

Tuesday 5 July 2005

TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

Amendment 2  
Recital 5a (new)

**(5a) Migratory waterbirds play an important role in world-wide biodiversity and should, in accordance with the 1992 Convention on Biological Diversity, be conserved for future generations.**

Amendment 3  
Recital 7a (new)

**(7a) Where the Commission, on behalf of the Community and within the terms of its mandate, negotiates amendments to the Action Plan referred to in Annex 3 to the Agreement, it should take account, in particular, of the conservation measures listed in Article III(2) of the Agreement.**

Amendment 4  
Article 3

The Commission is **herby** authorised to **negotiate and** approve, on behalf of the Community, **any** amendments to the **Action Plan provided for by Article IV of the Agreement and the amendments of the Agreement provided for by Article X.** The Commission **should conduct these negotiations in consultation with** a special committee designated by the Council. **It shall ensure that the decisions adopted under the Agreement are consistent with the existing Community legislation and with the objectives of the Community's policies.**

**In respect of matters falling within the Community's competence, the Commission is authorised to approve, on behalf of the Community, amendments to the Annexes to the Agreement adopted in accordance with Article X(5) thereof.**

The Commission **shall, in carrying out this task, be assisted by** a special committee designated by the Council.

**If an amendment to the Annexes to the Agreement has not been transposed into the relevant Community legislation within 90 days of the date of its adoption by the Meeting of the Parties, the Commission shall enter a reservation with respect to that amendment by written notification to the Depository in accordance with Article X(6) of the Agreement. If the amendment is subsequently thus transposed, the Commission shall withdraw the reservation without delay.**

P6\_TA(2005)0264

## Request for defence of the immunity of Mr Bossi

European Parliament decision on the request for defence of the immunity and privileges of Umberto Bossi (2004/2203(IMM))

The European Parliament,

- having regard to the request, by a barrister acting for Mr Umberto Bossi, for defence of his immunity in connection with criminal proceedings pending before the District Court of Padua, of 3 August 2004, announced in plenary sitting on 13 September 2004,

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- having regard to Articles 9 and 10 of the Protocol of 8 April 1965 on the Privileges and Immunities of the European Communities, and to Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
  - having regard to the judgments of 12 May 1964 and 10 July 1986<sup>(1)</sup> of the Court of Justice of the European Communities,
  - having regard to Rules 6(3) and 7 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A6-0209/2005),
- A. whereas Umberto Bossi was a Member of the European Parliament in the fourth legislative term (start of mandate on 19 July 1994, mandate verified on 15 November 1994, mandate expired on 19 July 1999) and in the fifth legislative term (start of mandate on 20 July 1999, mandate verified on 15 December 1999, mandate expired on 10 June 2001 for incompatibility),
- 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<sup>(2)</sup>,
- C. whereas the immunity from legal proceedings enjoyed by Members of the European Parliament also covers immunity from civil proceedings,
1. Decides to defend the immunity and privileges of Umberto Bossi;
  2. Proposes, pursuant to Article 9 of the above Protocol and having regard to the proceedings of the relevant Member State, to declare that the proceedings in question should not be continued; therefore calls on the Court to draw the appropriate conclusions;
  3. Instructs its President immediately to forward this decision and the report of the committee responsible to the District Court of Padua.

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<sup>(1)</sup> Case 101/63 *Wagner v Fohrmann and Krier* [1964] ECR 195, and Case 149/85 *Wybot v Faure and others* [1986] ECR 2391.

<sup>(2)</sup> Article 9 of the Protocol on the Privileges and Immunities of the European Communities.

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**P6\_TA(2005)0265**

## **Request for waiver of the immunity of Mr Mote**

### **European Parliament resolution on the request for waiver of the immunity of Ashley Mote (2005/2037(IMM))**

*The European Parliament,*

- having regard to the request for waiver of the immunity of Ashley Mote, submitted, at the Attorney General's request, by the United Kingdom's Permanent Representation to the European Union, and announced in plenary sitting on 23 February 2005,
- having heard Ashley Mote in accordance with Rule 7(3) of its Rules of Procedure,
- having regard to Articles 8, 9, 10 and 19 of the Protocol of 8 April 1965 on the Privileges and Immunities of the European Communities, and to Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
- having regard to the judgments of 12 May 1964 and 10 July 1986<sup>(1)</sup> of the Court of Justice of the European Communities,

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<sup>(1)</sup> Case 101/63: *Wagner v Fohrmann and Krier* [1964] ECR 195 and Case 149/85: *Wybot v Faure and others* [1986] ECR 2391.