

TEXTS ADOPTED**P6_TA(2005)0447****EC-South Africa Agreement *****

European Parliament legislative resolution on the proposal for a Council decision concluding the additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union (COM(2005)0372 — C6-0350/2005 — 2005/0152(AVC))

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2005)0372) ⁽¹⁾,
 - having regard to Council Decision 2005/206/EC of 28 February 2005 ⁽²⁾ on the signing and provisional application of the above-mentioned Protocol,
 - having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, in conjunction with Article 310 and Article 300(2), first subparagraph, of the EC Treaty (C6-0350/2005),
 - having regard to Rules 75 and 83(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Development (A6-0328/2005),
1. Gives its assent to the conclusion of the above-mentioned Protocol;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and the Republic of South Africa.

⁽¹⁾ Not yet published in OJ.

⁽²⁾ OJ L 68, 15.3.2005, p. 32.

P6_TA(2005)0448**Euroregions**

European Parliament resolution on the role of 'Euroregions' in the development of regional policy (2004/2257(INI))

The European Parliament,

- having regard to Article 87(3) of the EC Treaty,
- having regard to Article 158 of the EC Treaty,
- having regard to the proposal for a regulation of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument (COM(2004)0628),

Thursday 1 December 2005

- having regard to the proposal for a regulation of the European Parliament and of the Council on the European Regional Development Fund (COM(2004)0495),
 - having regard to the proposal for a Council regulation laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund (COM(2004)0492),
 - having regard to the proposal for a Council Regulation establishing a Cohesion Fund (COM(2004)0494),
 - having regard to the proposal for a regulation of the European Parliament and of the Council establishing a European grouping of cross-border cooperation (EGCC) (COM(2004)0496),
 - having regard to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities of the Council of Europe (Madrid, 21 May 1980) and its Additional Protocols, and to the European Charter of Local Self-Government of the Council of Europe (Strasbourg, 15 October 1985),
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Development (A6-0311/2005),
- A. Whereas the enlargement of the European Union to 25 Member States on 1 May 2004 increased the disparities between European regions and forthcoming enlargements may further increase those disparities; whereas enlargement also led to a substantial increase in the number of border regions; whereas it should be noted that Euroregions have made a decisive contribution towards surpassing frontiers in Europe, building good, neighbourly relations, bringing people together on both sides of borders and breaking down prejudices, in particular through cooperation at local and regional level across national borders,
- B. Whereas regional disparities in the enlarged union need to be reduced and need to be addressed with an effective cohesion policy aimed at harmonious development within the EU,
- C. Whereas one requirement of an effective cohesion policy and of European integration is to ensure the sustainable development of cross-border co-operation and finally to overcome the difficulties existing to date in funding joint projects that benefit equally local authorities and regions on either side of a border,
- D. Whereas Euroregions and similar structures are important instruments of cross-border co-operation that nonetheless have to be further developed and improved and whereas they should have certain legal status,
- E. Whereas the ultimate aim of Euroregions is to promote cross-border co-operation between border regions, local entities, regional authorities, social partners and all other actors, not necessarily Member States of the EU, on matters such as culture, education, tourism, economic issues and any other aspect of daily life,
- F. Whereas the Association of European Border Regions has presented several reports on the status of cross-border co-operation in Europe and has prepared studies on a cross-border legal instrument on decentralised cooperation of the Commission and the Committee of the Regions,
1. Considers that cross-border cooperation is of fundamental importance to European cohesion and integration and must therefore be given wide support;
 2. Calls on Member States to promote the use of Euroregions as one of the tools of cross-border co-operation;
 3. Notes that a Euroregion or similar structure fulfils important cross-border tasks, providing, for example:
 - an information and service point for citizens, institutions and regional and local authorities;
 - a focal point for common values, aims and strategies;

Thursday 1 December 2005

- a driving force for solving cross-border problems;
 - a mouthpiece in all cross-border questions;
4. Notes that Euroregions are a turn table for all cross-border relationships, contacts, knowledge transfers and operational programmes and projects and that they need certain legal status to be able to perform their tasks;
 5. Stresses that cross-border cooperation provides a suitable approach to solving daily problems on both sides of the border, especially in economic, social, cultural and environmental fields;
 6. Stresses that cross-border cooperation makes a considerable contribution to the implementation of the Lisbon strategy through:
 - joint innovation and research;
 - research and development (R&D) networks across borders;
 - the exchange of best practice and experience;
 7. Notes that Euroregions enhance proximity ties through local best-practice exchange projects; therefore considers it particularly important that the microproject form of assistance, as provided for in the Commission's Communication Interreg III ⁽¹⁾, currently in effect, be maintained under the Structural Funds;
 8. Notes the legislative work in progress on a European grouping of cross-border cooperation (EGCC), the aim of which is to simplify cross-border cooperation instruments (facilitating their actions, rationalising procedures and reducing operating costs), thus providing a platform for Euroregions to develop;
 9. Underlines the need to give priority to eliminating disparities between regions in the new Member States and in the old Member States;
 10. Stresses the need to extend the concept of Euroregions and similar structures, even though they do not necessarily have the legal competencies to include multiple facets of co-operation; suggests as possible fields of mutual interest, promoting culture, education, tourism and economic issues as well as, where applicable, fighting organised crime, drug trafficking and fraud in partnership with relevant national institutions;
 11. Points to the need for integration between projects programmed in countries which share borders;
 12. Welcomes the Commission's efforts to simplify instruments of cross-border co-operation;
 13. Calls for Euroregions and similar structures as proposed in the legal framework of the EGCC to be enabled to develop, implement and manage cross-border programmes in the EU as well as programmes in line with the European Neighbourhood and Partnership Instrument and the Instrument for Pre-Accession Assistance (IPA) as from the year 2007 onwards in partnership with national institutions;
 14. Stresses the importance of cross-border co-operation and Euroregions for Member States with natural handicaps, including small island states;
 15. Stresses the need to support cross-border co-operation and the establishment of Euroregions, including regions in the sensitive area of the Middle East, in an effort to promote friendly relations, stability, security and economic interests in terms of mutual respect and benefit;

⁽¹⁾ Communication from the Commission to the Member States of 2 September 2004 laying down guidelines for a Community initiative concerning trans-European cooperation intended to encourage harmonious and balanced development of the European territory — Interreg III (OJ C 226, 10.9.2004, p. 2).

Thursday 1 December 2005

16. Draws attention to paragraph 1(xxvii) of its resolution on the proposal for a Council Regulation establishing a Cohesion Fund⁽¹⁾ adopted on 6 July 2005, and calls on the Commission to make provision for a premium system along the same lines, taking the form of a 'Community quality and effectiveness reserve' specifically targeting incentives for measures having cross-border effects or potentially dovetailing with existing infrastructure in Euroregions;

17. Instructs its President to forward this resolution to the Council and Commission.

⁽¹⁾ Texts Adopted, P6_TA(2005)0278.

P6_TA(2005)0449

Immunity of Andrzej Pęczak

European Parliament decision on the request for defence of the immunity and privileges of Andrzej Pęczak, former Member of the European Parliament (2005/2128(IMM))

The European Parliament,

- having regard to the request by Andrzej Pęczak for defence of his immunity in connection with the criminal proceedings brought against him before the District Court in Łódź, Poland, on 18 April 2005, announced in plenary sitting on 25 May 2005,
 - having regard to Articles 8, 9 and 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and 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⁽¹⁾ 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 (A6-0330/2005),
- A. whereas Andrzej Pęczak was elected to the Polish Parliament (Sejm) on 23 September 2001; whereas after the signature of the Accession Treaty on 16 April 2003 he became an Observer; whereas he was a Member of the European Parliament from 1 May 2004 until 19 July 2004; whereas his term of office in the Polish Parliament expired on 19 October 2005,
- B. whereas Andrzej Pęczak complains that the Polish Public Prosecutor's office has violated the law in its proceedings and that the District Court's decisions on his detention and arrest as well as the subsequent extensions of the provisional arrest are politically motivated,
- C. whereas Andrzej Pęczak complains that those criminal proceedings brought against him are in breach of the presumption of innocence and that the conditions of his detention and arrest limit his ability to defend himself,
- D. whereas Andrzej Pęczak complains that the procedure by which the Sejm waived his immunity was 'legally invalid' and based on publications in the media, and that his motions for action sent to various persons (such as the Ombudsman) had no effect,
- E. whereas, on basis of the information obtained, Andrzej Pęczak is not protected by parliamentary immunity in respect of any of the claims which have been drawn to the attention of the President of the European Parliament,

1. Decides not to defend the immunity and privileges of Andrzej Pęczak.

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