession process;

39. Therefore calls on the Commission to work together with Member States, the European Parliament and national parliaments in order to communicate the enlargement agenda more effectively to the public, thus improving the transparency of the process;

40. Welcomes the recommendation made by the Commission that screening reports, benchmarks for opening negotiation chapters and the final EU common position be made public;
41. Urges the Commission to provide a more precise definition of its ‘reinforced Neighbourhood Policy’ and to specify in detail what this type of relationship would involve;

42. Reiterates its previous call on the Commission and the Council to submit, for all European countries currently having no membership prospects, proposals for a close bilateral or multilateral relationship with the EU that matches their specific needs and interests; emphasises that it is up to all countries with recognised membership prospects to decide whether they want to join this multilateral framework as an intermediate step towards full membership;

43. Calls in this context on the Commission and the Council to consider establishing, as part of a reinforced Neighbourhood Strategy, and in addition to the strategies concerning relations with other countries, an overall EU regional policy in the wider Black Sea area in order to build stronger bilateral or multilateral economic and political relations between the EU and all the countries of this area, particularly with regard to free trade, as is the case for the Central European Free Trade Agreement, investment, energy security and migration policy;

44. Is of the opinion that the above options, which entail a broad spectrum of operational possibilities, could constitute a real and attractive option which, without excluding full membership, would grant partner countries a stable long-term perspective of institutionalised relations with the EU and provide the incentive necessary to foster the internal reforms required in the countries in question;

45. Invites the Commission and the Council in this context to consider modulating Community assistance in the light of the progress made by beneficiary countries in achieving the reforms required for their European integration;

46. Emphasises that while Russia is neither a candidate for EU membership nor part of the European Neighbourhood Policy, relations with the EU’s largest neighbour nevertheless remain vital in the context of any future EU enlargement strategy; urges that in this context the EU must continue all attempts to develop a unique, wide-ranging partnership with Russia, encompassing trade and energy, but above all human rights and democratisation issues;

47. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States, accession states and candidate states.

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**P6_TA(2006)0569**

**The institutional aspects of the European Union’s capacity to integrate new Member States**

European Parliament resolution on the institutional aspects of the European Union’s capacity to integrate new Member States (2006/2226(INI))

The European Parliament,

— having regard to Article 49 of the Treaty on European Union,
— having regard to the Presidency conclusions of the meetings of the European Council held in June 1993 in Copenhagen, in December 1995 in Madrid, in December 1997 in Luxembourg, in June 2003 in Thessaloniki, and in December 2004, June 2005 and June 2006 in Brussels,
— having regard to the Charter of Fundamental Rights of the European Union,
— having regard to the Commission’s 2005 enlargement strategy paper (COM(2005)0561),
Wednesday, 13 December 2006

— having regard to its resolution of 12 January 2005 on the Treaty establishing a Constitution for Europe (1),
— having regard to its resolution of 28 September 2005 on the opening of negotiations with Turkey (2),
— having regard to the negotiation frameworks for Turkey and for Croatia adopted by the Council on 3 October 2005,
— having regard to its resolution of 19 January 2006 on the period of reflection: the structure, subjects and context for an assessment of the debate on the European Union (3),
— having regard to its resolution of 16 March 2006 on the Commission’s 2005 enlargement strategy paper (4),
— having regard to its resolution of 14 June 2006 on the next steps for the period of reflection and analysis on the Future of Europe (5),
— having regard to its resolution of 27 September 2006 on Turkey’s progress towards accession (6),
— having regard to Rule 45 of its Rules of Procedure,
— having regard to the report of the Committee on Constitutional Affairs (A6-0393/2006), whereas,

A. the European Council of 19-20 June 2003 held out a clear European perspective to the countries of the Western Balkans, with membership of the Union as the final goal (the Thessaloniki agenda),
B. the European Council of 16-17 June 2005 reaffirmed its commitment to full implementation of the Thessaloniki agenda, and that of 15-16 June 2006 reaffirmed its intention to honour the existing commitments made to the South-East European countries (Turkey and Croatia, countries with which accession negotiations are underway, Former Yugoslav Republic of Macedonia/FYROM, as a candidate country, and the Western Balkans countries, as potential candidates) concerning enlargement, while emphasising the need to ensure that the Union ‘is able to function politically, financially and institutionally as it enlarges’,
C. the Council officially opened accession negotiations with Turkey and Croatia on 3 October 2005,
D. the European Council of 15-16 December 2005 granted the status of candidate country to the Former Yugoslav Republic of Macedonia (FYROM),
E. compliance with all the Copenhagen criteria has been the basis for accession to the EU since 1993 and should remain so for future accessions,
F. the Copenhagen criteria also mention as an important consideration ‘the Union’s capacity to absorb new members, while maintaining the momentum of European integration’,
G. the institutional capacity of the Union to integrate new Member States has been increasingly discussed in relation to enlargements after the accession of Bulgaria and Romania,
H. in its above-mentioned resolution on the 2005 enlargement strategy paper, the European Parliament invited the Commission to submit, by the end of 2006, a report setting out the principles on which the Union’s absorption capacity is based,
I. the European Council of 15-16 June 2006 decided that ‘the pace of enlargement must take the Union’s absorption capacity into account’ and resolved to hold a debate in December of the same year on all aspects of further enlargements, including the Union’s capacity to absorb new members and further ways of improving the quality of the enlargement process on the basis of the positive experiences accumulated so far, on the basis of a report ‘on all relevant aspects pertaining to the Union’s absorption capacity’ to be presented by the Commission together with its annual report on enlargement and the pre-accession process,
J. according to the European Council that report should ‘also cover the issue of the present and future perception of enlargement by citizens and should take into account the need to explain the enlargement process adequately to the public within the Union’.

K. the European Council of 16-17 December 2004 in Brussels stated that ‘accession negotiations yet to be opened with candidates whose accession could have substantial financial consequences can only be concluded after the establishment of the Financial Framework for the period from 2014 together with possible consequential financial reforms’,

L. the notion of integration capacity entails the challenge of adapting the EU to accommodate its new Members; that challenge currently remains unresolved, in particular following the rejection of the Constitutional Treaty in France and the Netherlands as this treaty would enable the European Union to function efficiently and democratically with the challenge of the financial resources still to be tackled,

M. there is an ongoing debate on the so-called ‘absorption capacity’ of the Union in the context of future enlargements,

N. the President of the Commission has stated before the European Parliament that he believes that an institutional settlement should precede any future enlargement, and has expressed his hope that that institutional settlement, as set out by the European Council of 15-16 June 2006, can be achieved by the end of 2008, thus allowing the Union to respect its commitments towards the negotiating countries and those for which it has opened up the prospect of accession,

O. an institutional settlement of this kind is, first and foremost, required to maintain the momentum of European Integration, as observed by the Heads of State and Government at the 1993 European Council in Copenhagen,

1. Points out that enlargements have tended to strengthen the Union, foster its economic growth, reinforce its role in the world and stimulate the development of new EU policies;

2. Recalls that the notion of ‘absorption capacity’ made its first formal appearance in 1993, when the European Council of Copenhagen recognised that, alongside the political and economic criteria that candidate countries must satisfy in order to accede to the Union, ‘the Union's capacity to absorb new members, while maintaining the momentum of European integration’ also constitutes ‘an important consideration in the general interest of both the Union and the candidate countries’;

3. Recalls that although every enlargement of the Union has brought about changes in its institutional, political and financial framework, such changes were not sufficient to preserve the effectiveness of the Union’s decision making;

4. Finds that the term ‘absorption capacity’ does not suitably convey the idea which it aims to express, inasmuch as the EU does not in any way absorb its members, and therefore proposes that this expression be changed to ‘integration capacity’, which better reflects the character of EU membership;

5. Stresses that ‘integration capacity’ is not a new criterion applicable to the candidate countries but a condition for the success of enlargement and for the deepening of the process of European integration; the responsibility for improving ‘integration capacity’ lies with the Union and not with the candidate countries;

6. Considers that the notion of ‘integration capacity’ implies that after enlargement:

— the European institutions will be able to function properly and take decisions efficiently and democratically in accordance with their specific procedures,

— the financial resources of the Union will be sufficient to adequately finance its activities,

— the Union will be able successfully to develop its policies and attain its goals, in order to pursue its political project;

7. Considers that, in order to ensure its integration capacity, the Union must decide on the scope and substance of the reforms that it needs to achieve before any future accession takes place; its evaluation in this regard must be conducted throughout the key stages of the enlargement process, taking into account the possible impact that new Member States will have on its institutional, financial and decisional capabilities;

8. Recognises that the Union is at present confronted with difficulties in honouring its commitments towards South-East European countries because its current institutional, financial and policy structure is unsuitable for further enlargements and needs to be improved;
9. Stresses that before any future enlargement a reform of the Union is essential to enable it to work more effectively, more transparently and more democratically; in this light any further enlargement will necessitate the following institutional reforms:

(a) the adoption of a new system of qualified majority voting that enhances the ability of the Council to reach decisions;

(b) a substantial extension of the matters to which qualified majority voting applies;

(c) a substantial extension of the participation of the European Parliament, on an equal footing with the Council, in budgetary and legislative matters;

(d) modification of the rotation system of Presidencies of the European Council and of the Council;

(e) the creation of the post of Minister of Foreign Affairs;

(f) further modification of the composition of the Commission beyond that ordained by the Treaty of Nice;

(g) the strengthening of the role of the President of the Commission and the reinforcement of his/her democratic legitimacy through election by the European Parliament;

(h) extension of the jurisdiction of the Court of Justice to all areas of the activities of the Union, including the monitoring of respecting of fundamental rights;

(i) the establishment of mechanisms for the involvement of national parliaments in the scrutiny of the Union’s action;

(j) the improvement of flexibility arrangements as a response to the increased possibility that not all Member States are willing or able to go ahead with certain policies at the same time;

(k) modification of the procedure for amendment of the Treaties, in order to simplify it, render it more efficient and enhance its democratic character and transparency;

(l) suppression of the ‘pillar structure’ and its replacement by one single entity with a unified structure and legal personality;

(m) the adoption of a clause enabling Member States to withdraw from the European Union;

(n) a clear definition of the values on which the Union is founded, as well as the objectives of the Union;

(o) a clear definition of the competencies of the Union and the principles governing its action and its relations with Member States;

(p) strengthening of the transparency of the Union’s decision-making process, namely through public scrutiny of the activities of the Council when it is acting as a branch of the legislative authority;

(q) a clear definition and simplification of the instruments through which the Union exercises its competencies.

Points out that all these reforms are already contained in the Constitutional Treaty and that their entering into force would allow the proper functioning of an enlarged Union and ensure its ability to take decisions efficiently and democratically;

Other relevant aspects of integration capacity

10. Points out that, apart from the necessary institutional reforms, further enlargements of the Union will necessitate modifications in other important aspects of its structure, such as:

(a) adoption of the Charter of Fundamental Rights of the European Union and improvement of the solidarity policies between the Member States;
(b) revision of its financial framework, including as regards its system of financing, in order to adapt it to the new needs of an enlarged Union, building on the ‘full, wide-ranging review’ of the Financial Framework 2007-2013 already planned for 2008/2009 pursuant to Parliament’s resolution on Policy Challenges and Budgetary Means of the enlarged Union 2007-2013 of 8 June 2005 (1) and to the provisions of the Interinstitutional Agreement on budgetary discipline and sound financial management of 17 May 2006 (2);

(c) redefinition of several of its policies, some of which were established 50 years ago, so as to enable it to implement the Lisbon Strategy, strengthen its capacity for action on the international stage and adapt them to the new challenges that a much bigger and much more diverse Union faces in a globalised world;

(d) reinforcement of the European Neighbourhood Policy, aimed at providing a suitable instrument for establishing mutually beneficial relationships with those European countries that have no immediate prospects for accession because they do not fulfil the conditions for membership or choose not to join;

11. Stresses that the above reforms must go hand in hand with efforts to increase public acceptance of enlargement and recalls the responsibility of Europe’s political leaders in explaining to the public the goals and mutual advantages of enlargement and the unification of Europe; supports the Commission in its efforts to use ‘a wide variety of routes to communicate its enlargement policy and counter misconceptions with evidence’, as stated in its above-mentioned 2005 enlargement strategy paper;

12. Reiterates, however, that any decision by the EU to admit a new Member State is taken through a procedure that includes numerous safeguards, namely a unanimous decision by all Member States on the opening and closing of accession negotiations, the approval of the European Parliament and the ratification of each Accession Treaty by all Member States;

13. Points out that, in any event, the signing of an Accession Treaty by the Member States’ governments means that those governments are fully committed to acting accordingly in order to ensure that the process of ratifying that Treaty is brought to a successful conclusion, in accordance with the procedures in force in each country;

14. Takes the view that the assent of Parliament, required for Council to act under Article 49 Treaty on European Union on the accession of new Member States, should apply to the decision to open negotiations, as well as their conclusion;

Conclusions

15. Reaffirms its commitment to enlargement as an historic opportunity to ensure peace, security, stability, democracy and the rule of law, as well as economic growth and prosperity in Europe; reaffirms its conviction that enlargement must go hand in hand with the deepening of the Union, if the objectives of the European integration process are not to be jeopardized;

16. Stresses that the Union must be able to adapt its institutional, financial and political structure in due time so as to avoid causing unexpected delays in the accession of candidate countries once it is established that they satisfy all the conditions for membership;

17. Reaffirms that the Treaty of Nice does not provide an adequate basis for further enlargements;

18. Reaffirms its endorsement of the Constitutional Treaty, which already offers solutions to most of the reforms needed by the EU in order to fulfil its current enlargement commitments and constitutes a tangible expression of the relationship between deepening and enlargement, and warns that any attempt to foster a piecemeal implementation of parts of the constitutional package deal may endanger the global compromise upon which it rests;

19. Takes note of the timetable established by the European Council of 15-16 June 2006 for seeking a solution to the constitutional crisis by the second semester of 2008 at the latest;

20. Reaffirms its commitment to achieving a constitutional settlement for the European Union as quickly as possible, and in any case before the citizens of the Union are called upon to cast their votes in the European elections in 2009, so that the Union can honour its commitments vis-à-vis candidate countries and be ready to accept them as Member States;

*   *

21. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the parliaments and governments of Turkey, Croatia, the Former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Serbia, Montenegro, the Provisional Institutions of Self-Government in Kosovo and the United Nations Mission in Kosovo.