

Thursday 22 April 2004

- A. whereas Umberto Bossi was elected to the European Parliament in the fifth direct elections held on 13 June 1999, and whereas his credentials were verified by Parliament on 15 December 1999⁽¹⁾ and his term of office expired on 10 June 2001,
- B. whereas Members of the European Parliament may not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties⁽²⁾,
- C. whereas the immunity from legal proceedings enjoyed by Members of the European Parliament also covers immunity from civil proceedings,
- D. whereas Members of the European Parliament have a responsibility to participate in political affairs, and accordingly when they publish newspaper articles on controversial topics they are properly deemed to be engaged in the performance of their duties as MEP,
1. Decides that it would not be appropriate for any measure to be adopted in relation to the proceedings pending that might raise a question with the Italian authorities concerning the political activities of the former Member Mr Bossi;
2. Instructs its President immediately to forward this decision and the report of its committee to the Court of Brescia.

⁽¹⁾ European Parliament decision of 15.12.1999 on the verification of credentials of Members following the fifth direct elections to the European Parliament on 10 to 13 June 1999 (OJ C 296, 18.10.2000, p. 93).

⁽²⁾ Article 9 of the Protocol on the Privileges and Immunities of the European Communities.

P5_TA(2004)0355

Development of the Community's railways *III**

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council Directive 91/440/EEC on the development of the Community's railways (PE-CONS 3641/2004 – C5-0156/2004 – 2002/0025(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3641/2004 – C5-0156/2004),
- having regard to its position at first reading⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2002) 25)⁽²⁾,
- having regard to its position at second reading⁽³⁾ on the Council common position⁽⁴⁾,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 719 – C5-0589/2003)⁽⁵⁾,
- having regard to Article 251(5) of the EC Treaty,
- having regard to Rule 83 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A5-0242/2004),

⁽¹⁾ OJ C 38 E, 12.2.2004, p. 89.

⁽²⁾ OJ C 291 E, 26.11.2002, p. 1.

⁽³⁾ Texts Adopted, 23.10.2003, P5_TA(2003)0453.

⁽⁴⁾ OJ C 270 E, 11.11.2003, p. 1.

⁽⁵⁾ Not yet published in the OJ.

Thursday 22 April 2004

1. Approves the joint text;
2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Union;
4. Instructs its President to forward this legislative resolution to the Council and Commission.

P5_TA(2004)0356

Railway safety ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) (PE-CONS 3638/2004 – C5-0153/2004 – 2002/0022(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3638/2004 – C5-0153/2004),
- having regard to its position at first reading⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2002) 21)⁽²⁾,
- having regard to its position at second reading⁽³⁾ on the Council common position⁽⁴⁾,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 719 – C5-0586/2003)⁽⁵⁾,
- having regard to Article 251(5) of the EC Treaty,
- having regard to Rule 83 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A5-0245/2004),

1. Approves the joint text;
2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Union;
4. Instructs its President to forward this legislative resolution to the Council and Commission.

⁽¹⁾ OJ C 38 E, 12.2.2004, p. 92.

⁽²⁾ OJ C 126 E, 28.5.2002, p. 332.

⁽³⁾ Texts Adopted, 23.10.2003, P5_TA(2003)0454.

⁽⁴⁾ OJ C 270 E, 11.11.2003, p. 25.

⁽⁵⁾ Not yet published in the OJ.
